

The South Carolina Court of Appeals

Stephanie Kozak (Personal Representative for the Estate
of John Witkowski), Appellant,

v.

Chris Cutway, Respondent.

Appellate Case No. 2024-000271

ORDER

This Court dismissed this appeal on November 12, 2024, after Appellant failed to serve and file the record on appeal. No proper motion to reinstate was received and the remittitur was properly sent on January 8, 2025. Appellant has now filed a motion to recall the remittitur. Respondent filed a return, opposing the requested relief. 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). After careful consideration, we deny Appellant's motion to recall the remittitur because Appellant has failed to make such a showing.



FOR THE COURT

Columbia, South Carolina

FILED
Mar 04 2025

cc:

Chan Mo Ahn, Esquire

John Martin Foster, Esquire

Neil Terrence Phillips, Esquire

Angie Bryant