

State of South Carolina

In the court of Appeals

Appeal from Administrative

Law Courts

Motion to Reinstate

S. Phillip, Lenski Administrative Law Judge

Case No 18- ALJ-04-0192-AP

RECEIVED
DEC 28 2018
SC Court of Appeals

Darius M. Gould#189007

Appellant,

VS

**South Carolina Department Of
Corrections**

Respondent

This is a motion to reinstate my Appeal against the department of corrections, I Darius Gould will certified that I have served notice to all interested parties. On this date of December 18, 2018.

**RULE 221
REHEARING AND REMITTITUR**

(a) Rehearing. Petitions for rehearing must be actually received by the appellate court no later than fifteen (15) days after the filing of the opinion, order, judgment, or decree of the court. A petition for rehearing shall be in accordance with Rule 240, and shall state with particularity the points supposed to have been overlooked or misapprehended by the court. No return to a petition for rehearing may be filed unless requested by the appellate court. Ordinarily, however, rehearing will not be granted in the absence of such a request. No petition for rehearing shall be allowed from an order denying a petition for a writ of certiorari under Rule 242, SCACR.

(b) Remittitur. The remittitur shall contain a copy of the judgment of the appellate court, shall be sealed with the seal and signed by the clerk of the court, and unless otherwise ordered by the court shall not be sent to the lower court or administrative tribunal until fifteen (15) days have elapsed (the day of

STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC Court of Appeals

APPEAL FROM ADMINISTRATIVE
LAW COURT

S. Phillip Lenski, Administrative Law Judge.

Case No. 18-ALJ-04-0192-AP

Darius Gould #189007

Appellant,

v.

South Carolina Department of Corrections

Respondent.

Motion to Reinstate

I, Darius Gould #189007, certify that I have served a copy of the Notice of Appeal on Respondent by depositing a copy of the same in the United States mail, postage prepaid, addressed to: Staff attorney, Kensey E. Barrett, S.C. Department of Corrections, 4444 BroadRiver Rd., Columbia, South Carolina 29221.

I further certify that all parties required by Rule to be served have been served. This 17 day of December, 2018.



Darius Gould #189007
macdougall Corr. Inst
1516 Old Gilliard Rd.
Ridgeville, SC 29472

FILED

DEC 28 2018

SC ADMIN LAW COURT

Jenny A Kitchings
Clerk Of Appeals Court
1015 Sumter St
Columbia SC 29211

Darius M Gould#189007
Macdougall Corr. Inst.
1516 Old Gilliard RD 29472

filing being excluded) since the filing of the opinion, order, judgment, or decree of the court finally disposing of the appeal. If a petition for rehearing is received before the remittitur is sent, the remittitur shall not be sent pending disposition of the petition by the court. Where a petition for rehearing has been denied, the Court of Appeals shall not send the remittitur to the lower court or administrative tribunal until the time to petition for a writ of certiorari under Rule 242(c) has expired. If a petition for writ of certiorari is filed, the Court of Appeals shall not send the remittitur until notified that the petition has been denied. If the writ is granted by the Supreme Court, the Court of Appeals shall not send the remittitur.

(c) Rehearing of Motions. The appellate court will not entertain petitions for rehearing on a motion or petition unless the action of the court on the motion or petition has the effect of dismissing or finally deciding a party's appeal.

The enclosed letter is a motion for reinstatement of my case against the South Carolina Department of Corrections filed under the appeals pursuant to rule 221 240 and 242 with the kindest regards

Sincerely



Darius M Gould#189007

STATE OF SOUTH CAROLINA
In The Court of Appeals

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DEC 28 2018

SC Court of Appeals

APPEAL FROM ADMINISTRATIVE
LAW COURT

S. Phillip Lenski, Administrative Law Judge.

Case No. 18-ALJ-04-0192-AP

Darius Gould #189007

Appellant,

v.

South Carolina Department of Corrections

Respondent.

PROOF OF SERVICE

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Darius Gould #189007
MacDougall Corr. Inst.
1516 Old Gilliard Rd.
Ridgeville, SC 29472

12/17/18

Phyllis Garrick Hopkins
my commission expires
March 09, 2027

FILED

DEC 28 2018

SC ADMIN LAW COURT

Jenny A. Kitchings
Clerk of Appeals Court
1015 Sumter St.
Columbia, SC 29211

Darius Gould #189007
Macdougall Corr. Inst.
1516 Old Gilliard Rd.
Ridgeville, SC 29472

Date: _____

RECEIVED
DEC 28 2018
SC Court of Appeals

Re: Darius Gould #189007; Appellant v. South Carolina
Department of Corrections; Respondent.
Case No. 18-ALJ-04-0192-AP.

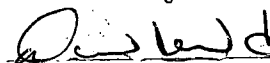
Dear Ms./Mrs. Kitchings:

Enclosed for filing is a notice of appeal in
the above case. Also enclosed are the following:

- (1) Proof of Service of the notice of appeal on
the respondent.
- (2) A copy of the order which is to be challenged
on appeal.
- (3) This appeal is being filed with the court of
appeals pursuant to Rule 201(b).

With kindest regards, I am

Sincerely,



Darius Gould #189007

Dec. 17, 2018