

From: [Jason Fetzer](#)
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Subject: Appellant
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Attachments: [Jason Fetzer Petition for Rehearing.pdf](#)
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STATE OF SOUTH CAROLINA
IN THE MAGISTRATE COURT
CAYCE-WEST COLUMBIA MAGISTRATE COURT
LEXINGTON COUNTY

Jason Fetzer,
Petitioner,

v.

The State of South Carolina / Lexington Hospital,
Respondent.

Case No.: 7102P0584856

PETITION FOR REHEARING

Petitioner, Jason Fetzer, respectfully petitions this Court for rehearing and reconsideration of the decision entered in this matter.

Petitioner respectfully submits that material circumstances prevented him from making a meaningful appearance and fully presenting his position. Those circumstances include interference

by law enforcement at other locations, as well as circumstances involving Petitioner's lawful ability

to leave and navigate away from a hospital campus while he was a homeless patient waiting for treatment.

I. PETITIONER WAS PREVENTED FROM MAKING A MEANINGFUL APPEARANCE

Petitioner respectfully states that circumstances involving law enforcement at other locations prevented or substantially interfered with his ability to appear and present his case.

Petitioner did not intentionally abandon his right to appear or voluntarily choose not to participate.

Rather, circumstances outside of his control interfered with his ability to make an appearance and

adequately communicate his position to the Court.

Petitioner therefore respectfully requests that the Court consider these circumstances before treating his absence or inability to appear as a waiver of his opportunity to be heard.

II. LAWFUL RIGHT TO INGRESS AND EGRESS AND LACK OF A REASONABLE ABILITY TO COMPLY

Petitioner respectfully asserts that the circumstances surrounding his ability to lawfully enter and

leave the hospital campus are directly relevant to this matter.

At the time of the hospital incident, Petitioner was a homeless patient waiting for treatment.

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