

The South Carolina Court of Appeals

Elizabeth McCullar and J. W. McCullar, Appellants,

v.

Joanne Dukes Campbell, as Personal Representative of
the Estate of William Cox Campbell, M.D., Respondent.

Appellate Case No. 2013-001216

ORDER

This appeal was dismissed on June 25, 2013. No petition for rehearing was filed as of July 11, 2013, and this Court sent down the remittitur on that day. Appellant has now filed a motion to reinstate the appeal and an amended motion to reinstate the appeal, acknowledging that remittitur has been sent down and requesting whether the appeal may be reinstated. A remittitur cannot be recalled except upon "a very strong showing . . . that 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. Because Appellant failed to timely file a petition for rehearing with this Court, remittitur was properly sent, and this Court no longer has jurisdiction over the case. Appellant's motion to recall remittitur and reinstate the appeal, therefore, is denied.


FOR THE COURT

Columbia, South Carolina

cc:

Kevin Hayne Sitnik
Kay Gaffney Crowe
Jeanette W. McBride

FILED
9/11/13