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

APPEAL FROM GREENVILLE COUNTY
COURT OF COMMON PLEAS
Robin B. Stilwell, Circuit Court Judge

RECEIVED
FEB 14 2018
SC Court of Appeals

Case No. 2017-CP-23-05356

Appellate Case No. 2017-002502

George Cleveland, III.....Appellant
v.
Michael J. Sarratt.....Respondent

MOTION TO REINSTATE

George Cleveland, III,
400 Hunter Street
Seneca, S.C. 29678
Cell no. 864-784-7223
Email: 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 weather¹, my school work², and my work schedule³ 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.

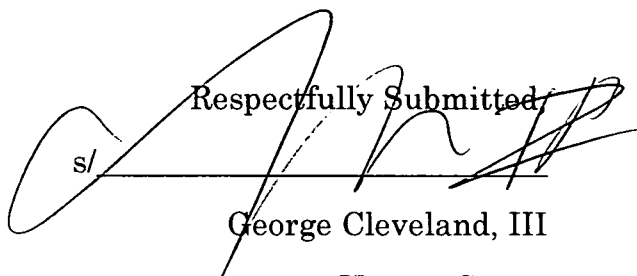
Furthermore, the letter I sent to this Court, and received on January 29, 2018, see R.P.3, I ask that this Court not consider that letter, but instead consider this instant Motion to Reinstate my Appeal in this case because the letter does not provide an substantial basis, and supporting evidence for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

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

² 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.

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

s/ 

Respectfully Submitted,

George Cleveland, III

400 Hunter Street

Seneca, S.C. 29678

Cell no. 864-784-7223

Email: gcleveland7475@gmail.com

Dated: February 12, 2018

fp. 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

ORDER

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 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
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. Kitchens".

CLERK

cc: Michael James Sarratt, Esquire



Ap 3

The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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January 31, 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:

Upon reviewing your material filed January 29, 2018, which the Court construes as a motion to reinstate this appeal, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or your motion will not be considered:

- The required filing fee has not been submitted. The correct filing fee is \$25.00.
- A proof of service has not been provided. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Michael James Sarratt, Esquire

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

APPEAL FROM GREENVILLE COUNTY
COURT OF COMMON PLEAS

Robin B. Stilwell, Circuit Court Judge

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SC Court of Appeals

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,

s/ _____

George Cleveland, III

400 Hunter Street

Seneca, S.C. 29678

Cell no. 864-784-7223

Dated: February 12, 2018

Email: gcleveland7475@gmail.com

February 12, 2018

The South Carolina Court of Appeals
Jenny Abbott Kitchings, Clerk of Court
Post Office Box 11629
Columbia, S.C. 29211

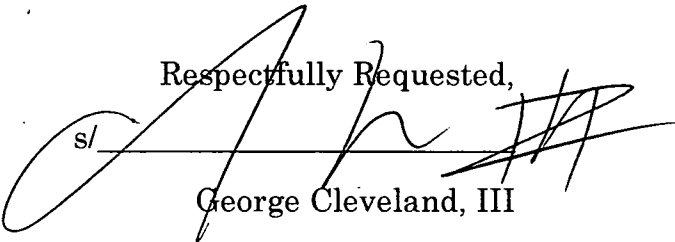
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SC Court of Appeals

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

Dear Mr. Kitchings,

Can you please file my attached *Motion to Reinstate my Appeal* (3-copies bound, and 1 copy unbound), supporting documents, proof of service, \$25.00 motion filing fee, and proof of faxed copies to this office?

Respectfully Requested,

s/ 

George Cleveland, III

400 Hunter Street

Seneca, S.C. 29678

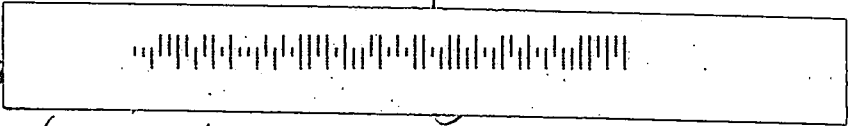
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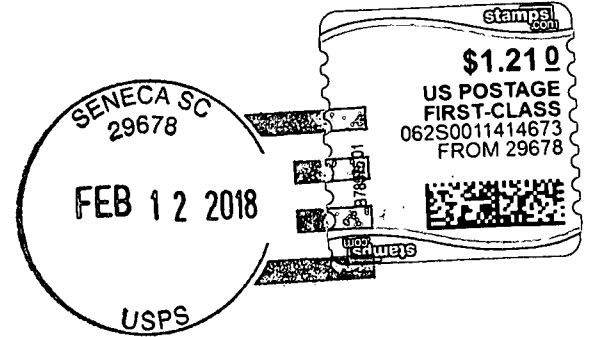
cc: file

Michael J. Sarratt

Georg



400 Hunter Street
Seneca, S.C. 29678



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Columbia, SC 29211