

IN THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY

Court of Common Pleas

Robin Stilwell, Circuit Court Judge

Case No. 2017-CP-23-3754

Appellate Case No. 2017-002618

Harold Estes Blackwell, Jr.

Appellant

v.

Miracle Hill Ministries, Inc.  
Anita Jane Miller (aka Anita M. Blackwell)  
William Fisk

Respondent

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PETITION TO REINSTATEMENT

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JUN 03 2019

SC Court of Appeals

## Petition For Reinstatement

Petitioner requests this court to reinstate the above referenced case per Rule 221 and order the Clerk to correct the record so Petitioner can properly meet the requirements to have this case decided on the merits of the appeal.

### Grounds

Petitioner cites as grounds for this reinstatement the Clerk's incorrect record of the case, failure to correct said record or respond to Petitioner's correspondence of March 29, 2019. (Exhibit A). The Clerk included as part of the record, as shown on the Court's website, a final brief submitted in the case Blackwell v. Woodard numbered 2017-002635. Appellant is informed and believes he mistakenly put the wrong number on a copy of a final brief he prepared in that case.

Petitioner did submit a final brief in this case that was not shown in the record. Opposing council Bach references the correct final brief in his letter to the court on July 25, 2019, and his subsequent motion to have Petitioner further supplement his final brief. Obviously, the clerk did not have the correct final brief in the record. Appellant's laptop was stolen and therefore he did not have access to the correct record which hamstrung his ability to properly respond to the clerk's demands to have the case considered for consideration by the Court.

Petitioner is not aware of the Clerk's reason(s) for remittitur in this case to the lower court since he was only copied on the Clerk's letter of May 20, 2019, to The Honorable Paul B. Wickensimer, Greenville County Clerk of Court. (Exhibit B) Appellant did not receive a copy of


the judgment referenced as being attached in that letter . Appellant is only guessing at the grounds for remittitur in this matter at this time.

Memorandum In Support

This court has granted leave in such matters before. "Respondent subsequently filed a motion to reinstate the appeal, which the court of appeals granted upon the condition that the initial brief and designation of matter be filed within thirty days. 415 S.C. 594 (2016)

In the Matter of Charles E. HOUSTON, Respondent 783 S.E.2d 238. In *Houston*, appellant had failed to file the initial brief and designation of in the appeal. Adding to the record on appeal, or failure to do so (as Appellant speculates is the clerk's grounds) is logically deserving more grace.

So says,



Harold E. Blackwell, Appellant, pro se  
945 N. College Street  
Charlotte, NC 28206

# Exhibit A

**Harold (Hal) Estes Blackwell, Jr.**  
**945 N. College Street**  
**Charlotte, NC 28206**  
**(980) 598-7105**  
**halblackwell@gmail.com**

March 29, 2019

Jenny Abbott Kitchings, Clerk  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

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**JUN 03 2019**

**SC Court of Appeals**

Re: Court of Appeals Cases 2017-002618 (Blackwell v. Miracle Hill) and 2017-002635 (Blackwell v. Woodard).

Dear Ms. Kitchings,

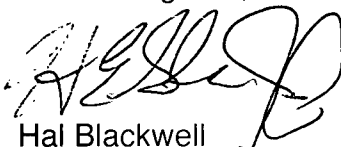
I have gathered the documents required by the court's order in response to Miracle Hill's motion to have documents added to the Record on Appeal in case number 2017-002618.

A review of the record as presented on the court's website does not show the record on appeal referenced in Mr. Bach's motion or the court's order. It appears your office has mistakenly posted the Final Brief of Blackwell v. Woodard, (appellate case number 2017-002635), in the record for Blackwell v. Miracle Hill (appellate case number 2017-002618).

While living at the Men's Shelter of Charlotte my laptop was stolen. Without looking at the Final Brief I prepared and submitted for appellate case number 2017-002618 I have no way of properly numbering pages in the additional documents.

Regarding Blackwell v. Woodard (2017-002618), I have written a letter to your office requesting an update on the status and explanation for why this case is not ready for consideration subsequent to my letter averring there is no requirement to submit a reply brief under the Rules. Respectfully, I will petition to the South Carolina Supreme Court for a writ of mandamus if I am required to submit a reply brief to have the court rule on my appeal. I am of the opinion that an affirmation by the South Carolina Court of Appeals of the lower court's alleged bias in the Woodard case will also exalt my position in the Miracle Hill appeal.

Kindest regards,

  
Hal Blackwell

# Exhibit B



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

May 20, 2019

The Honorable Paul B. Wickensimer  
Courthouse  
305 E North St  
Greenville SC 29601-2121

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JUN 03 2019  
SC Court of Appeals

## REMITTITUR

Re: Harold Blackwell, Jr. v. Miracle Hill Ministries, Inc.  
Lower Court Case No. 2017CP2303754  
Appellate Case No. 2017-002618

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

A handwritten signature in cursive script that reads "Jenny A. Kitchings".


CLERK

Enclosure

cc: Harold Estes Blackwell, Jr.  
Adam Crittenden Bach, Esquire  
Carrie Hailman Ó'Brien, Esquire  
Melegia Lee Daniels, Jr., Esquire  
Robert Hudson Smith, Esquire

CERTIFICATE OF SERVICE

I, Harold Estes Blackwell, Jr., appellant in case numbered 2017-002618, did mail via U.S. Post, sufficient postage paid, a copy of the enclosed petition to reinstate to the Honorable Jenny Abbott Kitchings, Clerk of the South Carolina Court of Appeals at 1220 Senate Street, Columbia, SC 29201 and Adam Bach, Eller Tonnsen Bach, 1306 South Church Street Greenville, SC 29605, Carrie O'Brien, Walker, Allen, Grice, Ammons & Foy, 225 E Worthington Ave #200, Charlotte, NC 28203, Melegia Lee Daniels, 109 Laurens Rd # 4A, Greenville, SC 29607, on May 30, 2019.

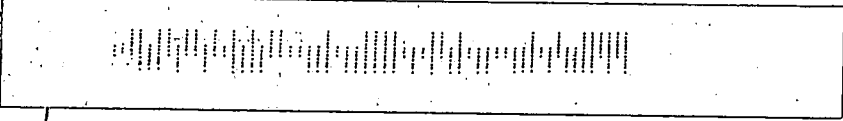
  
Harold Estes Blackwell, Jr.

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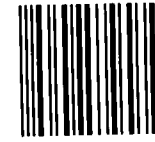
JUN 03 2019

SC Court of Appeals

Harold Bla  
945 N. Col  
Charlotte, NC 28204



1020



29605

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Senny Abbott Kitchings  
Clerk, S.C. Court of Appeals  
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Columbia, S.C. 29605