

03880

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas  
Case No. 2016-CP-07-1493  
Marvin H. Dukes III, Master in Equity

**RECEIVED**  
FEB 16 2021  
SC Court of Appeals

Appellate Case No. 2020-001148

Juan Antonio Adame Tapia  
and Oscar Moreno,

Appellants,

v.

Maria Walls, in her capacity  
as Treasurer for Beaufort  
County, Berkeley Hall Club,  
Inc., Colleton River Plantation  
Club, Inc., Callawassie Island  
Property Owners Association,  
Inc., Belfair Property Owners  
Association, Inc., David  
LaPorte, Karen B. Lester,  
Timothy B. Hockman, Sheila  
F. Hockman, Bill H.  
Holshouser, Terry M. Ash,  
Patricia Ash, and Corey T.  
Brewer,

Defendants

Of whom Maria Walls, in her  
capacity as Treasurer for  
Beaufort County is

Respondent

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MOTION TO REINSTATE APPEAL

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Appellants Juan Antonio Adame Tapia and Oscar Moreno, through their undersigned counsel, move the Honorable Court for an Order pursuant to Rule 260 reinstating their appeal in this case. The appeal was dismissed by Order of the Court dated January 26, 2021. Counsel further requests leave to file the original trial court transcript included with this Motion.

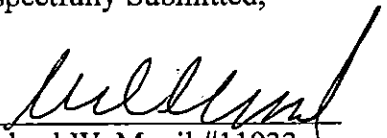
Undersigned counsel ordered the trial court transcript and filed proof of the order with the Court by filing dated September 23, 2020. The proof was served on opposing counsel. Thereafter the transcript was mailed by court reporter Deborah Thomas, according to Ms. Thomas, or around October 29, 2020. Counsel did not properly monitor the matter to ensure the transcript was logged in, and the transcript was apparently received and placed in an unopened mail stack by counsel's staff. Counsel, misunderstanding that that the transcript was already with the Court, did not follow up on the matter until receipt of the Court's Order dated January 26, 2021. Thereafter Counsel's staff located the transcript, or around February 8, 2021. The transcript is filed herewith in its sealed envelope. Counsel has paid the Court Reporter for her work according to her invoice.

Counsel regrets the inconvenience to the Court and parties caused by Counsel's oversight and the resultant delay.

There is no apparent prejudice to the opposing party, being Beaufort County, caused by Counsel's oversight and the resulting two month delay. Thus Counsel respectfully requests that the Honorable Court grant this Motion to Reinstate for cause shown and permit the case to proceed such that his client's appeal is adjudicated on the merits.

February 10, 2021

Respectfully Submitted,



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Michael W. Mogil #11933  
Mogil Law Firm  
2 Corpus Christie Place, Ste. 303  
Hilton Head Island, SC 29928  
Tel: (843) 785-8110  
Email: mmogil@mogillaw.com  
Attorney for Appellants

PROOF OF SERVICE

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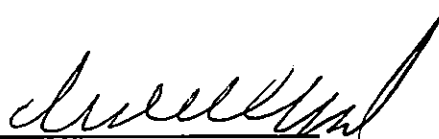
PROOF OF SERVICE

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I certify that I have served the Motion to Reinstate in this matter to Respondent, in care of counsel Mary Bass Lohr, Esq. t by depositing a copy of said document in the United States Mail, postage prepaid, on February 10, 2021 addressed to

Mary Bass Lohr, Esq.  
Howell Gibson and Hughes  
PO Box 40  
Beaufort, SC 29901

February 10, 2021



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Attorney for Appellants

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February 10, 2021

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
The South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, SC 29201

**RECEIVED**

FEB 10 2021

**SC Court of Appeals**

Re: Adame et al v. County of Beaufort et al, Appellate Case No. 2020-001148

Dear Ms. Kitchings,

Responding to the Order of Dismissal received from the Court in this matter by email dated January 26, 2021, enclosed for filing in the above-referenced matter, please find:

- a) Motion to Reinstate;
- b) Proof of Service of said Motion on Respondent's Counsel; and
- c) Filing fee of \$50.

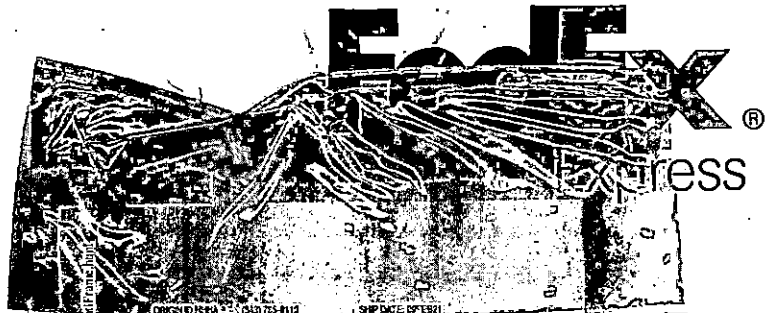
Thank you for your attention in this matter.

Very Truly Yours,

MOGIL LAW FIRM

  
Michael W. Mogil

As quickly.



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ORIGINATOR (540) 735-9112  
DORIS SIKS  
LEGAL LAW FIRM OFFICE OF MCHA  
7 CORPUS CHRISTE PLACE  
SUITE 201  
MILTON HEAD ISLAND, SC 29128  
UNITED STATES US  
SHIP DATE: 02FEB21  
ACTIVITY: 0218  
CAZ: 252187110-024340  
BILL SENDER

TO  
SC COURT OF APPEALS  
1220 SENATE STREET

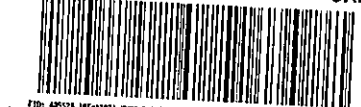
COLUMBIA SC 29201  
REF: 14-0214, V BEAUFORT COUNTY



WED - 10 FEB 4:30P  
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SC Court of Appeals

Extremely Urgent

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