

AFFIDAVIT

STATE OF SOUTH CAROLINA  
In the Court of Appeals

RECEIVED

DEC 11 2018

SC Court of Appeals

—  
APPEAL FROM SUMTER COUNTY  
H.P. King, Judge, Court of Common Pleas

—  
Trial Court Case No. 2016-CP-43-00733  
Appellate Case No. 2018-001505

—  
JPMorgan Chase Bank National Association, Respondent,

v.

ROBERT W. WAZNEY,

Appellant.

—  
MOTION TO REINSTATE  
—

December 7, 2018.

ROBERT WILLIAM WAZNEY  
Appellant,

MOTION TO REINSTATE


I, ROBERT WILLIAM WAZNEY, Appellant, received ORDER (attached) dated November 29, 2018 on December 4, 2018. Pursuant Rule 260(a) SCACR, I move this court to reinstate my appeal because:

- 1.) This case is a delinquency action and "no court fee may be charged in delinquency and neglect actions" Ex Parte Martin, 321 S.C. 533, 471 S.E.2d 134 (1995);
- 2.) Court proceedings were had out of my presence where I needed to bring defences, and objections. "Where certain fundamental rights are involved, the constitution requires that an indigent be allowed access to the courts. Compare Boddie v. Connecticut, 91 S.Ct. 780" Ex Parte Martin, 321 S.C. 533, 471 S.E.2d 134 (1995);
- 3.) This court has dismissed this case on account of my ~~in~~ indigency, which is contrary to clearly established law and United States Supreme Court decisions. Compare Boddie v. Connecticut, 401 U.S. 371, 91 S.Ct. 780. See, also, United States Constitution Amendments 1, 14.

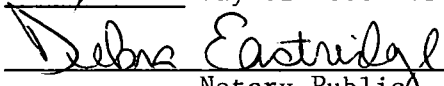
With good cause shown, I request leave of the court to reinstate this appeal titled above or any other relief the court deems fit and appropriate. I declare under penalty of perjury the foregoing is true and correct.

December 7, 2018.

ls/

  
ROBERT WILLIAM WAZNEY  
990 Wisacky Hwy.  
Bishopville, SC 29010  
Appellant, Indigent

SWORN or affirmed to and subscribed before me this 7 day of December 2018.

  
Notary Public

My Commission Expires:

3/3/2024

# The South Carolina Court of Appeals

JP Morgan Chase Bank National Association,  
Respondent,

v.

Robert W. Wazney, Appellant.

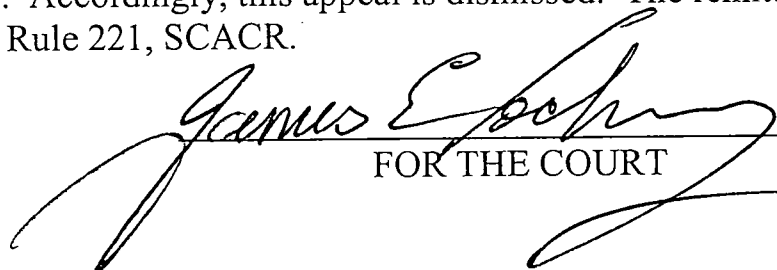
Appellate Case No. 2018-001505

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## ORDER

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Appellant has failed to pay the notice of appeal filing fee as required by this court's October 4, 2018 order. Accordingly, this appeal is dismissed. The remittitur shall be sent as provided in Rule 221, SCACR.

  
FOR THE COURT

Columbia, South Carolina

**FILED**

November 29, 2018

cc:  
Robert William Wazney, 00363679  
Reginald Patrick Corley, Esquire  
Benjamin Rush Smith, III, Esquire  
Nicholas Andrew Charles, Esquire

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—  
CERTIFICATE OF SERVICE


—  
The undersigned hereby certifies that true and correct copies of MOTION TO REINSTATE were served by depositing the same in the prison mail system postage prepaid U.S. Mail addressed to the following addresses on December 7, 2018.

Clerk, S.C. Court of Appeals  
PO Box 11629  
Columbia SC 29211

Scott and Corley, P.A.  
PO Box 2065  
Columbia, SC 29202

Dept. of Justice  
950 Pennsylvania Ave., NW  
Washington DC 20530

/s/

  
ROBERT WILLIAM WAZNEY  
990 Wisacky Hwy.  
Bishopville, SC 29010  
Indigent, Appellant

ROBERT WILIAM WAZNEY

FL 1139 363679

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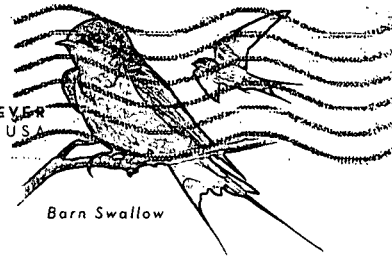
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FOREVER  
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Barn Swallow

CLERK, S.C. COURT OF APPEALS

PO Box 11629

COLUMBIA SC 29211

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SC Court of Appeals

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