

The South Carolina Court of Appeals

Morris Antonio Sullivan, Petitioner,

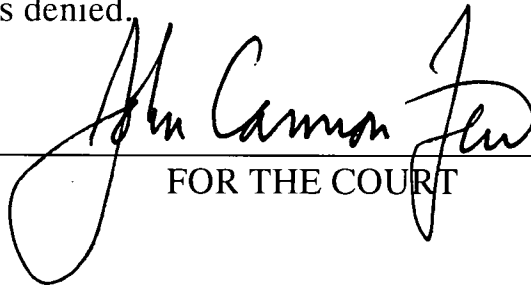
v.

State of South Carolina, Respondent.

Appellate Case No. 2010-151951

ORDER

The petitioner filed a petition for rehearing in this case on February 18, 2014, which this Court denied on March 20, 2014. Subsequently, the Court sent down the remittitur on May 1, 2014. The petitioner has now filed a motion requesting the Court to recall the remittitur and grant leave to file out of time a 30-day extension request for the filing of a petition for writ of certiorari with the South Carolina Supreme Court. A remittitur cannot be recalled except upon "a very strong showing . . . that remittitur was sent down through some mistake or inadvertence on the part of this Court or its officer." *State v. Keels*, 39 S.C. 553, 17 S.E. 802 (1893). The petitioner has failed to make such a showing.¹ Because the petitioner did not timely file an extension request with the Supreme Court, remittitur was properly sent, and this Court no longer has jurisdiction over the case. The petitioner's motion, therefore, is denied.


FOR THE COURT

Columbia, South Carolina

¹ The petitioner asserts that "due to administrative inadvertence, a 30-day extension request was not timely filed" with the Supreme Court.

cc:

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FILED

May 22, 2014 87