

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Clifton Newman, Circuit Court Judge

And

L. Casey Manning, Circuit Court Judge

RECEIVED

MAY 30 2017

SC Court of Appeals

Case No. 2017-CP-40-000846

Formeicko Smith ..... Respondent.

V

Conyers Early Learning Center, Inc. .... Appellant,

**NOTICE OF MOTION AND MOTION TO REINSTATE APPEAL**

Johnny E. Watson, Sr., Esquire  
Watson Law Firm  
2715 Edgewood Avenue  
Columbia, South Carolina 29202  
Phone (803) 400-1600  
Fax (803) 400-1200

*Counsel for Appellant*

Jeffrey I. Silverberg, Esquire  
Houser, Besley & Newman, LLC  
1508 Washington Street  
Columbia, South Carolina 29201  
Phone (803) 758-6000  
Fax (803) 758-4445

*Counsel for Respondent*

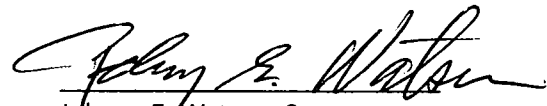
STATEMENT OF MOTION

PLEASE TAKE NOTICE that the above-named Appellant, by and through its counsel, undersigned, will move before the Presiding Judge of the South Carolina Court of Appeals, State of South Carolina, immediately, or as soon as this matter may be heard, for an Order reinstating its appeal based on the statutory and common laws of this state, the Rules of Appellate procedure and the following facts:

- A. The attorney for the Appellant erroneously believed that his law clerk had corrected the deficiencies noted in the Clerk's letter of April 12, 2017,
- B. The corrections needed related the errors of form and not of substance, and
- C. The Respondent is not prejudiced by the error on behalf of Appellant's attorney in failing to amend the filings by the due date.

Respectfully submitted,

BY:



Johnny E. Watson, Sr.  
Attorney at Law, SCB# 5967  
P. O. Box 2305 (29202)  
2715 Edgewood Avenue  
Columbia, South Carolina 29204  
(803) 400-1600 Phone  
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[jewatson.lwr@gmail.com](mailto:jewatson.lwr@gmail.com)

Columbia, South Carolina

Dated: May 29, 2017

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v.

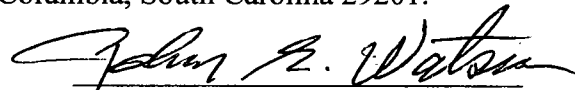
Conyers Early Learning,

Appellant.

PROOF OF SERVICE

I certify that I have served the Amended Notice of Appeal, Amended Proof of Service and Notice of Motion and Motion to Reinstate Appeal on Formeicko Smith by depositing a copy of it in the United States Mail, postage prepaid, on May 29, 2017, addressed to her attorney of record, Jeffrey I. Silverberg, 1508 Washington Street, Columbia, South Carolina 29201.

May 29, 2017



Johnny E. Watson  
Post Office Box 2305  
Columbia, South Carolina 29202  
(803) 400-1600  
Attorney for Appellant

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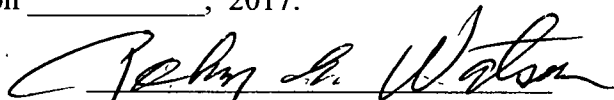
Conyers Early Learning,

Appellant.

AMENDED NOTICE OF APPEAL

Conyers Early Learning appeals the order of the Honorable Clifton Newman dated March 8, 2017 and L. Casey Manning dated \_\_\_\_\_, 2017. Appellant received written notice of entry of this order of Judge Newman on March 12, 2017 and Appellant received written notice of entry of this order of Judge Manning on \_\_\_\_\_, 2017.

May 29, 2017



Johnny E. Watson  
Post Office Box 2053  
Columbia, South Carolina 29202  
(803) 400-1600  
Attorney for Appellant

THE STATE OF SOUTH CAROLINA  
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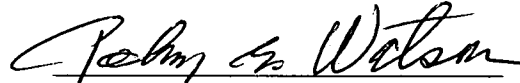
Conyers Early Learning,

Appellant.

AMENDED PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Formeicko Smith by depositing a copy of it in the United States Mail, postage prepaid, on April 6, 2017, addressed to her attorney of record, Jeffrey I. Silverberg, 1508 Washington Street, Columbia, South Carolina 29201.

May 29, 2017



Johnny E. Watson  
Post Office Box 2305  
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Attorney for Appellant