

THE SOUTH CAROLINA COURT of Appeals

Estate of Deborah Elaine Woods by Vivian M. Woods as
Personal Representative; and Vivian M. Woods. Individually,
Appellant

v.

Roosevelt Rawlins, Respondent.

Estate of Deborah Elaine Woods by Vivian M. Woods as
Personal Representative; and Vivian M. Woods. Individually,
Appellant

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JAN 08 2019

SC Court of Appeals

v.

Sharon Miller Young, Respondent.

Appellate Case No. 2018-001565

NOTICE AND MOTION TO REINSTATE APPEAL

The motion to proceed in forma pauperis was denied pursuant to Ex parte Martin, 321 S.C. 533, 471 S.E.2d 134 (1995). The Appellant received the Order¹ to pay the filing fee within fifteen days of the date of the order. The order was dated October 25, 2018; however, Appellant did not receive the order until 4-5 days after the order date.

The Appellant is respectfully asking the court to reinstate the appeal. The Appellant did everything in her power to ensure all procedures and deadlines was followed; however, appealing this denial of the Motion to Proceed Forma Pauperis has exhausted the appellants time. During this process the fee was increased to \$250 Two Hundred Fifty Dollars.

Prior to receive the denial, the appellant called the Clerk of the Court to inform the Court the fee was raised. Appellant asked the Clerk was there still time to send in the filing fee. The appellant was told, Yes. The Clerk then asked how soon the check can be received. Appellant inform the Clerk that the check was being mailed that same day. Appellant was informed that the case was still pending. The was on or around December 7, 2018.

According to U.S. 47 CFR 1.224 – Motion to proceed forma pauperis (c)(1)(2) personal financial was submitted to support the request to proceed forma pauperis. It reflected the Appellant having a negative balance in checking in excess of \$500 five-hundred dollars, in addition to no income.

According to the 14th amendment, Appellant's rights to Life, Liberty and Property shall not be deprived of (To have (something) withheld or taken away) without due process of law (Legal procedures carried out according to established law of the land.) By denying the Appellant's motion to proceed forma pauperis, it

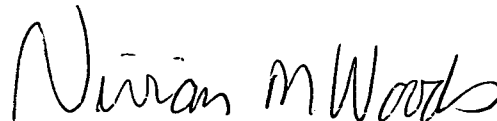
clearly denies Appellant, an indigent litigant, access to the established law of the land, further violating Appellant's constitutional rights (See Due Process Clause).

Appellant was denied rights as an indigent litigant rights provided by the 5th and 14th amendment of the United States Constitution and was ratified and adopted by the State of South Carolina, "No person shall be deprived of life, liberty or property, without due process of law..." and [N]or shall any State deprive any person of life, liberty, or property, without due process of law..."

Appellant is hereby requesting that the Court of Appeals in the State of South Carolina reinstate the appeal, now that the Appellant has secured file filing fee.

Appellant SO MOVE,

Sincerely,



Vivian M. Woods, Appellant, Pro Per
Post Office Box 21723
Hilton Head Island, SC 29925
843-338-3679

Dated: December 21, 2018

Cc: Douglas W. MacNeille, Esq.
William C. Clark, Esq.
South Carolina Court of Appeals
Marvin H. Dukes, III, Judge

THE STATE OF SOUTH CAROLINA COURT

Court of Appeals

Marvin H Dukes, III

Appellate Case No. 2018-001565

Estate of Deborah Elaine Woods by Vivian M. Woods as Personal Representative;
and Vivian M. Woods. Individually, Appellant

v.

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v.

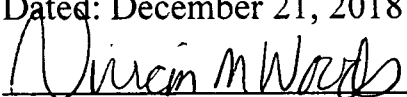
Sharon Miller Young, Respondent.

Appellate Case No. 2018-001565

PROOF OF SERVICE

I certify that I have served the **Notice and Motion to Reinstate** on Roosevelt Rawlins and Sharon Miller Young by depositing a copy of it in the United States Mail, postage prepaid, on or around December 21, 2018, addressed to his attorney of record, Douglas w MacNeille, Post Office Box 5706, Hilton Head Island, South Carolina 29928 and/or by electronic media (email) at douglas@ruthandmacneille.com and/or by personally delivering a copy of it to his attorney of record office at 10 Office Way Ste.# 200, Hilton Head Island, SC 29928, on December 21, 2018.

Dated: December 21, 2018



Vivian M Woods, Pro Per, Appellant
Post Office Box 21723
Hilton Head Island South Carolina 29925

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JAN 08 2019

SC Court of Appeals

Vivian M Woods
P O Box 21723
Hilton Head Island, SC 29925
843-338-3679

January 4, 2019

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JAN 08 2019
SC Court of Appeals

South Carolina Court of Appeals
V. Claire Allen, Deputy Clerk
P O Box 11629
Columbia, SC 29211
Fax: 803-734-1839

Dear Mrs. Allen,

I am writing in response to a letter received on Monday, December 31, 2018 in regard to proof of service not in compliance with the SCACR and a court fee of \$50 for filing Motion. I received the check back in the amount of \$250.00 with instruction to correct deficiency within 10 days of the date of this letter or my motion will not be considered.

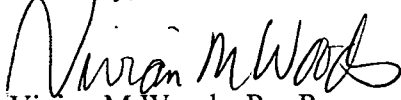
The letters dated December 28, 2018 and my response in dated January 4, 2019. Therefore, I am within the required period requested. There was a typo in the Proof of Service sent. I have corrected all deficiencies and is return the corrections in addition to the \$50 check for motion and \$250 check for the filing fee of the appeal as required. I would also like the court to appoint me counsel.

Attached are the Notice and Motion to Reinstate, Proof of Service and Notice of Appeal, Proof of Service and both checks for the filing fees.

If you have any question, feel free to contact me on 843-338-3679 or via email woodsvivianm@aol.com.

Thanking you in advance for your immediate cooperation in this matter.


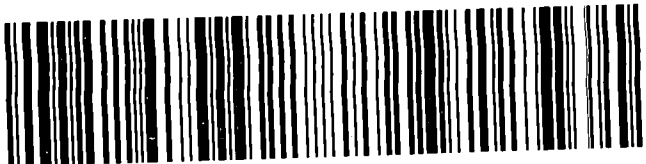
Sincerely,


Vivian M Woods, Pro Per

Cc: Douglas W MacNeille
William C Clark
Court of Common Pleas

FROM:

Vivian M. Woods
P.O. Box 21723
H. Hon Head Island
SC 29925

 UNITED STATES POSTAL SERVICE.		Retail
F	US POSTAGE PAID	
	\$3.50	Origin: 29906 01/04/19 4505210660-03
FIRST-CLASS PKG SVC - RTL™		
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SHIP TO: PO BOX 11629 COLUMBIA SC 29211-1629		
USPS TRACKING NUMBER		
		
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SC Court of Appeals

TO:

SC Court of Appeals
Claire Allen, Deputy Clerk
P.O. Box 11629
Columbia, SC ~~29201~~
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