

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM COLLETON COUNTY

Court of Common Pleas

The Honorable Clifton Newman, Circuit Court Judge

RECEIVED

JAN 13 2014

S.C. Supreme Court

Appellate Case No. 2011-193846

Opinion No. 175 (S.C. Ct. App. filed April 18, 2011)

Thomas M. Carter, Debra Carter, and Christopher Michael Carter Respondents,

v.

The Standard Fire Insurance Company and Frank L. Siau Agency, IncDefendants,

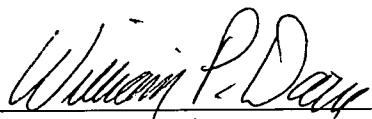
Of whom

The Standard Fire Insurance Company is the.....Petitioner.

PETITION FOR REHEARING

Pursuant to Rule 221(a), *SCACR*, Petitioner The Standard Fire Insurance Company respectfully petitions for a rehearing of the above-captioned matter on the ground that the Court overlooked the legislature’s inclusion of the word, “only”, in the “If, however” sentence of S.C. Code Ann. § 38-77-160 (Supp. 2012) and, as a result, misapprehended its meaning and the legislature’s intent, i.e., that a Class I insured is to be protected by available UIM coverage only to the extent of such coverage that he or she has on the vehicle involved in the accident.

This Petition is supported by the record in this matter and the memorandum filed contemporaneously herewith.



William P. Davis

BAKER, RAVENEL & BENDER, L.L.P

3710 Landmark Drive, Suite 400

Post Office Box 8057

Columbia, South Carolina 29202

Phone: (803) 799-9091; Facsimile: (803) 779-3423

E-mail: wdavis@brblegal.com 7746.1470.2

*Attorneys for Petitioner The Standard Fire
Insurance Company*

Columbia, South Carolina

January 13, 2014

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM COLLETON COUNTY

Court of Common Pleas

The Honorable Clifton Newman, Circuit Court Judge

Appellate Case No. 2011-193846
Opinion No. 175 (S.C. Ct. App. filed April 18, 2011)

RECEIVED

JAN 13 2014

S.C. Supreme Court

Thomas M. Carter, Debra Carter, and Christopher Michael Carter..... Respondents,

v.

The Standard Fire Insurance Company and Frank L. Siau Agency, Inc Defendants,

Of whom

The Standard Fire Insurance Company is the.....Petitioner.

CERTIFICATE OF SERVICE

I, William P. Davis, attorney for Petitioner, do hereby certify that I have served copies of the Petition for Rehearing and Memorandum in Support thereof upon Respondents Thomas M. Carter, Debra Carter, and Christopher Michael Carter and upon Defendant Frank L. Siau Agency, Inc. by depositing them in the United States Mail, postage prepaid, on January 13, 2014, addressed to the attorneys of record at the following addresses:

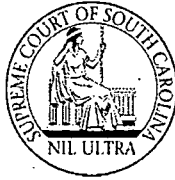
William P. Hatfield
The Hyman Law Firm, LLP
170 Courthouse Square
Post Office Box 1770
Florence, South Carolina 29503-1770

Wesley D. Peel, Esquire
Bruner Powell Robbins Wall & Mullins, LLC
1735 St. Julian Place, Suite 200
Post Office Box 61110
Columbia, South Carolina 29260

Robert N. Hill, Esquire
Law Offices of Robert Hill
1819 McHardy Street
P.O. Box 51
Newberry, SC 29108



William P. Davis



The Supreme Court of South Carolina

William Pearce Davis
PO Box 8057
Columbia SC 29202

01/13/2014

RECEIPT #70947

Case No: 2011-193846
Case Short Title: Thomas M. Carter v. Standard Fire Ins. Co.
Event:
Fee Type: Motion Fee
Amount: \$25.00
Payment Type: Check
Reference No: 66876
Check/Money Order Date: 01/10/2014
Comments: Thomas Carter v. Standard Fire Ins.