

6595

Darryl Smalls

Attorney and Counselor at Law
P.O. Box 212724 Columbia, SC 29221
Tel: 803.727.6288

Darryl D. Smalls
Tel: 803.727.6288
darryl.smallslaw@live.com

October 17, 2012

Honorable Tanya Gee
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, S.C. 29211

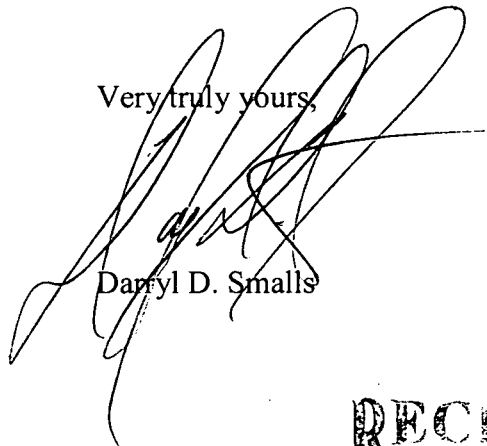
RE: Leggette v. Double D Docks
Case No. 2011199046

Dear Ms Gee:

Please find the Appellant's Motion to Reinstate Appeal. By copy of this letter I am serving the other counsel of record.

With kind regards, I remain

Very truly yours,



Darryl D. Smalls

DDS

RECEIVED

OCT 17 2012

SC Court of Appeals

cc:
Dan Duly

Page 2

Timothy B. Killen
100 Executive Center Drive Suite 101
Santee Bldg
Columbia, S.C. 29210

Andrew Creech
P.O. Box 11091
Rock Hill, S.C. 29731

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM COURT OF COMMON PLEAS

APPELLATE CASE No. 2011-199046

Darrell Leggett,

Respondent

v.

Appellant

**Dan Duly d/b/a Double D Docks and SC
Uninsured Employers Fund, Defendants**

**Of Whom Dan Duly d/b/a Double D Docks
is the Appellant**

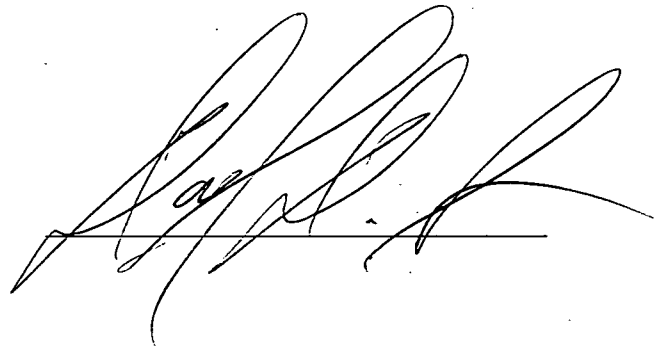
RECEIVED
OCT 17 2012
SC Court of Appeals

MOTION TO REINSTATE APPEAL

Appellant Double D Docks moves that this Court reinstate the above referenced appeal. Double D Docks filed a timely appeal to this court, timely filed the initial brief, record on appeal and

final brief. By order dated September 20, 2012 the Court administratively dismissed the appeal. However, the Appellant never received a copy of the order from the Court. The Appellant received by e-mail a copy of the Court's order from the Respondent's attorney on October 17, 2012. The Appellant respectfully requests that the appeal which was properly and timely filed be reinstated and the Appellant be allowed to correct the caption on the Record of Appeal.

Based upon the above referenced facts the Appellant respectfully requests that the above referenced appeal be reinstated.



Darryl D. Smalls
P.O. Box 212724
Columbia, S.C. 29221
803-727-6288

Attorney for Dan Duly d/b/a Double D Docks

Other Counsel of Record:

Andrew Creech
P.O. Box 11091
Rock Hill, S.C. 29731

Date: 10/17, 2012