STATE OF SOUTH CAROLINA	**IN THE COURT OF APPEALS**
STATE **Respondent,**	**APPELLATE CASE NO: 2022-000280** **MOTION TO RECALL REMITTER**
VS. **ANGELO HAM** **Appellant,**	

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Apr 28 2022
SC Court of Appeals

NOW COMES, the attorney for the Appellant moving before this Court for an Order Recalling the Remitter in the within action on the following grounds:

1.) A Notice of Appeal was timely filed in this matter.
2.) The Proof of Service was NOT filed with the Notice of Appeal by in advertence.
3.) The Court of Appeals issued its deficiency letter advising that the Proof of Service had to be filed within ten days.
4.) Proof of Service was filed within ten days.
5.) The Proof of Service was filed in lieu of a Motion to Re-instate the Appeal and Appellant asks that his filing be taken as such.
6.) This case involves the re-sentencing of a juvenile which took more than five years to be heard and then misapplied the standards announced in Aiken v. Byars.
7.) The prosecution had actual knowledge that this case would be appealed because of its importance.

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April 28, 2022
Charleston, SC