

The South Carolina Court of Appeals

Ricky S. Mitchell, Respondent,

v.

Marin Right of Way Service, LLC, and Bernardo L.
Hernandez, Appellants,

v.

Bernardo L. Hernandez, Third-Party Plaintiff,

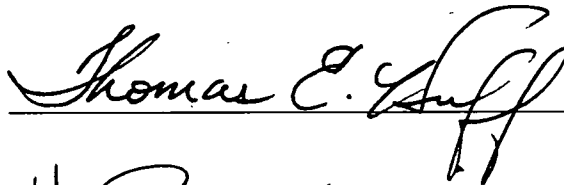
v.

Three-Gen, Inc., Third-Party Defendant.

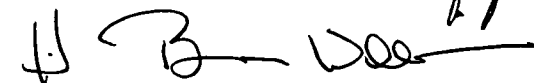
Appellate Case No. 2012-212460

ORDER

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. Additionally, the South Carolina Supreme Court recently issued an opinion holding the denial of a motion to disqualify an attorney is interlocutory and not immediately appealable. *See EnerSys Delaware, Inc. v. Tammy Hopkins*, Op. No. 27225 (S.C. Sup. Ct. filed February 27, 2013) (Shearouse Adv. Sh. No. 9 at 108). Accordingly, the petition for rehearing is denied.



J.



J.

FILED


June 13-13

Jasper W. Curleton AJ.

Columbia, South Carolina

cc: Thomas J. Keaveny, II
Matthew S. Byzet
Bert Glenn Utsey, III
John Paul Detrick

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LG 6-13-13



The South Carolina Court of Appeals

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June 13, 2013

Mr. Thomas J. Keaveny, II
1634 Ashley River Road
Charleston SC 29407

Re: Ricky Mitchell v. Marin Right of Way
Appellate Case No. 2012-212460

Dear Counsel:

Enclosed is a copy of an order of the panel denying your petition for rehearing. Your petition for rehearing en banc was distributed to the judges, but it has been rejected. *See* Rule 219, SCACR.

Very truly yours,

V. Claire Allen, Deputy

CLERK

cc: Matthew S. Byzet
Bert Glenn Utsey, III
John Paul Detrick