

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE THIRD JUDICIAL CIRCUIT
Honorable George M. McFaddin, Jr., Presiding

Case No. 2016-CP-45-00590
Appellate Case No. 2021-000849

Cassandra Selph.....Appellant,

v.

Barbara Boatwright; Margaret S. Daniels, Individually and
as Personal Representative of the Estate of Eli Selph; Eli
Maurice Selph; and Dwayne Selph

Of whom Margaret S. Daniels, individually and as Personal
Representative of the Estate of Eli Selph, and Dwayne Selph Respondents.

**RETURN TO THE APPELLANT'S
PETITION FOR REHEARING**

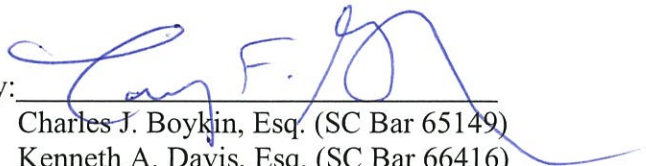
This matter is before the Court on a Petition for rehearing filed by Appellants. For the reason stated below, the Petition should be denied.

“In order to prevail on a petition for Rehearing, appellants must demonstrate the Court overlooked or misapprehended their argument. Rule 221(a), SCACR. Kennedy v. S.C. Ret. Sys., 349 S.C. 531, 532. Appellant’s argument in the Petition is that the lower court erred by not taking additional evidence in the presence of alleged “conflicting affidavits.”

The Court considered this argument in its February 7, 2024, order, finding that “the circuit court properly exercised its discretion in enforcing the mediated settlement agreement without taking additional evidence and testimony. Under Rule 43(e) of the South Carolina Rules of

Procedure, a circuit court has discretion to hear a motion to enforce a settlement agreement ‘on affidavits in lieu of testimony.’”

Thus, in its February 7, 2024, order, the Court addressed all of the appellate issues raised by Appellants and made a ruling on each argument. In that regard, there is nothing to be gained from a rehearing in this case.

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March 15, 2024
Columbia, South Carolina

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM WILLIAMSBURG COUNTY

Court Of Common Pleas

George M. McFaddin, Jr. Circuit Court Judge

Case No.: 2016-CP-45-00590, Circuit Court
Appeals Court Docket No.: 2021-000849

Cassandra Selph..... Appellant,

v.

Barbara Boatwright, Margaret S. Daniels, Individually
and as Personal Representative of The Estate of Eli Selph,
Eli Maurice Selph, and Dwayne Selph

Of whom Margaret S. Daniels, Individually and as Personal Representative of the Estate of Eli
Selph, and Dwayne Selph Respondents.

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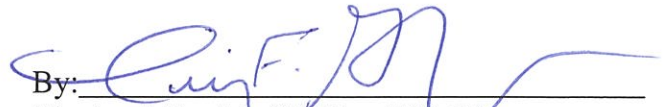
I certify that I have served the Return to the Appellant's Petition For Rehearing on the
counsel of record listed below, by electronic mail and U.S. Mail a copy of same on March 15,
2024, addressed to:

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