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.

RECEIVED
Aug 12 2026
SC Court of Appeals

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. He

was attempting to obtain medical care while also attempting to determine where he could lawfully go after leaving the hospital campus.

Petitioner had a navigation device that he relied upon to determine his location and route. Petitioner was not permitted to use that navigation device to determine how to find his way off the hospital campus.

As a result, Petitioner was placed in circumstances where he could not reasonably determine his route of lawful egress from the property.

Petitioner respectfully asserts that a person should not be found to have intentionally violated a requirement when the surrounding circumstances materially prevented that person from determining how to lawfully leave the location and comply.

Petitioner's position is therefore that his lawful right and practical ability to exit the premises, together with his inability to use the navigation device necessary to determine his route, are material defenses to any allegation that his conduct constituted an intentional refusal to comply.

III. PETITIONER WAS NOT PROVIDED REASONABLE OR ACCOMMODATING ASSISTANCE

Petitioner was homeless and was waiting at the hospital for treatment.

Under those circumstances, Petitioner was particularly dependent upon being able to determine where he was, where he could lawfully go, and how he could safely leave the hospital campus.

Instead of receiving reasonable assistance, Petitioner states that hospital security was not acting reasonably or accommodating his circumstances.

Petitioner was not attempting to interfere with hospital operations. He was attempting to determine how to leave the campus and reach another location.

The refusal to permit Petitioner to use his navigation device, combined with the lack of reasonable assistance from security, materially affected Petitioner's ability to leave and navigate away from the hospital.

IV. THE ABSENCE OF INTENT AND THE INABILITY TO REASONABLY COMPLY

Petitioner respectfully asks the Court to distinguish between an intentional refusal to comply with a lawful directive and circumstances in which a person's ability to comply is materially impaired by circumstances beyond his control.

Petitioner's circumstances included:

1. Being homeless;
2. Being at the hospital while waiting for treatment;
3. Needing to determine how to lawfully leave the hospital campus;
4. Being prevented from using his navigation device to determine his route;
5. Not receiving reasonable assistance from hospital security; and
6. Experiencing interference by law enforcement at other locations that affected his ability to appear and present his case.

Petitioner respectfully maintains that these circumstances demonstrate that his conduct should not automatically be characterized as intentional noncompliance.

V. LAW ENFORCEMENT INTERFERENCE AT OTHER LOCATIONS

Petitioner further asks the Court to consider that the circumstances interfering with his ability to appear were not limited to the hospital incident.

Petitioner experienced law-enforcement actions at other locations that prevented or substantially interfered with his ability to make an appearance and present his position.

Petitioner respectfully requests an opportunity to explain those circumstances to the Court and provide any available supporting evidence.

VI. PETITIONER REQUESTS THE OPPORTUNITY TO PRESENT THE COMPLETE FACTS

Petitioner respectfully requests that the Court allow him an opportunity to appear and provide the complete factual circumstances.

Petitioner is prepared to provide testimony and, where available, supporting documentation concerning:

- The circumstances preventing his appearance;
- The involvement of law enforcement at other locations;
- His status as a homeless patient waiting for treatment;
- His attempts to leave the hospital campus;
- His use of a navigation device;
- The refusal to allow him to use that device;
- His interactions with hospital security;
- His attempts to determine a lawful route of egress; and
- The circumstances affecting his ability to reasonably comply.

VII. REQUEST FOR REHEARING

These circumstances materially affected Petitioner's ability to appear, present his position, determine a lawful route away from the hospital, and comply with demands made of him.

Petitioner therefore respectfully submits that rehearing is necessary so that the Court may consider the complete circumstances before allowing the prior decision to stand.

WHEREFORE

Petitioner, Jason Fetzer, respectfully requests that this Court:

A. Grant this Petition for Rehearing;

B. Reconsider the prior decision in light of the circumstances described herein;

C. Permit Petitioner to make a meaningful appearance before the Court;

D. Consider the law-enforcement circumstances that prevented or interfered with Petitioner's ability to appear;

E. Consider Petitioner's circumstances as a homeless patient waiting for treatment;

F. Consider Petitioner's lawful right and practical ability to leave the hospital campus;

G. Consider that Petitioner was prevented from using his navigation device to determine his lawful route of departure;

H. Consider whether hospital security acted reasonably and provided appropriate assistance under the circumstances;

I. Consider Petitioner's lack of intentional refusal to comply and his inability under the circumstances to reasonably determine how to leave the premises;

J. Permit Petitioner to present testimony and supporting evidence concerning these matters; and

K. Grant such other and further relief as the Court considers just and proper.

Respectfully submitted,

Jason Fetzer

8309 N Alaska St
Tampa, FL 33604

Signature: _____

Date: _____

Telephone: _____

Email: _____

VERIFICATION

I, Jason Fetzer, declare that I have read the foregoing Petition for Rehearing and that the factual statements contained therein are true and correct to the best of my knowledge, information, and belief.

Date: _____

Signature: _____

Jason Fetzer

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