

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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SC Court of Appeals
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APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Carmen T. Mullen, Presiding Judge

Civil Action No. 2011-CP-07-04796
Appellate Case No. 2014-000550

Rodney J. Allgire,

Respondent,

v.

Marshall C. Blanton,

Appellant.

PETITION FOR REHEARING AND MOTION TO ALLOW ORAL
ARGUMENT

E. Mitchell Griffith
Kelly Dennis Dean
Griffith Sharp & Liipfert, PA
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kdean@griffithsharp.com
Attorneys for Appellant

YOU WILL PLEASE TAKE NOTICE that Appellant Marshall C. Blanton (“Blanton”) hereby petitions this Court for a rehearing and hereby petitions this Court for reconsideration and appropriate alteration or amendment of the Court’s opinion filed August 5, 2015, Unpublished Opinion No. 2015-UP-393.

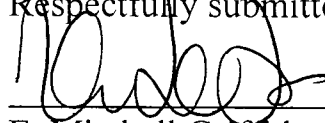
This Petition is made pursuant to Rules 221(a) and 240, SCACR, and is based on the following grounds:

1. The Court erred in not determining that the circuit court should have granted Blanton’s motion for directed verdict because the evidence proved he acted in self-defense and with due care. This privilege extended to the defense of one of his friends that had been threatened on the golf course.
2. The Court erred in not determining that the award of punitive damages should be stricken because the award violated due process.

Accordingly, Blanton respectfully requests that the Court grant a rehearing of this appeal, to include oral argument.

[SIGNATURE PAGE FOLLOWS]

Respectfully submitted,



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Attorneys for Appellant

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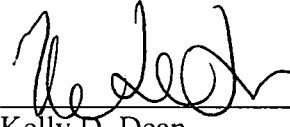
Appellant.

CERTIFICATE OF SERVICE

I hereby certify that on August 18, 2015, I served the *Petition for Rehearing* and *Memorandum in Support of Petition for Rehearing* on Rodney J. Allgire, by depositing a copy in the United States Mail with postage prepaid and addressed as follows:

James H. Moss
Moss Kuhn & Fleming
PO Drawer 507
Beaufort, SC 29901

Charles E. Carpenter, Jr.
4825 Portobello Road
Columbia, SC 29206



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+ Certified Mediator
*Also Admitted in N.C.

Writer's Email: kdean@griffithsharp.com

August 18, 2015

VIA UPS OVERNIGHT

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1205 Pendleton Street
Columbia, SC 29201

RE: Allgire vs. Blanton
Civil Action No: 2011-CP-07-04796
GS&L File No: 1013-005

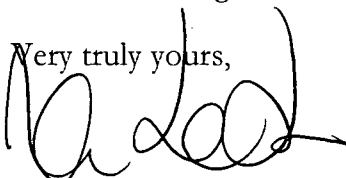
Dear Madam Clerk:

Enclosed in regard to the above-captioned matter are the original and seven (7) copies each of the *Petition for Rehearing* and *Memorandum in Support of Petition for Rehearing*; and the original and one (1) copy of the *Certificate of Service*. Also enclosed is our \$25 check for the filing fee. I would appreciate you filing the originals and returning a clocked copy of each document to me in the enclosed self-addressed, stamped envelope.

Should you have any questions, please do not hesitate to contact me.

With kindest regards, I remain

Very truly yours,



Kelly D. Dean

KDD/lDs

Enclosures

cc: Charles E. Carpenter, Jr.
James H. Moss, Moss
Joseph S. Sandefur

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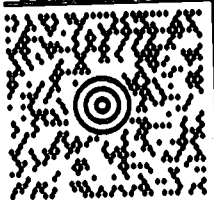
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COLUMBIA SC 29201 3769



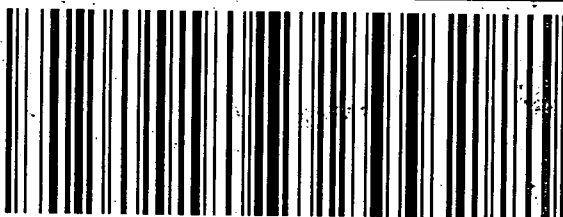
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