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**Mar 13 2025**

**SC Court of Appeals**

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM CHESTER COUNTY  
Court of Common Pleas

Brian M. Gibbons, Circuit Court Judge

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Appellate Case No. 2023-000654

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Alexis Jones .....Respondent – Appellant,

v.

Progressive Northern Insurance Company .....Appellant – Respondent.

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**MOTION TO STRIKE RESPONDENT-APPELLANT’S PETITION FOR REHEARING**

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Pursuant to Rule 221 of the South Carolina Appellate Court Rules, Appellant-Respondent Progressive Northern Insurance Company (“Progressive”), by and through its undersigned counsel, hereby respectfully moves to strike Respondent-Appellant’s Petition for Rehearing as untimely.

**ARGUMENT**

Pursuant to Rule 221 of the South Carolina Appellate Court Rules, “[p]etitions for rehearing must be actually received by the appellate court no later than fifteen (15) days after the filing of the opinion, order, judgment, or decree of the court.” Rule 221(a), SCACR. The Court’s Opinion states: “Filed February 24, 2025.” (February 24, 2025 Opinion, p. 1). Thus, the deadline to file a petition for rehearing was March 11, 2025. Respondent-Appellant Alexis Jones did not file her Petition for Rehearing until after this deadline. *See* (Jones’ Pet. for Rehearing (filed

March 12, 2025)). Respondent-Appellant also did not move for an extension to file her Petition for Rehearing. Therefore, her Petition for Rehearing is untimely and should be struck. *See* Rule 221(a), SCACR; *Florence Cnty. Democratic Party v. Florence Cnty. Republican Party*, 398 S.C. 124, 130, 727 S.E.2d 418, 421 (2012) (recognizing that a petition for rehearing is “due within fifteen days after the filing of an opinion under Rule 221(a), SCACR”); *Joytime Distributors & Amusement Co. v. State*, 338 S.C. 634, 653, 528 S.E.2d 647, 657 (1999) (“Rule 221, SCACR, provides that a petition for rehearing must be received by the appellate court within fifteen days of the filing of an opinion of the court.”); *see also Diamond v. Powell*, 271 S.C. 183, 184, 246 S.E.2d 233, 234 (1978) (dismissing appeal based on appellant’s failure to comply with court rules); *Lawson v. Mills*, 259 S.C. 308, 191 S.E.2d 637 (1972) (same).

### CONCLUSION

Respondent-Appellant did not timely file her Petition for Rehearing within the fifteen-day deadline set forth in Rule 221(a), SCACR. Therefore, Progressive respectfully requests that Respondent-Appellant’s Petition for Rehearing be struck and that the Court not consider it.

Respectfully submitted,

MURPHY & GRANTLAND, P.A.

s/J.R. Murphy

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March 13, 2025

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**PROOF OF SERVICE**

I certify that I have served the Motion to Strike Respondent-Appellant’s Petition for Rehearing on Alexis Jones by depositing a copy of it in the United States Mail, postage prepaid, on March 13, 2025, addressed to her attorneys of record, J. Logan Cannon, Esquire, P.O. Drawer 36250, Rock Hill, South Carolina 29732 and by electronic mail at cannon@shawcannon.com and John S. Nichols, Esquire, Bluestein Thompson Sullivan, LLC, PO Box 7965, Columbia, SC 29202, and by electronic mail at john@bluesteinattorneys.com.

s/J.R. Murphy  
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