

The State of South Carolina
In the Court of Appeals

City of Columbia, Respondent

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MAR 10 2016

Haiyan Lin, V.
Appellant.

SC Court of Appeals

Appellate Case No. 2014-002545

Reply to Respondent's Objection
To Appellant's Motion
To Recall Remittitur and Motion
For Full Panel Review

The appellant did not received the Respondent's Objection to Appellant's Motion to Recall Remittitur and Motion for Full Panel Review until 3/2/16, since she has been working out of town. The appellant here by reply the Respondent's Objection as the following.

1. The appellant object that Dana M. Thye is not the attorney for the respondent for this case. Substitution of the attorney on the record violated the SC ~~rule~~ of

civil procedure, since there is no proper motion and court order have been filed and served. Therefore, the objection shall be deem null and invalid.

2. The order dated Oct. 22, 2015, violated the appellant's due process's right of appeal. The court should not simply treat the appellant's Motion to Reinstate Appeal as a motion to rehear or reconsider the dismissal order by the clerk, because there was no motion or hearing has been considered or heard before the order of the dismissal.

3. The appellant's Motion for Reconsideration dated Nov. 5, 2015 ^{affirms/} ^{reserves} the appellant's right of due process to request the court's due diligent consideration on her Motion to Reinstate.

4. The clerk has again violated

the appellant's due process right of further appeal to the SC Supreme Court, on Dec. 21, 2015 by inactivation of the appellant's Motion for Reconsideration and sending the remittitur at the same date. The Clerk has intentionally sent the notice of Dec. 21, 2015 at her Columbia address instead of the notified temporary California address. Pursuant to Rule 221, SCACR, where a petition for rehearing has been denied, the court of Appeal shall not send the remittitur to the lower court until 30 days period to file petition for a writ of certiorari under Rule 242 has expired.

5. The appellant's current Motion to Recall Remittitur and Motion for Full Panel Review is the only way to preserve her due process right of further appeal and to restore the integrity of our judiciary in order to protect her equal protection right under the law.

6. To the record, the appellant has complied with the appellate court rules every steps of way. There was no justifiable reason to dismiss the case other than delayed reception of transcript and cross handling of communication correspondences, due to resigning of the court reporter.

7. There is no base for the respondent to claim that it is not necessary to reinstate the appeal because the case has no merit, other than depriving the appellant's due process right of appeal. The court simply could not determine whether or not the case has merit until the appellant has chance to present her appeal to the court. Also, it is simply not true that "between December 11 and Jan. 19, appellant was receiving and sending mail from Columbia March 7, 2016

Haryanti
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Columbia, SC 29202

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Certificate of Service

The appellant certifies that she has served the appellant's Reply to Respondent's objection to Appellant's Motion to Recall Remittitur and Motion for Full Panel Review by US mail to

Patrick C. Sharpe
City Attorney's Office
P.O. Box 667
Columbia, SC 29202

On March 7, 2016

Haiyan Liu
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