

THE STATE OF SOUTH CAROLINA
IN the Supreme Court

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

RECEIVED

FEB 15 2017

S.C. SUPREME COURT

ON CERTIORARI to the Court of Appeal of South Carolina

SOUTH CAROLINA DEPARTMENT OF CORRECTIONS, et al.

Respondent

v.

Basil W. AKBAR, #65498

Petitioner

PETITION / MOTION FOR REINSTATEMENT OF
APPEAL FOR GOOD CAUSE SHOWN

The Petitioner respectfully objects to this Honorable Court's Order date filed January 31, 2017, and received February 3, 2017, seeks relief from Order of Dismissal, and Reinstatement of Appeal, pursuant to Rule 260, SCACR, Rule 60, SCRPC, and 15(b), SCRPC.

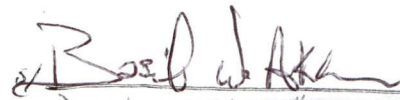
The Petitioner is an Pro Se litigant untrained in law in the above caption matter. His movement is control by Respondent's "Control Movement" system, but recent disruption in Institution Operation due to shortness in staff to supervise all its prisoners, resulting in conflicting with prisoner's work schedules, and access to law library, and special difficulties to meet to meet

date lines or research material. However, the Petitioner inadvertently paid filing fee to the S.C. Appellate Court unintentionally, and believed he had complied to Court's instruction letter dated January 10, 2017, and exercised due diligence under circumstance by meeting date lines and paid filing fee requirements.

Stipulations in order has been satisfied, justifying relief from operation of the order, in support, see enclosed documents. The Petitioner with profound belief categorically submits that he raised genuine issues of material facts and viable issues that had not been adjudicated in any former law suite on the precise question of law/justiciable controversy, and highly-likelihood of success on the merits.

Petitioner's pray for good cause shown, and excusable neglect that this Honorable Court's Order dismissing appeal be rescinded and vacated, and appeal be allowed to go forward under circumstance and heard on the merits.

Date: February 13, 2017



Basil W. Akbar, #065498, Pro Se
Lee County Institution
990 Wisacky Hwy., F&B 2213
Bishopville, S.C. 29010

CERTIFICATE OF SERVICE

I, Basil W. Akbar, Pro Se, hereby certify that copy of the same was served on, The Hon. Jenny Abbott Kitchings, Clerk of South Carolina Court

of Appeals, 1015 Sumter Street, Columbia, S.C. 29211; and Daniel
R. Setfano, Jr., Attorney At Law, Post Office Drawer 7217, Columbia
S.C. 29202, postage prepaid.

Date: February 13, 2017


Basil W. Akbar, #065498
Lee County Institution
990 Wisacky Hwy., F-6B, 2213



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
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February 07, 2017

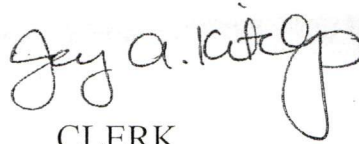
The Honorable Dan Shearouse
Post Office Box 11330
Columbia SC 29211

Re: Basil Akbar #065498 v. SCDPPPS
Appellate Case No. 2016-002100

Dear Mr. Shearouse:

It has come to our attention that the \$100.00 filing fee paid on January 17, 2017 was mistakenly paid to The Court of Appeals, and should have been paid to the Supreme Court of South Carolina with regard to appellate case number 2017-000014. A copy of this receipt is enclosed.

Very truly yours,


CLERK

cc: Tommy Evans, Jr., Esquire
Basil W. Akbar, 065498



The South Carolina Court of Appeals

Shah Brown

01/17/2017

RECEIPT #82188

Case No: 2016-002100
Case Short Title: Basil Akbar #065498 v. SCDPPPS
Event: Notice of Appeal (Civil) - Initial
Fee Type: Case Initiation Fee
Amount: \$100.00
Payment Type: Cash
Reference No:
Check/Money Order Date:
Comments:

LEE CIMAL ROOM

FEB 14 2017

RECEIVED

Basil W. Akbar, 065498, F-6B, 2213
Lee County Institution
990 Wisacky Highway
Bishopville, S.C. 29010

THE HON. DANIEL E. SHEAROUSE, CLERK
THE SUPREME COURT OF SOUTH CAROLINA
1231 GERVAIS STREET
COLUMBIA, S.C. 29211

SCDC

FEB 19 2017

MAIL ROOM