

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM STATEWIDE GRAND JURY  
Court of General Sessions  
Allison R. Lee, Circuit Court Judge

**RECEIVED**  
**Apr 24 2020**  
**SC Court of Appeals**

Case No. 2018-GS-47-35  
Appellate Case No. 2020-000630

The State, .....Respondent,  
v.  
Stanley Aladin, .....Appellant.

MOTION TO REINSTATE APPEAL

Appellant, Stanley Aladin, by counsel, respectfully moves this Court to reinstate his appeal filed April 17, 2020, for good cause shown, pursuant to Rule 260(a) of the South Carolina Appellate Court Rules.

Appellant's Notice of Appeal inadvertently omitted the fact that timely motions for reconsideration of sentence were filed by both Appellant and Respondent, the State of South Carolina, thereby tolling the period for filing a notice of appeal. The plea and sentencing proceedings were held February 19, 2020. Appellant's motion for reconsideration of sentence was filed February 20, 2020, and Respondent's motion for reconsideration of sentence was filed February 24, 2020. (Copies attached.) Thereafter, Appellant and Respondent both withdrew their motions for reconsideration of sentence, by motions filed April 16, 2020, and April 17, 2020, respectively. (Copies attached.) The original notice of appeal was then timely served and filed on April 17, 2020.

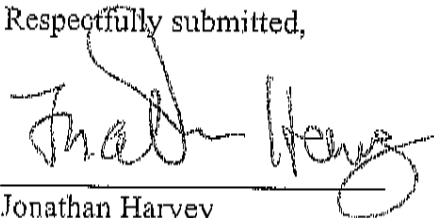
With this Motion to Reinstate Appeal, Appellant is submitting an Amended Notice of Appeal that accurately recites the dates of filing and withdrawal of the motions for reconsideration of sentence. The Amended Notice of Appeal also corrects an incorrect reference to the case number in the lower court.

The omission of the information concerning the motions for reconsideration of sentence from the original Notice of Appeals was inadvertent. Had this information been recited in the original Notice of Appeal, it would have established the timeliness of the service and filing of the original Notice of Appeal.

Under these circumstances, good cause exists for reinstating the appeal that was dismissed by the Court of Appeals' order dated April 22, 2020. Notice has been given to Respondent, the State of South Carolina, as shown by the accompanying proof of service of this Motion to Reinstate.

WHEREFORE, Appellant moves for reinstatement of this appeal under the authority of Rule 260(a) of the South Carolina Appellate Court Rules.

Respectfully submitted,



Jonathan Harvey  
1701 Richland Street  
Columbia, South Carolina 29201  
803-779-3363  
Attorney for Appellant

April 23, 2020

ORIGINAL FILED

FEB 20 2020

STATE OF SOUTH CAROLINA GRAND JURY

JAMES R. PARKS  
CLERK, STATE GRAND JURY

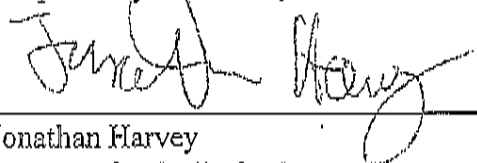
STATE OF SOUTH CAROLINA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 STANLEY ALADIN, )  
 )  
 Defendant. )

Indictment 2018-GS-47-35

MOTION FOR RECONSIDERATION  
OF SENTENCE

Now comes the above captioned Defendant who moves before the Honorable Court pursuant to South Carolina Rule of Criminal Procedure 29(a) for reconsideration of the sentence imposed in the above-matter by the Honorable Alison R. Lee on February 19, 2020. The Defendant asks that this matter be heard at a time that is convenient to the Court, Attorney General and the undersigned.

Respectfully submitted,




---

Jonathan Harvey  
 Attorney for the Defendant  
 1701 Richland Street  
 Columbia, South Carolina 29201  
 (803) 779-3363

Stephen F. Krzyston  
 Cavanaugh & Thickens, LLC  
 1324 Gadsden Street (29201)  
 PO Box 2409  
 Columbia, SC 29202  
 (803) 888-2200

Columbia, South Carolina

February 20, 2020

STATE OF SOUTH CAROLINA GRAND JURY

STATE OF SOUTH CAROLINA, )

Indictment No. 2018-GS-47-35

)  
)  
Plaintiff, )

)  
vs. )

CERTIFICATE OF MAILING

)  
STANLEY ALADIN, )

)  
Defendant. )  
)

I, Heather Watford, legal assistant to Jonathan Harvey, Esquire, do hereby certify that I mailed a copy of the Motion for Reconsideration of Sentence concerning the above captioned matter by mailing a copy of same, first class mail, postage prepaid to the following address:

David Fernandez, Esq.  
SC Attorney General's Office  
PO Box 11549  
Columbia, SC 29211

Done this 20~~th~~ day of February, 2020.

Heather Watford  
Heather Watford

FILED

FEB 24 2020

STATE GRAND JURY OF SOUTH CAROLINA

JAMES R. PARKS  
CLERK, STATE GRAND JURY

STATE OF SOUTH CAROLINA )  
 )  
 v. )  
 )  
 STANLEY ALADIN, )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

IN THE COURT OF GENERAL SESSIONS  
FOR THE STATE GRAND JURY

Indictment Nos.: 2018-GS-47-35; 2019-GS-47-08

NOTICE OF MOTION AND  
MOTION TO RECONDER SENTENCE

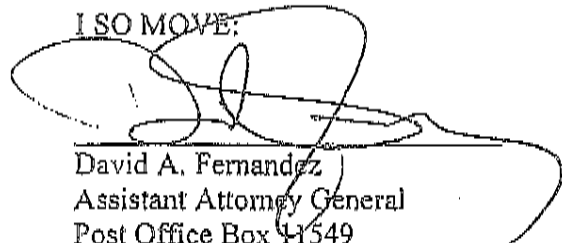
To: JONATHAN HARVEY, ESQUIRE; STEPHEN F. KRZYSTON, ESQUIRE; ARTHUR K. AIKEN, ESQUIRE; ATTORNEYS FOR THE DEFENDANT AND DEFENDANT ABOVE-NAMED.

YOU WILL PLEASE TAKE NOTICE that the State of South Carolina, by and through the undersigned Assistant Attorney General, will move before the Court pursuant to South Carolina Rule of Criminal Procedure 29(a) for reconsideration of the sentence imposed in the above indictment.

Sentencing was originally held in Lexington County, on February 19, 2020. The State is in receipt of the Defendant's *Motion for Reconsideration of Sentence* and submits this motion in response. The State hereby moves for sentences rendered under indictments 2018-GS-47-35 (counts 1 and 2) and 2019-GS-47-08 (count 1) be run consecutive, or in the alternative for an increased concurrent sentence.

The State requests this matter be scheduled at a time convenient to the Court and Defendant.

I SO MOVE:



David A. Fernandez  
Assistant Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-2737

February 24, 2020  
Columbia, South Carolina

STATE OF SOUTH CAROLINA GRAND JURY

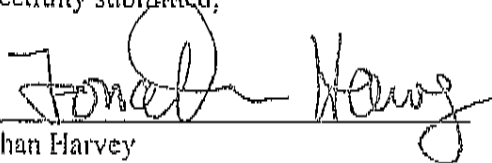
STATE OF SOUTH CAROLINA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 STANLEY ALADIN, )  
 )  
 Defendant. )  
 )

Indictment 2018-GS-47-35

MOTION TO WITHDRAW  
MOTION FOR RECONSIDERATION  
OF SENTENCE

Now comes the above captioned Defendant who moves to withdraw the previously filed Motion for Reconsideration of Sentence.

Respectfully submitted,



Jonathan Harvey  
Attorney for the Defendant  
1701 Richland Street  
Columbia, South Carolina 29201  
(803) 779-3363

FILED

APR 16 2020

JAMES R. PARKS  
CLERK, STATE GRAND JURY

Stephen F. Krzyston  
Cavanaugh & Thickers, LLC  
1324 Gadsden Street (29201)  
PO Box 2409  
Columbia, SC 29202  
(803) 888-2200

Columbia, South Carolina

April 16, 2020

STATE GRAND JURY OF SOUTH CAROLINA

STATE OF SOUTH CAROLINA )  
 )  
 v. )  
 )  
 STANLEY ALADIN, )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

IN THE COURT OF GENERAL SESSIONS  
FOR THE STATE GRAND JURY

Indictment Nos.: 2018-GS-47-35; 2019-GS-47-08

MOTION TO WITHDRAW STATE'S  
MOTION TO RECONDER SENTENCE

To: JONATHAN HARVEY, ESQUIRE; STEPHEN F. KRZYSTON, ESQUIRE; ARTHUR  
K. AIKEN, ESQUIRE; ATTORNEYS FOR THE DEFENDANT AND DEFENDANT  
ABOVE-NAMED.

The State of South Carolina, in receipt of Defendant's *Motion to Withdraw Motion for  
Reconsideration of Sentence*, hereby moves to withdraw its *Motion to Reconsider Sentence*.

I SO MOVE:

/S/ David A. Fernandez  
David A. Fernandez  
Assistant Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
(803) 734-2737

April 17, 2020  
Columbia, South Carolina

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY  
Court of General Sessions  
Allison R. Lee, Circuit Court Judge

Case No. 2018-GS-47-35  
Appellate Case No. 2020-000630

**RECEIVED**  
**Apr 24 2020**  
**SC Court of Appeals**

The State, ..... Respondent,

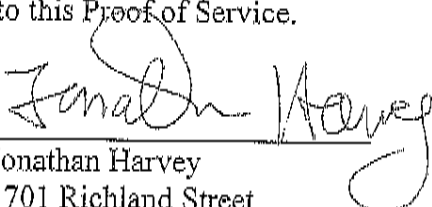
v.

Stanley Aladin, ..... Appellant.

PROOF OF SERVICE

I certify that I have served the Motion to Reinstate Appeal on the Respondent by email at: [dfernandez@scag.gov](mailto:dfernandez@scag.gov). In accordance with the requirement of paragraph (g)(3) of the Supreme Court order Re: Operation of the Appellate Courts During the Coronavirus Emergency, dated March 20, 2020, a copy of the sent email is attached to this Proof of Service.

April 23 2020

  
Jonathan Harvey  
1701 Richland Street  
Columbia, South Carolina 29201  
803-779-3363  
Attorney for Appellant



Law Offices <harveylawfirm@gmail.com>

**State v. Stanley Aladin Motion to Reinstate Appeal**

1 message

Harvey Law Firm <harveylawfirm@gmail.com>  
To: David Fernandez <dfernandez@scag.gov>

Thu, Apr 23, 2020 at 4:28 PM

Dear David,

Please find attached Motion to Reinstate Appeal and Proof of Service.

Thank you,  
Jonathan Harvey  
19-91

**RECEIVED**

**Apr 24 2020**

**SC Court of Appeals**

**LAW OFFICES**  
Jonathan Harvey, Esquire  
1701 Richland Street  
Columbia, SC 29201  
(803) 779-3363  
(803) 779-3364 (FAX)

Motion to Reinstate Appeal.pdf  
537K

Law Office of  
**JONATHAN HARVEY**  
Attorney at Law

Tel: 803-779-3363  
Fax: 803-779-3364  
E-mail: harveylawfirm@gmail.com

1701 Richland Street  
Columbia, South Carolina 29201

April 23, 2020

Via Fax (803) 734-1839 and U.S. Mail  
The Hon. Jenny Abbot Kitchings, Clerk  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

**RECEIVED**  
**Apr 24 2020**  
**SC Court of Appeals**

RE: State v. Stanley Aladin  
2018-GS-47-35 (State Grand Jury)  
Appellate Case Number 2020-00630

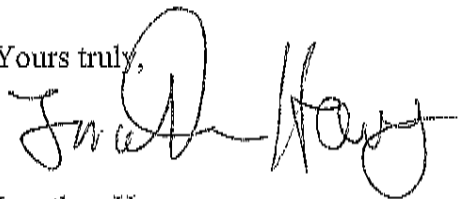
Dear Mr. Kitchings:

Please find enclosed the following documents:

- Motion to Reinstate Appeal  
Proof of Service
- Amended Notice of Appeal  
Copies of Judgments (Sentencing Sheets) to be challenged on Appeal  
2018-GS-45-35  
South Carolina Appellate Court Rule 203(d)(B)(iv) document  
Proof of Service

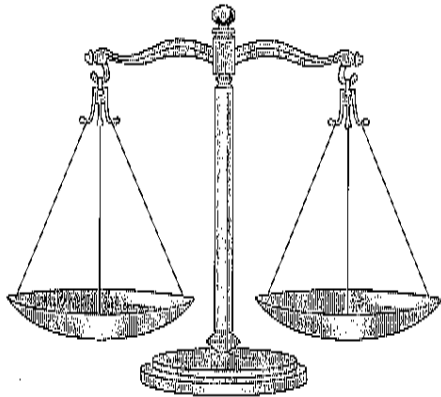
Please time stamp the enclosed copy of this letter and return a time-stamped copy of the enclosed documents.

Yours truly,



Jonathan Harvey

JH/lc  
19-91



**JONATHAN HARVEY**

Attorney at Law  
 1701 Richland Street  
 Columbia, South Carolina 29201  
 (803) 779-3363  
 Fax: (803) 779-3364  
[harveylawfirm@gmail.com](mailto:harveylawfirm@gmail.com)

**FAX COVER SHEET**

FAX NUMBER TRANSMITTED TO: (803) 734-1839

To: The Hon. Jenny Abbot Kitchings, Clerk  
 South Carolina Court of Appeals

From: Jonathan Harvey, Esq.

Client/Matter: State v. Stanley Aladin  
 Appellate Case No. 2020-00630

Date: April 23, 2020

**RECEIVED**  
**Apr 24 2020**  
**SC Court of Appeals**

DOCUMENTS	NUMBER OF PAGES
	16 including cover sheet

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