

**RECEIVED**  
**Feb 17 2023**  
**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM BERKELEY COUNTY  
Court of Common Pleas

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Hon. Roger M Young, Circuit Court Judge

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Appellate Case No. 2020-000697

IN THE MATTER OF THE CARE AND TREATMENT OF  
CRAIG A CARROLL, APPELLANT

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APPELLANT'S MOTION TO FILE OUT OF TIME ITS  
PETITION TO RECONSIDER AND RECALL THE REMITTITUR

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Appellant's counsel received notice of the issuance of the Remittitur at 2:37 p.m. this afternoon. Thereafter counsel realized that he failed to file its Petition to Reconsider in this action. At this time Appellant is filing a Petition to Reconsider this Court's opinion 2023-UP-043.

Counsel has already filed a Petition to Reconsider its decision 2022-UP-452, In the Matter of the Care and Treatment of Kevin Lamar Wright appellate case number 2020-001551. Counsel maintains that although the two cases differ factually, both this case and the Kevin Wright case present the same legal issue. Counsel also represents appellant Brian Valbert in appellate case 2020-00116. Appellant raised the same legal issue In the Matter of the Care and Treatment of Brian Valbert, as was raised in both the Kevin Wright, and Craig Carroll appeals. If necessary counsel will appeal an adverse decision in the Brian Valbert case.

In the interest of having all similarly-situated litigants treated consistently, Counsel moves this court to allow the out-of-time filing of its Petition to Reconsider and recall the remittitur in this action.

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February 17, 2023