

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BERKELEY COUNTY
In The Court of Common Pleas

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.

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APR 23 2019
SC Court of Appeals

**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



Tristan M. Shaffer (SC Bar 77565)
P.O. Box 1027
Chapin, SC 29036
(803) 941-7514
tristan@shafferlawsc.com
Attorney for Petitioner

Respondent's Attorney:
Melody Brown
S.C. Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211

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CERTIFICATE OF SERVICE

I certify that on the date below I served the Petition to Reinstate the Appeal, ~~Final Order~~
~~and Record on Appeal~~ on The State of South Carolina by mailing a copy to the Respondent at the
address below.

April 23, 2019


Tristan M. Shaffer (SC Bar 77565)
P.O. Box 1027
Chapin, SC 29036
(803) 941-7514
tristan@shafferlawsc.com
Attorney for Appellant

Respondent's Attorney:
Melody Brown
S.C. Office of the Attorney General
Post Office Box 11549
Columbia, SC 29211