

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

JUL 25 2018
SC Court of Appeals

G. Thomas Cooper, Circuit Court Judge

Appellate Case No. 2018-000794

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

v.

Richland County, Respondent,

Central Midlands Transit Authority Respondent/Intervenor.

RETURN TO MOTION TO REINSTATE APPEAL

Pursuant to Rule 240(e) of the South Carolina Appellate Court Rules, Respondent Central Midlands Regional Transit Authority (“CMRTA”) hereby responds to the Motion to Reinstate Appeal filed on behalf of Appellants South Carolina Public Interest Foundation, Edward D. Sloan, Jr., and William B. DePass, Jr. (“Appellants”). CMRTA objects to the relief sought in the motion.

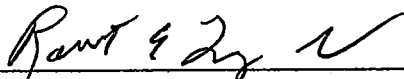
After Appellants filed their Notice of Appeal, this court wrote Appellants on May 2, 2018 and again on May 25, 2018 asking Appellants to correct deficiencies in their Notice of Appeal. The May 25, 2018 letter stated “failure to comply with the Court’s request within ten days will result in the dismissal of this appeal.” According to the Order entered by the Court of Appeals on July 13, 2018, this Court again requested by phone on June 12, 2018 that Appellants respond to the Court’s direction. Appellants failed to correct the deficiencies despite three opportunities

provided by this Court. This Court properly dismissed the appeal by Order dated and filed July 13, 2018.

Pursuant to Rule 260(a) of the South Carolina Appellate Court Rules, Appellants have failed to show good cause why the appeal should be reinstated. Therefore, this court should deny Appellants' motion to reinstate appeal.

Respectfully submitted,

ROBINSON GRAY STEPP & LAFFITTE LLC

By:  _____

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Central Midlands Regional Transit Authority

Columbia, South Carolina
July 25, 2018

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PROOF OF SERVICE

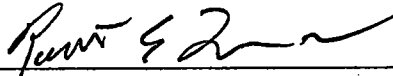
I certify that I have caused the service of the Return to Motion to Reinstate Appeal by Respondent/Intervenor Central Midlands Transit Authority on Appellants and Respondent by U.S. Mail on July 25, 2018, to the attorneys of record at the following addresses:

Counsel Served: James G. Carpenter, Esquire
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SC Court of Appeals

BY HAND-DELIVERY

Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Re: SC Public Interest Foundation, et al. v. Richland Co., et al.
Appellate Case No.: 2018-000794
File No. 6908/1500

Dear Ms. Kitchings:

Enclosed please find the original and seven (7) copies of the Return to Motion to Reinstate Appeal of Respondents along with Proof of Service.

I would appreciate your filing as appropriate and returning a clocked-in copy of each via our courier.

By copy of this letter, and as evidenced by the Proof of Service, I am serving same upon counsel of record.

Sincerely,

Robert E. Tyson, Jr.

Enclosures

cc: James G. Carpenter, Esquire
Andrew F. Lindemann, Esquire
Larry C. Smith, Esquire