

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

APR 22 2019

APPEAL FROM BERKELEY COUNTY  
In The Court of Common Pleas

SC Court of Appeals

Honorable Kristi L. Harrington,  
Common Pleas Judge of the Ninth Judicial Circuit

Case No.: 2017-000800

State of South Carolina,

Respondent,

v.

Eric D. McCall,

Appellant.

**PETITION TO  
REINSTATEMENT OF APPEAL**

Appellant through his Counsel, Tristan M. Shaffer, respectfully requests that this Court reinstate his appeal pursuant to Rule 260, SCACR. In support of this motion, counsel would respectfully show the following:

1. On April 12, 2019, Counsel learned that Petitioner's Appeal was dismissed for failing to file the Final Brief and Record on Appeal.
2. Counsel inadvertently failed to calendar the original deadline for the Final Brief and Record on Appeal.
3. Counsel received the Clerk's letter concerning the overdue transcript on March 23, 2019.

4. Since that time Counsel has been attempting to comply with the court's letter while also comply with Counsel's other responsibilities.
5. In addition to this matter in the last month Counsel has prepared for two jury trials in circuit court which did not go forward as scheduled; prepared pre-trial motions to comply with a scheduling deadline on a capital case; argued a bench trial in General Sessions; and appeared in General Sessions for Pleas on twelve different days. Moreover, Counsel has been dealing with a close friend who has had severe medical issues.
6. This request is made in good faith, and not for purposes of delay.
7. Counsel has spoken with Counsel for the State. Opposing Counsel does not oppose this request.

THEREFORE, Counsel respectfully requests that this Court reinstate Appellant's Appeal.

April 22, 2019

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STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

RECEIVED

Appeal from Georgetown County  
Larry B. Hyman, Circuit Court Judge

APR 22 2019  
SC Court of Appeals

THE STATE,

RESPONDENT,

v.

JODY WARD,

APPELLANT.

Appellate Case No.: 2018-000402

**Petition to File the Initial Brief and Designation of Matter Out of Time**

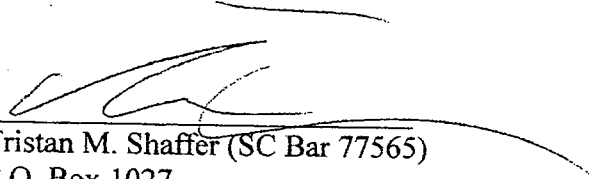
Counsel would respectfully request a to file the Initial Brief and Designation of Matter in the above-referenced case out of time. In support of this motion, counsel would respectfully show the Court the following:

1. The Initial Brief and Designation of Matter were due to be filed on April 3, 2019.
2. Counsel inadvertently scheduled this deadline on April 4, 2019.
3. Counsel discovered this scheduling mistake when attempting to prepare an extension request on April 4, 2019.
4. Counsel in now requesting to file the Initial Brief and Designation of Matter out of time.

5. A copy of the Initial Brief and Designation of Matter is attached to the mailed copy of this Petition.
6. In addition to this matter in the last month Counsel has prepared for two jury trials in circuit court which did not go forward as scheduled; prepared pre-trial motions to comply with a scheduling deadline on a capital case; argued a bench trial in General Sessions; and appeared in General Sessions for Pleas on twelve different days.
7. This request is made in good faith, and not for purposes of delay.
8. Counsel has spoken with Counsel for the State. Opposing Counsel does not oppose this request.

WHEREFORE, the undersigned counsel would respectfully request to file the Initial Brief and Designation of Matter in this case out of time.

April 22, 2019



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