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Mar 18 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

Appellate Case No. 2025-002408

Debra E. Nelson, Appellant,

v.

Hunt Law, LLC and Bonnie Travaglio Hunt, Esq.,
Respondents.

PETITION FOR REHEARING (Rule 221, SCACR)

Appellant **Debra E. Nelson**, pro se, petitions for rehearing pursuant to **Rule 221, SCACR**, of the Court's **Order filed March 10, 2026**, which denied Appellant's motion to file the notice of appeal out of time and dismissed the appeal.

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I. TABLE OF AUTHORITIES

- Rule **203(b)(1)**, SCACR

- Rule 221, SCACR
- Rule 263, SCACR

II. ISSUE PRESENTED

Whether the Court **misapprehended or overlooked** the operative date Appellant **received written notice of entry** for purposes of **Rule 203(b)(1), SCACR**, when it dismissed the appeal as untimely and denied relief.

III. STATEMENT OF THE CASE

1. The circuit court entered the underlying order on **August 5, 2025**.
2. Appellant filed a post-trial motion under **Rule 59, SCRCR**, on **August 8, 2025**.
3. The circuit court denied the Rule 59 motion by order electronically filed on **September 10, 2025**.
4. Appellant received written notice of entry of the **September 10, 2025** order on [INSERT DATE RECEIVED] via [INSERT METHOD: CourtPlus notification/email or U.S. mail].
5. Appellant filed the Notice of Appeal on **October 8, 2025**.

IV. ARGUMENT

Rehearing is warranted because the Court's dismissal turns on the date of "receipt of written notice of entry" under Rule 203(b)(1), SCACR, and the record either (a) demonstrates the correct receipt date or (b) required clarification of the receipt date before dismissal.

A. The Court misapprehended or overlooked the controlling "receipt" fact under Rule 203(b)(1), SCACR.

The Court's Order applied Rule 203(b)(1) (deadline runs "after receipt of written notice of entry") and cited Rule 263 (no extension for serving notice of appeal). However, Appellant's filings and attached CourtPlus materials show that the operative question is **when Appellant actually received written notice of entry** of the order denying the post-trial motion (the **September 10, 2025** order). The appeal period should be measured from that receipt date, not assumed from entry alone.

B. Appellant acted diligently, and the Notice of Appeal should be accepted as timely under the correct receipt date (or the Court should permit supplementation limited to receipt).

Appellant filed a Rule 59 motion on **August 8, 2025**, and it was denied by order electronically filed **September 10, 2025**. Appellant filed the Notice of Appeal on **October 8, 2025**.

If Appellant's receipt of written notice of entry occurred on or after **September 8, 2025** (30 days before October 8, 2025), then the Notice of Appeal is timely under Rule 203(b)(1). Appellant's proof of receipt (CourtPlus email/notification or mailing evidence) establishes the applicable receipt date.

C. At minimum, the record required clarification on receipt before dismissal because Rule 203(b)(1) hinges on receipt.

Because Rule 203(b)(1) expressly measures time from **receipt of written notice of entry**, dismissal based on timeliness without resolving receipt risks deciding the issue on an incomplete factual premise. Appellant respectfully requests rehearing so the Court may apply Rule 203(b)(1) using the correct receipt date shown by the proof of receipt.

V. CONCLUSION AND RELIEF REQUESTED

WHEREFORE, Appellant respectfully requests that the Court:

1. **Grant rehearing** under Rule 221, SCACR;
2. **Vacate the dismissal** order;
3. **Accept the Notice of Appeal as timely** based on the correct "receipt of written notice of entry" date under Rule 203(b)(1), SCACR;
or, in the alternative, permit supplementation limited to the proof of receipt and then rule on timeliness using that receipt date; and
4. Grant such other relief as the Court deems just.

Respectfully submitted March 18, 2026,



Debra E. Nelson

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PROOF OF SERVICE

I hereby certify that on this Marh 18, 2026, I served a true and correct copy of the foregoing **Petition for Rehearing (Rule 221, SCACR)** by depositing the same in the United States Mail, postage prepaid, addressed to:

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