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IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM JASPER COUNTY
Court of Common Pleas

Kristi L. Harrington, Circuit Court Judge

Court of Appeals No.: 2018-000641

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OCT 23 2018
SC Court of Appeals

John DoeAppellant,

-v-

Beaufort Jasper Academy for Career Excellence, ... Respondent

APPELLANT'S MOTION TO REINSTATE

By Order filed October 16, 2018, by Order of Deputy Clerk of Court, the above appeal was dismissed for failure of Appellant to file its Initial Brief and Designation of Matter to be Included in the Record on Appeal. The Appellant hereby moves pursuant to Rule 260, 221, and 240, SCACR, and respectfully seeks leave of this Court for reinstatement, for good cause shown.

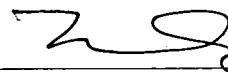
The Appellant received an initial extension of time within which to file his initial brief and designation of matter to be included in the Record on Appeal to September 13, 2018, the Thursday during the statewide closures necessitated by the approach and landing of Hurricane Florence. Upon return, the undersigned communicated with his staff concerning the Supreme Court's Order 2018-09-17-01 concerning the computation of time under Rule 263, SCACR, when on September 18th, the day after the Order issued, my paralegal emailed me the Order concerning computation and sought confirmation of the "new" due date for Appellant's materials. The undersigned

received that email, and if I did confirm my staff's calculation of time, it was only verbal, as there is no reply email from me to staff. Regardless, the failure to calendar is mine, and the "new" due date was not calendared within the undersigned's operating/calendaring system. Had it been calendared, the undersigned intended on timely seeking a minimal extension of time (up to 20 days) to finalize the brief. With the date not calendared in my system, this date was missed.

Under these circumstances, Appellant and his undersigned counsel respectfully request that leave be granted to reinstate the appeal and immediately proceed with the filing of the Initial Brief and Designation of Matter to be Included in the Record on Appeal. Appellant's counsel humbly suggests that as a matter of fairness, the parties nor the Court will be prejudiced by the undersigned's mistake, nor will the grant of reinstatement unduly lengthen or slow the appellate process. The delay occasioned by the undersigned's error, as a matter of equity, works no hardship on the parties or their counsel. Therefore, the undersigned respectfully requests leave of tis Court for the Reinstatement of the Appeal and for leave to file his Initial Brief and Designation of Matter to be Included in the Record on Appeal in accordance with the South Carolina Appellate Court Rules.

Respectfully submitted,

PETERS, MURDAUGH, PARKER,
ELTZROTH & DETRICK, P.A.



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Ridgeland, S.C.
October 19, 2018

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PROOF OF SERVICE


The undersigned certifies that a copy of the foregoing Motion for Extension of Time has been served upon the following counsel of record by mailing a copy of the same, postage prepaid, in the United States Mail, addressed as shown below this 18th day of October, 2018.

Kenneth A. Davis, Esquire
Boykin & Davis, LLC
Post Office Box 11844
Columbia, S.C. 29211

PETERS, MURDAUGH, PARKER, ELTZROTH
& DETRICK, P.A.

October 19, 2018
Ridgeland, South Carolina

BY: _____


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P.O. Box 2500
Ridgeland, S.C. 29936
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Email: mcreech@pmped.com
Attorneys for Appellant

LAW OFFICES
PETERS, MURDAUGH, PARKER, ELTZROTH & DETRICK

PROFESSIONAL ASSOCIATION

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(1915-1998)
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(1927-2008)
J. PAUL DETRICK
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October 19, 2018

VIA U.S. MAIL

The Honorable Jenny Abbott Kitchings
S.C. Court of Appeals Clerk of Court
Post Office Box 11629
Columbia, SC 29211-1629

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*Re: John Doe v. Beaufort Jasper Academy for Career Excellence;
Appellate Case No.: 2018-000641*

Dear Ms. Kitchings:

Enclosed for filing please find the original and seven (7) copies of Appellant's Motion to Reinstate. I have also enclosed proof of service of the Motion and the appropriate ~~\$25.00~~ filing fee. Please file the documents and return a file-stamped copy to me in the enclosed self-addressed, stamped envelope.

If you have any questions, please do not hesitate to contact our office.

With kind regards, I am

Sincerely,



Matthew V. Creech

MVC/mvc
Enclosures as stated

cc: Kenneth A. Davis, Esquire

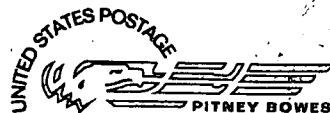
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The Honorable Jerry Abbott Kitchings
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