

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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Appeal from the 11th Circuit Court of Common Pleas
Lexington County, South Carolina
Case 2016-CP-32-01385

MAR 16 2021

SC Court of Appeals

Alison Renee Lee, Judge

Appellant Case No.. 2018-002157

Richie D. Barnes.....Respondent,

v.

James Reese.....Appellant

MOTION TO REINSTATE APPEAL

Appellant moves that this honorable Court Allow for the filing of the Record on Appeal past time upon given instructions of the defects or errors of appellant's Record on Appeal. The appellant did not file the proper Record on Appeal by the time specified by the courts request and hereby require the Court to allow the filing of the Record.

Dated: March 16th, 2021

 LS
James Reese, Pro Se, Appellant
717 Cindy Drive
Columbia, SC 29203
(803) 760-4387

POINTS AND AUTHORITIES IN SUPPORT OF MOTION
TO REINSTATE APPEAL

Following the order and judgment entered on November 8, 2018 in Lexington County Trial Court No. 2016-CP-32-01385, appellant filed a notice of appeal on November 30, 2018.

All necessary documents were filed e.g., Included with the notice of appeal, appellant properly served the trial court. A proof of service was filed with the Court of Appeals; however it appears to have been lost. A letter with notice of need for filing the Record on Appeal was issued but Appellant was unable to file a request for additional time to file The Record on Appeal. Appellant hereby request addition time to file Record on Appeal.

During this period I had trouble receiving my mail on time as a result of Postal Service internal problems. Appellant was overwhelmed as the result of being a Pro Se Litigant. Appellant managed to make sure all documents were filed timely and correct all deviancies. Appellant previous delivered clocked copies of file documents. Appellant has been unable to find a clock copy of all the field document need for the Amended Record on Appeal because of the Pandemic Restriction on access to Court Records. The dismissal would cause severe hardship to the appellant and deny his due process.

POINTS AND AUTHORITIES IN SUPPORT OF MOTION
TO REINSTATE APPEAL

Following the order and judgment entered on November 8, 2018 in Lexington County Trial Court No. 2016-CP-32-01385, appellant filed a notice of appeal on November 2018.

All necessary documentation were filed e.g., Included with the notice of appeal, appellant properly served the trial court. A proof of service was filed with the Court of Appeals; however it appears to have been lost. The proof of services was filed with the Court of Appeals; however it appears to have been lost. A letter with notice of need for filing the Record on Appeal was issued and appellant entered upon the Court of Appeals records what he believed to be the needed Record of Appeal in accordance of Rule 211.

During this period I had trouble receiving my mail on time as a result of Postal Service internal problems along with, as it has been brought to the cognizance of this court, the appellant's failing eye conditions creating other medical issues due to strain that has as result become extremely overwhelming proceeding as a Pro Se litigant. Appellant has enter into the Court of Appeals records the documents timely as requested by the courts rules but has been unable to find a clock copy of all documents needed for the Amended Record on Appeal because of the Pandemic Restriction on access to County Records and excessive cost for the production of supporting documents.

The Court of Appeal was not given due process of notice of the errors or defects within the previously filed Record of Appeal. If appellant was given proper notice of errors or defects by the Court of Appeals he would have so acted vigilantly and in a timely fashion to provide speedy remedy to the issue brought forth without delay.

The Court of Appeal have been given prior mandatory judicial notice upon the face of the record of appellant's disability to the rules at law and not to be held to the same stringent standards as attorney's at law if he shall proceed as a Pro Se litigant.

There is a obvious conflict and variance upon the face of the record between the rules at law

and the appellant's substantive rights. The failure to avail to the appellant this opportunity is would be considered unfair play and injustice. The dismissal would cause severe hardship to the appellant further disabling him and denial of his due process of rights and a obvious err by the court for not providing such redress for errors, defects, or disabilities.

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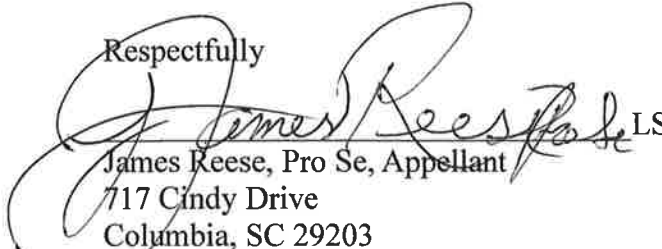
James Reese.....Appellant

PROOF OF SERVICE

I certify that I have served the 'Motion to Reinstate Appeal' and 'Notice of Objection to Order'
by depositing a copy of if in the United States Mail, postage prepaid, on March ___ 2021, addressed to
Jordan Law Firm, 201 Veteran Road Columbia, SC 29209, on

Dated: March 16th, 2021

Respectfully


James Reese, Pro Se, Appellant LS
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