

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

Appeal from Orangeburg County  
Maite Murphy, Circuit Court Judge

---

ORIGINAL  
RECEIVED

APR 07 2017  
SC Court of Appeals

THE STATE,

RESPONDENT,

V.

ARCHIE MORE HARDIN,

APPELLANT

APPELLATE CASE NO. 2015-000516

---

PETITION TO REINSTATE APPEAL

---

The undersigned counsel petitions the Court to reinstate the direct appeal of Archie More Hardin. The appeal was dismissed by this Court on March 23, 2017. In support in this petition, counsel would respectfully show the Court that:

1. On or about March 2, 2015, this office received notification from this Court of a notice of intent to appeal filed on behalf of Archie More Hardin by trial counsel R. Douglas Mellard on March 2, 2015.
2. On October 21, 2015 in response to the Division of Appellate Defense's motion, this Court issued its Order appointing Daniel Carson Boles as counsel for the purpose of preparing the briefs and record and arguing this case before this Court in accordance with the conditions set forth in the motion and the terms of the 2015 Appellate Practice Project.
3. On July 20, 2016 Attorney Boies filed the Initial Brief and Designatio of Appellant with this Court, and served it upon opposing counsel.

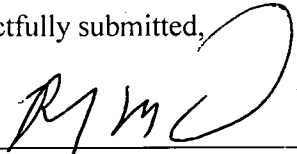
4. On December 16, 2016 the state filed the Initial Brief of Respondent with this Court, and served it.

5. The Record on Appeal was due to be filed and served on January 16, 2016. However, Appellate Project Counsel inadvertently did not timely file the Record on Appeal with this Court. The inadvertence apparently arose from the mistaken belief that the order of appointment required the Appellate Division to compile the documents for the Record on Appeal, and complete the other functions necessary for filing the Record on Appeal. This Court issued an Order dismissing Mr. Hardin's appeal on March 23, 2017 due to the failure to file serve the Record on Appeal, as required by Rule 210, SCACR.

6. The Appellate Division today is filing the Record on Appeal and Final Brief of Appellant with this Court simultaneous with this motion to reinstate. In the interests of judicial economy, appellant requests that this Court accept the late filing, and reinstate the appeal.

WHEREFORE, undersigned counsel respectfully requests that the direct appeal of Archie More Hardin be reinstated, and the Record on Appeal, and Final Brief of Appeal be accepted as filed.

Respectfully submitted,



---

Robert M. Dudek  
Chief Appellate Defender for  
Daniel Carson Boles, Esquire

This 7<sup>th</sup> day of April, 2016.

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

Appeal from Orangeburg County  
Maite Murphy, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

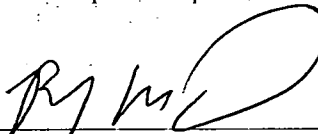
ARCHIE MORE HARDIN,

APPELLANT

APPELLATE CASE NO. 2015-060516

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true copy of the Motion to Reinstate the Appeal in the above referenced case has been served upon J. Ben Aplin, Esquire, this 7<sup>th</sup> day of April, 2017.



ROBERT M. DUDEK  
Chief Appellate Defender  
South Carolina Commission on Indigent Defense  
Division of Appellate Defense  
PO Box 11589  
Columbia, SC 29211-1589  
Phone: 803.734.1343

ATTORNEY FOR APPELLANT

SUBSCRIBED AND SWORN TO before me  
this 7<sup>th</sup> day of April, 2017.

Rhonda Demese Jewett (L.S.)

Notary Public for South Carolina

My Commission Expires: October 17, 2021