

The South Carolina Court of Appeals

Christina Lopes, Appellant,

v.

Madison Ridge Owner LLC, Dba Madison Ridge,
Respondent.

Appellate Case No. 2024-000571

ORDER

On May 22, 2024, this court dismissed this appeal after Appellant failed to provide proof of ordering the transcript, as required by Rule 207 of the South Carolina Appellate Court Rules, and failed to serve and file a motion to order the transcript outside the deadline. Appellant did not file a petition for rehearing from the dismissal and has still not provided proof of ordering the transcript. On June 10, 2024, the remittitur was properly sent. *See* Rule 221, SCACR (providing the remittitur shall not be sent to the lower court until fifteen days have elapsed since the filing of the order or opinion finally disposing of the appeal). Appellant has now filed a motion to recall the remittitur. A remittitur cannot be recalled except upon "a very strong showing . . . that the remittitur was sent down through some mistake or inadvertence on the part of this Court or its officer." *State v. Keels*, 39 S.C. 553, 17 S.E. 802 (1893). Appellant has failed to make such a showing. The motion, therefore, is denied.¹



FOR THE COURT

¹ Because this appeal was dismissed and the remittitur cannot be recalled, we decline to act upon Appellant's request to stay the writ of ejectment. We note the court already considered and ultimately denied Appellant's previous motion to stay, and Appellant did not file a petition for rehearing from that denial.

FILED
Jun 18 2024

Columbia, South Carolina

cc:

Christina Lopes

Samantha Simpson, Esquire

Gentry Collins Chubb, Esquire

Jeff L. Hammond