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SC Court of Appeals

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Subject: Brawley v. Richland County - 2020-001135
Date: Saturday, November 23, 2024 9:24:34 AM
Attachments: [Petition for Rehearing-Memorandum \(filed 10-10-24\) \(4869-5453-9502\).pdf](#)
[Petition for Rehearing \(filed 10-10-24\) \(4876-1979-4926\).pdf](#)
[LTR-10-10-24 \(SCCA-filing\)\(filed 10-10-24\) \(4878-6090-1358\).pdf](#)
[COS-10-10-24 \(filed 10-10-24\) \(4884-3217-8670\).pdf](#)
Importance: High

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Ms. Kitchings:

I just realized that there is a procedural glitch with this appeal that I must call to your attention to try to get corrected.

On October 10, 2024, the Appellant-Respondent Richland County (my client) filed the attached Petition for Rehearing with supporting memorandum and a certificate of service. As you can see, the Court provided me with filed copies showing that these filings were received on October 10, 2024. The Respondent-Appellant Wendy Brawley also filed a Petition for Rehearing on that same date and asked for an en banc rehearing.

Last week I received an Order denying a Petition for Rehearing. Originally, I assumed that that Order denied both parties' petitions for rehearing. But I have looked closer at the situation and now realize that the Order filed November 14, 2024 only denied Ms. Brawley's Petition for Rehearing, and presumably Richland County's petition remains pending. That struck me as odd or out of the ordinary. As a result, I looked at the on-line docket using C-Track and realized that Richland County's petition does not appear on the docket as having been filed – despite the fact that I did timely file on October 10, 2024, and as the attachments to this email reflect, the County's Petition for Rehearing was received by the Court.

Can you please look into this situation for me and take whatever action is needed for the County's Petition for Rehearing to be heard and decided? If I need to file a motion or take any further action on my end, please let me know. This further complicates the filing of petitions for writ of certiorari because the parties will be operating on different time deadlines, but it presents a real problem for the County because our 30-day deadline to petition for certiorari does not begin running until the Court of Appeals acts on our Petition for Rehearing.

Thank you very much for looking into this for me.

Andrew

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