

THE STATE OF SOUTH CAROLINA

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In the Court of Appeals

JUL 17 2025

Appeal from Administrative Law Court
The Honorable S. Phillip Lenski, Administrative Law Judge SC Court of Appeals

Appellate Case No. 2025-001102

South Carolina Department of Corrections Respondent,

Daniel L. Johnson, #385885 Appellant.

THE APPELLANT'S MOTION FOR REHEARING

The appellant, Daniel Johnson, pursuant to Rule 221, SCACK, moves the court to reconsider and modify its 02 July, 2025 opinion. In support of the motion, the appellant shows the following to the court:

1. The court overlooked a material fact in the record in the following respects:
 - a. On June 10, 2025, Chief Deputy Clerk Catherine Harrison sent a letter to appellant stating upon reviewing your notice of appeal, the following deficiency has been noted under the SCACK, and any deficiency must be corrected within ten (10) days of the date of this letter or this matter will be dismissed. The accompanying proof of service is not in compliance with the SCACK. Your proof of service should be substantially in the format shown by Form 7 in Appendix C to part II of the SCACK. You must serve counsel for the Respondents.
 - b. On July 02, 2025, the Court dismissed the matter because Appellant has failed to provide proof of timely service upon the Respondent as required by Rule 203(b)(6) of the South Carolina Appellate Court Rules, yet Appellant was given ten (10) days from June 10, 2025, which should have been post-marked before June 20, 2025, yet Appellant had it post-marked by seven (7) days on June 17, 2025, which qualifies for timely service of this matter.

LEGAL MAIL

2. The material fact/decision overlooked requires a different decision from that rendered by the Court of Appeals.

3. The decision that should have been rendered is for Daniel L. Johnson, Appellant.

WHEREFORE, the appellant respectfully requests the Court to reconsider its 02 July, 2025 opinion and rule in favor of the appellant.

July 9, 2025
Fairfax, SC

Very truly yours,

Daniel L. Johnson

Daniel L. Johnson, #385885, Appellant
Allendale Correctional Institution
1057 Revolutionary Trl
Fairfax, SC 29827

cc: SCDC Office of General Counsel
SC Admin. Law Court



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

June 10, 2025

Daniel L. Johnson, 385885
Allendale Correctional Institution
P. O. Box 1151, Hwy 47
Fairfax SC 29827

Re: Daniel L. Johnson, #385885 v. SCDC
Appellate Case No. 2025-001102

Dear Mr. Johnson:

Upon reviewing your notice of appeal, the following deficiency has been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or this matter will be dismissed:

- The accompanying proof of service is not in compliance with the SCACR. Your proof of service should be substantially in the format shown by Form 7 in Appendix C to part II of the SCACR. You must serve counsel for the Respondent.

Very truly yours,

A handwritten signature in cursive script that reads "Catherine Harrison, deputy".

CLERK

cc: Christina Catoe Bigelow, Esquire

The South Carolina Court of Appeals

Daniel Lee Johnson, #385885, Appellant,

v.

South Carolina Department of Corrections, Respondent.

Appellate Case No. 2025-001102

ORDER

This appeal arises out of an order of the South Carolina Workers' Compensation Commission dated May 13, 2025. Appellant received written notice of the entry of the order on May 16, 2025. The proof of service provided shows service on the Respondent on June 17, 2025. Because Appellant has failed to provide proof of timely service upon the Respondent as required by Rule 203(b)(6) of the South Carolina Appellate Court Rules, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.


FOR THE COURT

Columbia, South Carolina

cc:

Daniel L. Johnson, 385885
Christina Catoe Bigelow, Esquire

FILED
Jul 02 2025

LEGAL MAIL

THE STATE OF SOUTH CAROLINA
- IN THE COURT OF APPEALS -

APPEAL FROM ADMINISTRATIVE LAW COURT RECEIVED
The Honorable S. Phillip Lenski, Administrative Law Judge

JUL 17 2025

SC Court of Appeals

Certificate of Service

Appellate case No. 2025-001102

Daniel L. Johnson #385885 — Appellant,

South Carolina Department of Corrections — Respondent.

I certify that I have served my Appellant's Motion for Rehearing by depositing the same along with a copy in the U.S. Mail postage prepaid on July 9, 2025 addressed to:

1) South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

2) SCDC Office of General Counsel
Attorney for Respondent
P.O. Box 21787
Columbia, SC 29211-1787

3) South Carolina Administrative Law Court
Honorable Judge S. Phillip Lenski
1205 Pendleton St. Suite 224
Columbia, SC 29201

Very truly yours,

Daniel Johnson

Daniel Johnson #385885, Appellant
Allendale Correctional Institution
1057 Revolutionary Trail
Fairfax, SC 29824

LEGAL MAIL

July 9, 2025

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, S.C. 29211

Re: Daniel L. Johnson, #385885 v. SCD
Appellate Case No. 2025-001102

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JUL 17 2025

SC Court of Appeals

Dear Clerk:

I am enclosing herein the original and one copy of the Appellant's Motion for Rehearing in this matter. Please file the enclosed and return a file stamped copy to me.

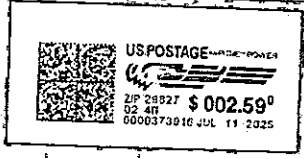
Very truly yours,



Daniel L. Johnson, #385885, Appellant
Athensdale Correctional Institution
1057 Revolutionary Trail
Fairfax, SC 29827

cc: SCD Office of General Counsel
SC Admin. Law Court

McL Johnson # 385885
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7 Revolutionary Th
fax; SC 29824



South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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JUL 17 2025
SC Court of Appeals

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