

# The South Carolina Court of Appeals

Gregory W. Smith and Stephanie Smith, Respondents,

v.

D.R. Horton, Inc., Tom's Vinyl Siding, LLC, Lutzen Construction, Inc., Boozer Lumber Company, All American Roofing, Inc., Myers Landscaping, Inc., Defendants,

Of whom D.R. Horton, Inc. is the Appellant.

Appellate Case No. 2011-204347

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ORDER  
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After careful consideration of the petition for rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.

Barry G. Shortz, Jr. J.  
Paul W. Thomas J.  
Daniel C. Pieper J.

Columbia, South Carolina

cc:  
Matthew Kinard Johnson  
John T. Chakeris  
W. Kyle Dillard  
Phillip Ward Segui, Jr.  
Michael A. Timbes

**FILED**  
23 May 2013