

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM YORK COUNTY
Court of Common Pleas
York County Civil Action Number 2020-CP-46-01212

The Honorable Daniel D. Hall, Circuit Court Judge

Appellate No. 2020-001449

RECEIVED

Nov 19 2020

SC Court of Appeals

Wanderlove Travel, LLC Respondent,

v.


Avanti Destinations, LLC, Appellant.

MOTION TO REINSTATE

The Appellant moves, through the undersigned counsel, to reinstate its appeal pursuant to Rule 260 of the South Carolina Appellate Court Rules. Judge Daniel D. Hall issued the Order from which this appeal is taken on September 25, 2020. The parties received the Order through the South Carolina Electronic Filing System. On October 20, 2020, Appellant, through the undersigned counsel, filed a Notice of Intent to Appeal with the Circuit Court for York County, South Carolina, through the South Carolina Electronic Filing System. A copy of the Notice of Intent to Appeal filed with the Circuit Court is attached as Exhibit A. In filing the Notice of Intent to Appeal through the South Carolina Electronic Filing System, Appellant served counsel for Respondent. A copy of the Notice of Electronic Filing (“NEF”) for the Notice of Intent to Appeal is attached as Exhibit B. The NEF provides F. Craig Wilkerson, for Wanderlove Travel, LLC, was served a copy of the Notice of Intent to Appeal electronically on October 20, 2020. Appellant

mailed a hard copy of the Notice of Intent to Appeal to Respondent's counsel on October 29, 2020, nine days after initially serving Respondent's counsel through the South Carolina Electronic Filing System. The Proof of Service filed with this Court did not accurately convey that service of the Notice of Intent to Appeal originally occurred on October 20, 2020. Based on the above, and for good cause shown, Appellant moves this Court to reinstate its appeal pursuant to South Carolina Appellate Court Rule 260.

November 19, 2020



J. Nathaniel Pierce, SC Bar No. 102803
Morton & Gettys, LLC
P.O. Box 707
Rock Hill, SC 29731
Attorney for Appellant

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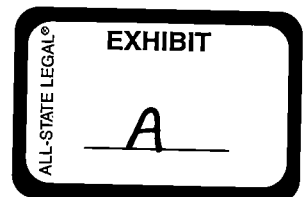
NOTICE OF INTENT TO APPEAL

Appellant appeals the Order of Judgment of the Honorable Daniel D. Hall, dated September 25, 2020. Appellant received an electronic copy of the Form-4 Order on Friday, September 25, 2020, making Monday, October 26, 2020 the last day for filing the Notice of Intent to Appeal.

Respectfully Submitted,

By: s/ J. Nathaniel Pierce
Morton & Gettys, LLC
J. Nathaniel Pierce, S.C. Bar No. 102803
Attorney for Appellant
P.O. Box 707, Rock Hill, SC 29731
T: 803.366.3388; F: 803.366.4044
nate.pierce@mortongettys.com

October 20, 2020
Rock Hill, South Carolina



Certificate of Electronic Notification

Recipients

Daniel Ballou - Notification transmitted on 10-20-2020 04:33:55 PM.

James Pierce - Notification transmitted on 10-20-2020 04:33:55 PM.

F. Wilkerson - Notification transmitted on 10-20-2020 04:33:55 PM.

ALL-STATE LEGAL®

EXHIBIT

B

***** IMPORTANT NOTICE - READ THIS INFORMATION *****
NOTICE OF ELECTRONIC FILING [NEF]

-

A filing has been submitted to the court RE: 2020CP4601212

Official File Stamp: 10-20-2020 04:33:36 PM

Court: CIRCUIT COURT

Common Pleas

York

Case Caption: Wanderlove Travel Llc VS Avanti Destinations Inc

Document(s) Submitted: Appeal/Notice of Appeal to Court of Appeals

Filed by or on behalf of: James Nathaniel Pierce

This notice was automatically generated by the Court's auto-notification system.

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The following people were served electronically:

Daniel Joseph Ballou for Avanti Destinations Inc

James Nathaniel Pierce for Avanti Destinations
Inc

F. Craig Wilkerson, Jr. for Wanderlove Travel Llc

The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:

ELECTRONICALLY FILED - 2020 Oct 20 4:38 PM - YORK - COMMON PLEAS - CASE#2020CP4601212

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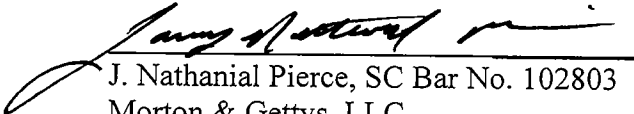
Avanti Destinations, LLC, Appellant.

PROOF OF SERVICE

The undersigned certifies that he served this Motion to Reinstate electronically to the below address and by depositing a copy of it in the United States Mail, postage prepaid, on November 19, 2020, addressed to its attorneys of record to the below addresses:

F. Craig Wilkerson, Jr.
1050 College Avenue Extension
Rock Hill, SC 29732
cwilkerson@fcwlaw.com

November 19, 2020


J. Nathaniel Pierce, SC Bar No. 102803
Morton & Gettys, LLC
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Attorney for Appellant