



The South Carolina Court of Appeals

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November 04, 2024

The Honorable Leah Guerry Dupree
PO Box 219
Moncks Corner SC 29461

REMITTITUR

Re: Tevin Stevens v. Berkeley Homes
Lower Court Case No. 2024CP0800901
Appellate Case No. 2024-000862

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

A handwritten signature in blue ink that reads "Catherine Harrison, deputy".

CLERK

Enclosure

cc: Tevin Stevens
Chase M Cooke, Esquire

The Supreme Court of South Carolina

Tevin Stevens, Petitioner,

v.

Berkeley Homes, Respondent.

Appellate Case No. 2024-001731

RECEIVED

Oct 16 2024

SC Court of Appeals

ORDER

Petitioner has failed to serve and file a petition for writ of certiorari in compliance with Rule 242(d) and Rule 267 of the South Carolina Appellate Court Rules. Accordingly, this matter is dismissed.¹

FOR THE COURT

BY

Patricia A. Howard

CLERK

Columbia, South Carolina
October 16, 2024

cc: Chase M. Cooke
Tevin Stevens
The Honorable Jenny A. Kitchings

¹ Because this matter is dismissed, the motion to proceed *in forma pauperis* is moot.

The South Carolina Court of Appeals

Tevin Stevens, Appellant,

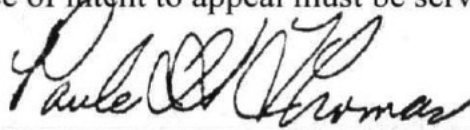
v.

Berkeley Homes, Respondent.

Appellate Case No. 2024-000862

ORDER

We dismissed this appeal on July 26, 2024, because Appellant failed to provide proof of timely serving his notice of appeal on Respondent and failed to provide proof of filing his notice of appeal with the lower court. On August 12, 2024, Appellant filed a motion to reinstate, which we construe as a petition to rehear the order of dismissal. After careful consideration of the petition for rehearing, the court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied. *See* Rule 203(b)(1), SCACR (“A notice of appeal shall be served on all respondents within thirty (30) days after receipt of written notice of entry of the order or judgment.”); Rule 262(c), SCACR (“Whenever under these Rules service is required or permitted to be made upon a party represented by an attorney the service shall be made upon the attorney unless service upon the party is ordered by the appellate court.”); Rule 263(b), SCACR (“The time prescribed by these Rules for performing any act except the time for serving the notice of appeal under Rules 203 and 243 may be extended or shortened by the appellate court, or by any judge or justice thereof.”); *Mears v. Mears*, 287 S.C. 168, 169, 337 S.E.2d 206, 207 (1985) (“Service of notice of intent to appeal is a jurisdictional requirement, and this Court has no authority to extend or expand the time in which the notice of intent to appeal must be served.”).


Paul C. Thomas

J.

32 2/11

J.

J.

Columbia, South Carolina

cc:
Tevin Stevens
Chase M. Cooke, Esquire

FILED
Sep 17 2024

The South Carolina Court of Appeals

Tevin Stevens, Appellant,

v.

Berkeley Homes, Respondent.

Appellate Case No. 2024-000862

The Honorable The Honorable Roger M. Young, Sr.
Berkeley County
Trial Court Case No. 2024CP0800901

ORDER

Appellant has failed to provide a proof of service for the notice of appeal that is in compliance with the South Carolina Appellate Court Rules (SCACR) and provide proof of filing a copy of his notice of appeal with the clerk of the lower court as required by Rule 203, SCACR, and this Court's letters dated May 30, 2024 and June 20, 2024. Accordingly, this appeal is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY Catherine Hannibal, deputy
CLERK

Columbia, South Carolina

cc:
Tevin Stevens
Chase M Cooke, Esquire

FILED
Jul 26 2024
