

The South Carolina Court of Appeals

Jerry Holtzclaw, d/b/a Green Thumb Landscape &
Irrigation, Respondent,

v.

Dennis Waldrep, Appellant.

Appellate Case No. 2012-207852

ORDER

This appeal was dismissed on January 27, 2014. On February 18, 2014, Appellant filed a motion to reinstate the appeal, which this Court construed as a petition for rehearing from the dismissal of the appeal. On April 2, 2014, this Court denied the petition for rehearing, and the remittitur was sent down on May 30, 2014. Appellant has now filed a motion to recall the remittitur and reinstate the appeal. 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). Appellant has failed to make such a showing.¹ Because remittitur was properly sent, this Court no longer has jurisdiction over the case. Accordingly, Appellant's motion to recall the remittitur and reinstate the appeal is denied.


FOR THE COURT

Columbia, South Carolina

FILED
12/5/14

¹ Appellant's April 14, 2014 motion for reconsideration did not prevent this court from sending the remittitur because the South Carolina Appellate Court Rules do not allow a rehearing of an order denying a petition for rehearing.

cc: Dennis Waldrep
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