

APPELLANTS RULE 260 (a) MOTION TO REINSTATE APPEAL  
THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM GREENVILLE COUNTY  
COURT OF COMMON PLEAS

Robin B. Stilwell, Circuit Court Judge

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Case No. 2017-CP-23-05356

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Appellate Case No. 2017-002502

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RECEIVED

FEB 13 2018

SC Court of Appeals

George Cleveland, III.....Appellant

v.

Michael J. Sarratt.....Respondent

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MOTION TO REINSTATE

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George Cleveland, III,  
400 Hunter Street  
Seneca, S.C. 29678  
Cell no. 864-784-7223  
Email: [gcleveland7475@gmail.com](mailto:gcleveland7475@gmail.com)  
*Pro se* Appellant

Michael J. Sarratt, *Esquire*  
1500 East Rutherford Street  
Landrum, S.C. 29356  
Respondent

## MOTION TO REINSTATE

**MAY IT PLEASE THE COURT:** George Cleveland, III, proceeding *pro se* in the above captioned case respectfully files this Motion to reinstate my Appeal in this case that was dismissed on January 26, 2018, see R.P. 1, on the following grounds: the increment weather<sup>1</sup>, my school work<sup>2</sup>, and my work schedule<sup>3</sup> consumed my time; therefore, I was unable to file my *Initial Brief* by within then (10) days from the January 08, 2018 deficiency letter, see R.P. 2.

Furthermore, the letter I sent to this Court, and received on January 29, 2018, see R.P.3, I ask that this Court not consider that letter, but instead consider this instant Motion to Reinstate my Appeal in this case because the letter does not provide an substantial basis, and supporting evidence for the Reinstatement of this Appeal.

Based on the forgoing facts, and supporting evidence, I respectfully request that this Court **GRANT** my Motion to Reinstate my Appeal in this case, and allow the filing of my *Initial Brief due within fifteen (15) days after the filing of this Court's order*.

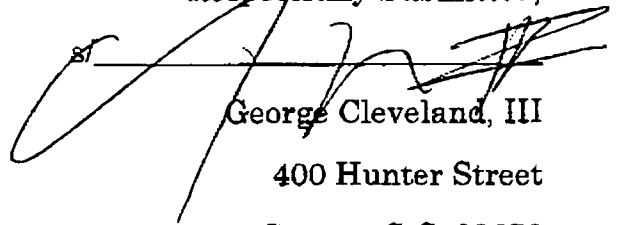
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<sup>1</sup> The bad weather started on January 18, 2018, and ended around January 23, 2018 in the Seneca, S.C. area.

<sup>2</sup> I had an Essay due on January 30, 2018 in my English class at Piedmont Technical College in Greenwood, S.C. which took five (5) days to plan, and prepare for.

<sup>3</sup> I work 70 plus hours a week driving a Cab in the Upstate of South Carolina.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "George Cleveland, III", is written over a horizontal line. The signature is stylized and somewhat cursive.

George Cleveland, III

400 Hunter Street

Seneca, S.C. 29678

Cell no. 864-784-7223

Email: [gcleveland7475@gmail.com](mailto:gcleveland7475@gmail.com)

**Dated: February 12, 2018**

Rp. 1

# The South Carolina Court of Appeals

George Cleveland, III, Appellant,

v,

Michael J. Sarratt, Respondent

Appellate Case No. 2017-002502

The Honorable Robin B. Stilwell  
Greenville County  
Trial Court Case No. 2017CP2305356

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## ORDER

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Appellant has failed to serve and file the appellant's initial brief and designation of matter, as required by Rule 208 and 209 of the South Carolina Appellate Court Rules, and letter of this Court dated January 8, 2018. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY V. Claire Allen, Deputy  
CLERK

Columbia, South Carolina

**FILED**

January 26, 2018

cc:  
George Cleveland, III  
Michael James Sarratt, Esquire



ff. 2

## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11829  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1880  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

January 08, 2018

George Cleveland, III  
400 Hunter Street  
Seneca SC 29678

Re: George Cleveland, III, v. Michael Sarratt  
Appellate Case No. 2017-002502

Dear Mr Cleveland:

The Court is in receipt of your letter, received December 28, 2017. Pursuant to Rule 208, SCACR, if no transcript is ordered, the appellants initial brief is due to be served and filed thirty (30) days after serving the notice of appeal. Our records reflect that your appellant's initial brief and designation of matter are now overdue. Within ten (10) days of the date of this letter you must serve and file your appellant's initial brief and designation of matter, along with a motion requesting permission to serve and filed your brief and designation of matter outside of the filing deadline set by Rule 208 and 209, SCACR. Failure to comply with the Court's request will result in the dismissal of your appeal.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Jenny A. Kitchings".

CLERK

cc: Michael James Sarratt, Esquire

**APPELLANT'S PROOF OF SERVICE**  
**THE STATE OF SOUTH CAROLINA**  
**IN THE COURT OF APPEALS**

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**APPEAL FROM GREENVILLE COUNTY**  
**COURT OF COMMON PLEAS**

**Robin B. Stilwell, Circuit Court Judge**

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**Case No. 2017-CP-23-05356**

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**Appellate Case No. 2017-002502**

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George Cleveland, III.....Appellant

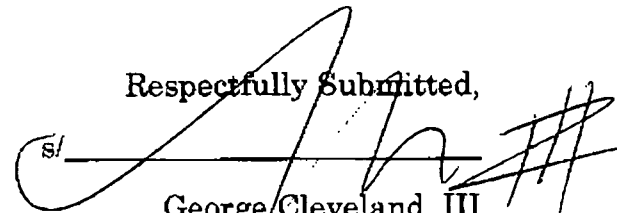
v.

Michael J. Sarratt.....Respondent

I, George Cleveland, III, certify that on the date below, properly addressed, and with proper postage affixed served on the Respondent my Motion to Reinstate my Appeal, and the supporting documents related thereto to the following:

Michael J. Sarratt, Esquire  
1500 East Rutherford Street  
Landrum, S.C. 29356

Respectfully Submitted,



George Cleveland, III

400 Hunter Street

Seneca, S.C. 29678

Cell no. 864-784-7223

**Dated: February 12, 2018**

**Email: [gcleveland7475@gmail.com](mailto:gcleveland7475@gmail.com)**



# CUSTOMER RECEIPT

APR 12 2018 10:25 AM 7-0025 02

SEE BACK OF THIS RECEIPT  
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February 12, 2018

**FAX**

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FEB 13 2018

SC Court of Appeals

The South Carolina Court of Appeals

**Attention: Jenny Abbott Kitchings, Clerk of Court**

**Fax no. 803-734-1839**

**Re: George Cleveland, III v. Michael J. Sarratt, Appellate Case No. 2017-002502;  
*Motion to Reinstate***

Dear Mr. Kitchings,

Attached to this **FAX** is a copy of my \$25.00 money order for the Motion filing fee, Motion to Reinstate my Appeal, and supporting documents. The original documents have been mailed with *today's postmark date* respectively.

Respectfully Submitted,

s/

George Cleveland, III

400 Hunter Street

Seneca, S.C. 29678

Cell no. 864-784-7223

**Email: [gcleveland7475@gmail.com](mailto:gcleveland7475@gmail.com)**

cc: file

Michael J. Sarratt