

The South Carolina Court of Appeals

The State, Respondent,

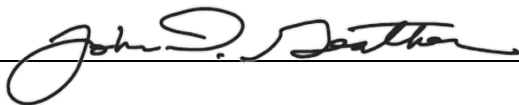
v.

Benjamin David Miller, Appellant.

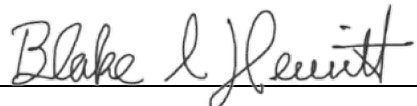
Appellate Case No. 2026-000844

ORDER

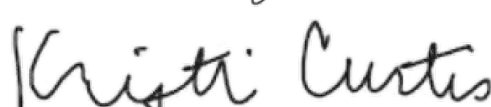
After careful consideration of the motion to reinstate, which we construe as a petition to rehear the dismissal, the court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. The appeal was dismissed based on Appellant's failure to provide proof of service of the notice of appeal as required by Rule 203 of the South Carolina Appellate court Rules. Although Appellant provided proof of service of the notice of appeal with his petition for rehearing, the proof of service demonstrates Respondent was not timely served with the notice of appeal under Rule 203. Accordingly, the petition for rehearing is denied.¹



 J.



 J.



 J.

Columbia, South Carolina

¹ In light of this court's ruling on the petition for rehearing, we take no action on Appellant's motion to appoint new counsel.

cc:

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FILED
Jul 13 2026