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**Feb 17 2023**

**SC Court of Appeals**

THE STATE of SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM CHAPTER COUNTY  
Court of Common Pleas

John C. Hayes, III, Circuit Court Judge  
Brian M. Gibbons, Circuit Court Judge  
J. Mark Hayes, II, Circuit Court Judge

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Case No. 2018—CP—12---00117  
2018---AP—12—00074

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Appellate Case Nos. 2022-001312 and 2022-001390 Heidi

Gersten, Ivanka Ayoub, Daniel Hubbard, Plaintiffs,

Of whom Heidi Gersten is Appellant,

v.

Kevin Carter, Richard Davis, Joseph Tirbovich, Nationwide Insurance  
Company, Interinsurance Exchange of the Automobile Club, John  
Ammendola, Trustgard Insurance Company, Blackwell, SC Department of  
Public Safety, Chevrolet, GMC, Unknown John Does,

Respondents.

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RULE 221 SCACR AND RULE 260 SCACR  
PETITION FOR REHEARING AND REINSTATEMENT

---

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Appellant

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The Appellant Heidi Gersten (hereinafter “GERSTEN”) in the above-captioned case, hereby moves this Court, pursuant of/to Rule 221 SCACR and Rule 260 SCACR, Petition for Rehearing and Reinstatement of Appeal, and seeks rehearing of the decision of dismissal of her appeal by this Court on January 18, 2023 (the “Opinion”), attached here as Appendix A and for an order reinstating her appeal.

## INTRODUCTION

This is a matter of first impression centered around a paralyzed disabled non attorney and proving that she timely filed and served her notice of appeal on the multiple respondents in the above-captioned case.

On August 15, 2022, GERSTEN received written notice of orders

THEREFORE, having shown good cause and for the previous reasons, the Appellant respectfully moves this Court for an order granting reinstatement of her appeal.

This does not prejudice any of the Respondents.

This is not made to cause delay, rather, in the furtherance of justice and to avoid its miscarriage.

Respectfully submitted this 17<sup>th</sup>. day of February 2023,



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Tirbovich

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Of whom Heidi Gersten is Appellant,

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Public Safety, Chevrolet, GMC, Unknown John Does,

Respondents.

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APPENDIX  
PETITION FOR REHEARING AND REINSTATEMENT REQUEST

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PROOF OR CERTIFICATE OF SERVICE

**SC Court of Appeals**

I hereby certify that service of the Appellant's RULE 221 SCACR AND RULE 260 SCACR PETITION FOR REHEARING AND REINSTATEMENT REQUEST and APPENDIX PETITION FOR REHEARING AND REINSTATEMENT REQUEST in the above-captioned cases was made upon all parties and counsel of record by email on February 17, 2023, to:

Wesley Brian Sawyer, Esquire  
wsawyer@murphygrantland.com,  
(Attorney for Respondents Kevin Carter and Richard Davis)

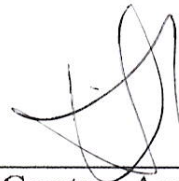
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The Honorable Jenny Abbott Kitchings  
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**SC Court of Appeals**

Re: RULE 221 SCACR AND RULE 260 SCACR PETITION FOR REHEARING AND REINSTATEMENT AND TITLE II OF THE AMERICANS WITH DISABILITIES ACT (ADA) REASONABLE ACCOMMODATIONS REQUEST and APPENDIX

Dear Ms. Kitchings and to ALL CONCERNED:

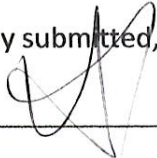
Good day to you!

Enclosed for filing, please find a copy of the above stated petition and its appendix, along with proof or certificate of service and this cover letter sent by email.

Please call the above number or email me if you have any questions.

Thank you for your time and assistance regarding this matter.

Respectfully submitted,



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Heidi Gersten

Appellant/Petitioner

HG/Enclosures/ Petition for Rehearing and Reinstatement and Appendix/ Proof or Certificate of Service

Total pages: including this cover sheet.