

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM RICHLAND COUNTY

Court of Common Pleas

L. Casey Manning, Circuit Court Judge

Appellate Case No. 2017-000617

RECEIVED

SEP 05 2017

SC Court of Appeals

South Carolina Public Interest Foundation and William B. DePass, Jr., individually, and on behalf of all others similarly situated, Appellants,

v.

The City of Columbia, Richland County, and Fairfield County, Respondents.

MOTION TO REINSTATE THE APPEAL

NOW COME the Appellants, by their undersigned attorney, and move the Court to reinstate the Appeal. In support of Motion, Appellants would show the Court the following. At the request of the Defendants/Respondents, the undersigned counsel for the Appellants ordered a copy of the Transcript of Record on April 13, 2017, and on April 24, 2017, notified the Court of the ordering of the Transcript. Appellants have not received a Transcript of Record.

On July 18, 2017, this Court sent a letter to the undersigned counsel stating the time for serving the Record on Appeal had expired. On July 24, 2017, the undersigned counsel wrote to the Court of Appeals, explaining that he had ordered a Transcript of Record in

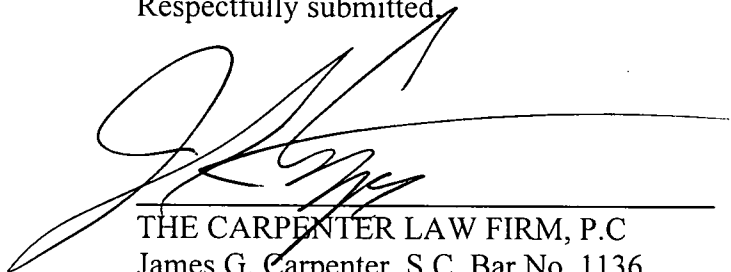
April, but had not received it, and stating that in order to file the Record on Appeal, he needed the copy the Transcript, which he had not received.

On August 25, 2017, the Court entered an Order, signed by the Deputy Clerk, dismissing the Appeal for failure to file the Record on Appeal. On September 1, 2017, the undersigned telephoned the Clerk of Court's Office, and learned that the Court had not receive the July 24 letter. Accordingly, the undersigned attorney sent a fax letter to the Court explaining the circumstances, and attaching a copy of the July 24 letter.

The undersigned attorney has assured the Court that he will notify the Court when he receives a copy of the Transcript of Record and he will file the Record on Appeal shortly thereafter. At this time, the undersigned attorney has not received Transcript of Record.

WHEREFORE, Appellants move the Court to reinstate the Appeal.

Respectfully submitted,



THE CARPENTER LAW FIRM, P.C
James G. Carpenter, S.C. Bar No. 1136
819 E. North Street
Greenville, South Carolina 29601
(864) 235-1269
Attorneys for Appellants

September 1, 2017

Other Counsel of Record:

Burnet Maybank III
P.O. Drawer 2426
Columbia, SC 29202
Attorney for City of Columbia

Ray N. Stevens
PO Box 1509
Columbia, SC 29202
Attorney for Richland
and Fairfield Counties

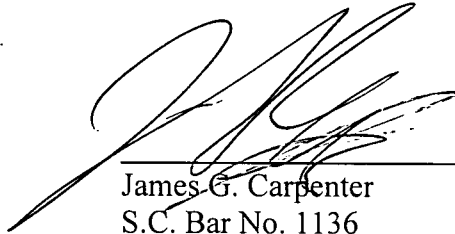
CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that he served a copy of the foregoing Motion to Reinstate the Appeal and Motion for Enlargement of Time to File the Record on Appeal on opposing counsel by first class mail, postage prepaid, this September 1, 2017, addressed as follows:

Burnet R. Maybank III
Post Office Drawer 2426
Columbia, SC 29202

Ray N. Stevens
PO Box 1509
Columbia, SC 29202

Respectfully submitted,
THE CARPENTER LAW FIRM, PC



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Attorney for the Plaintiffs

September 1, 2017

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WHEN IT'S WORTH FIGHTING FOR

JAMES G. CARPENTER
james.carpenter@carpenterlawfirm.net
SERVING S.C. AND N.C.

September 1, 2017

ATTN. SHELBY

The Honorable Jenny Abbott Kitchings
Clerk of SC Court of Appeals
PO Box 11629
Columbia, SC 29211

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SEP 05 2017
SC Court of Appeals

Re: *South Carolina Public Interest Foundation et al. vs. The City of Columbia, et al*
Appellate Case No. 2017-000617

Dear Ms. Kitchings:

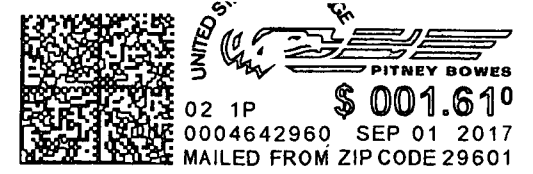
We enclose a Motion to Reinstate the Appeal, Motion for Enlargement of Time to File the Record on Appeal, Certificate of Service, and a check for the two filing fees. We also enclose extra copies of each. Please file stamped the extra copies and return them to me in the enclosed postage-paid envelope.

Thank you very much. If you need anything else, please telephone me.

Sincerely yours,
THE CARPENTER LAW FIRM, PC

James G. Carpenter

CC w/ enclosures: Ray N. Stevens
Burnet R. Maybank III



THE CARPENTER LAW FIRM, P.C.
819 EAST NORTH STREET GREENVILLE, SC 29601

The Honorable Jenny Abbott Kitchings
Clerk of SC Court of Appeals
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