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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM DARLINTON COUNTY  
Court of Common Pleas

**RECEIVED**

AUG 31 2015

J. Michael Baxley, Circuit Court Judge

SC Court of Appeals

Case No. 2013-002356

Fritz Allen Timmons

Appellant.

v.

SCESC and Browns a/s RV and Campers

Respondent

MOTION TO REHEAR

Fritz A. Timmons, Pro Se  
P. O. Box 367  
Hartsville, SC 29551

Appellant respectfully petitions this Court for rehearing pursuant to Rule 221,(a), SCACR, and submits there are important reasons for this Court to exercise its descretion to grant rehearing in this matter. The Appellant hereby seeks rehearing on the grounds that the Court has ignored Federal Code, State Code and Court Rules, and misinterpreted and misapplied Case Law to several crucial points in affirming the opinion of the Circuit Court. For all of these reasons, the Appellant respectfully asks this Court to grant this petition for rehearing because the entire appeals process has been clearly erroneous.

As to default judgment, under Rule 55, SCRCF. The Authority for a judgment for default lies upon the Clerk of Court and not within the jurisdiction of the judge although the judge may be required to write the order. This rule clearly states “When a party against whom a judgment for affirmative relief is sought has **failed to plead or otherwise defend...**”, “the **clerk shall enter his default** upon the calendar (file book).”, this rule bound by Rule 81, SCRCF stating “These rules, or any of them, shall apply to every trial court of civil jurisdiction “. The judges in these matters can only write the order for the default judgment and can not try the hearing, a judge can only set aside a default hearing upon proper procedure, Ipso Facto, Judge Baxley has committed a "Sham legal process" ( §16-17-735 (C) “**It is unlawful for a person to act without authority under state law as ...a clerk of court**“. Thereby, with neither party, representative for the Commission nor that of Brown’s Rvs, was present at the hearing to **plead or otherwise defend**, Ipso facto, **had** abandoned and forfeited any decisions in favor of, the Clerk of court has violated State Code §8-1-60 “Neglect of duty”. With no representative nor documents filed for Brown’s Rvs, present at any of the hearings starting from the commission to present day, Ipso Facto, Brown’s Rvs has totally and completely abandoned and forfeited

any decisions in favor of said case.

In said case, Judge Baxley took it upon himself to defend the Agency of which is unsupported by substantial evidence and bound by SC code §41-35-720 and §41-35-750. Thereby, Judge Baxley awarded the verdict in favor of the agency without any representation, in violation of state law, and without any evidence to base a verdict upon of which would have contained substantial evidence to verified the appellants argument. said case the commission and employer, after properly served notice of, has “failed to plead or otherwise defend” (*Goldman, Antonetti, Ferraiuoli, Axtmayer & Hertell v. Medfit Int’l, Inc.*, 982 F.2d 686, 688 (1st Cir. 1991)), *Melendez v. Illinois Bell Co.*, 79 F.3d 661, 671 (7th Cir. 1996) (“Sanctions are proper upon a finding of wilfulness, bad faith, or fault on the part of the noncomplying litigant.”). *Estates of Ungar & Ungar v. Palestinian Auth.*, 325 F. Supp. 2d 15, 65 (D.R.I. 2004) (“The First Circuit has also observed that a ‘failure to file the requested memoranda or even explain the failure after months of delay, amounted to a failure under Fed. R. Civ. P. Rule 55(a) to “otherwise defend” the suit . . . .’” ; *Ackra*, 86 F.3d at 856 (quoting *Harre*, 983 F.2d at 130). “Default judgment for failure to defend is appropriate when the party’s conduct includes ‘willful violations of court rules, contumacious conduct, or intentional delays.’”

With the above said, Derrick McFarland happens to be violating Rule 407 SCACR RULE 1.2(d) “A lawyer shall not counsel a client to engage, or assist a client, in conduct that the lawyer knows is criminal or fraudulent,” and RULE 4.1(b) “fail to disclose a material fact when disclosure is necessary to avoid assisting a criminal or fraudulent act by a client”. Thereby, Rule 407 SCACR, RULE 8.3 demands that the appropriate professional authority to be informed.

With the Appeals Court stating “ *Thompson v. S.C. Steel Erectors*, 369 S.C. 606, 617-18, 632 S.E.2d 874, 881 (Ct. App. 2006) (providing when the circuit court sits in an appellate capacity, an issue not raised to and ruled upon by the circuit court is not preserved for review).”, Therefore the Respondent’s Brief is nullified and due to the Respondent’s failure to plead or otherwise defend at the lower court level then the Respondent can not plead or otherwise defend at the upper court level.

This court has violated Rule 264(a),(b), SCACR by the withdrawal of Romi Yolanda Robinson and substituted by Derrick McFarland without any petition to the court, order from the court or notice to the adverse party.

It is not improper for this Court to hold the defendants accountable for their lawyer's misconduct. *Everyday Learning*, 242 F.3d at 817-18. "While it may seem harsh to make defendants answer for their attorney's behavior, any other result would punish [the plaintiff] for the inaction of [its] opponents' lawyer. Defendants are better suited to bear the risk." *Inma*[1,120 F.3d at 118-19. Further, "[if]they were truly diligent litigants who were misled and victimized by their attorney, they have recourse in a malpractice action." *Id.* See also *Glick v. Henderson*, 855 F.2d 536, 541 (8th Cir. 1988) ("[The] remedy for any ineffective assistance of counsel is a suit against his attorney for malpractice, not a new trial.") or in said case an appeal to an unjust judgment.

As to the Appeals court Determination as to the issues the administrative agency raised to and ruled upon, the violations of SC code §41-35-720 and §41-35-750 prevents these determination due to lack of ANY evidence (substantial and/or relative) of said to support the determination on (*State v. Lyles*, 379 S.C. 328, 338, 665 S.E.2d 201, 206 (Ct. App. 2008) "Unfair prejudice means an undue tendency to suggest a decision on an

improper basis.", Lisenba v. California., 314 U.S. 219, 236, 62 S.Ct. 280, 86 L.Ed. 166 (1941) that fundamental fairness essential to the very concept of justice, *State v. Blackwell-Selim*, 392 S.C. 1, 4, 707 S.E.2d 426, 428 (2011) trial court failed to make specific findings of fact to support its ruling, Ipso Facto, the commission has also violated **18 U.S. Code § 2071** “ (a)Whoever willfully and unlawfully conceals, ...in any public office,... shall be fined under this title or imprisoned not more than three years, or both”. “(b)Whoever, having the custody of any such record... willfully and unlawfully conceals... shall be fined under this title or imprisoned not more than three years, or both; and shall forfeit his office and be disqualified from holding any office under the United States...”. Therefore the appeals court has fraudulently declared issues that was and/or was not raised to and ruled upon by the agency The only item on record from the agency is the commission’s decision (R. p. 7,8) that has no merit and is no more then hearsay evidence Rule 802, SCRE for the commission although it does confirms the violation of §41-27-230 ("Employment" means: (1) “for wages under a contract of hire, written or oral, expressed or implied,” *State v. Lyles*, 379 S.C. 328, 338, 665 S.E.2d 201, 206 (Ct. App. 2008) "Unfair prejudice means an undue tendency to suggest a decision on an improper basis.", *State v. Pittman*, 373 S.C. 527, 578, 647 S.E.2d 144, 170 (2007) Rule 402, SCRE; Relevant evidence is "evidence having any tendency to make the existence of any fact that is of consequence to the determination of the action more probable or less probable than it would be without the evidence.". A man of common intelligence and of common reasoning would conclude that a faulty record that lacks substantial, relative or even circumstantial evidence would in no doubt bring about a faulty verdict even though this court system has refused to acknowledge due to its self governing and self protecting

actions, ipso facto, the courts below severely abused their discretion.

Commission have failed to present a complete record on appeal. It was the Commission ' burden under state code to furnish this court with a record supporting their decisions and any documents there of. It also violated Brady/s Rule (Withholding of evidence violates *due process* "where the evidence is material either to *guilt* or to punishment. " Brady v. Maryland, 373 U.S. 83 (1963)). Without the Record and without any representatives for the commission nor employer, that the plain error that is so obvious that the fairness and integrity of the hearing was based on prejudice and/or bias.

Courts finds that Defendants' failure to comply with the discovery referenced the possible harm to other victims that might have resulted if similar future behavior were not deterred.

Appeals court erred upon holding the circuit court determination upon "the whole record" and without substantial evidence in the record to support the Commission's decision when the Commission directly violated SC code §41-35-720. (Conduct of appealed claims. "**A full and complete record SHALL BE KEPT of ALL PROCEEDINGS in connection with an appealed claim. All testimony at any hearing upon an appealed claim shall be recorded, but shall not be transcribed unless the claim is further appealed.**") and §41-35-750. (Procedure to obtain review. "With its answer **the commission SHALL certify and FILE with the court ALL documents and papers and a transcript of all testimony taken in the matter and its findings of fact and decision.**", "the findings of the commission as to the facts, **IF SUPPORTED by evidence and in the absence of fraud,**"). With the Circuit Courts statement " I don't find a violation of federal law. Which you have talked about, for overtime" (R. p. 12),

along with “There is no overtime pay” on a new contract for hire (§41-27-230) (R. p. 17), and also “the employer would no longer be required to pay me time & a half when I worked over 40 hours per week. This is a violation of federal law..”, (see attached p. 15, Rule 1004,SCRE), These are substantial and relevant evidence (Rule 401, 402 SCRE) and are bound by Rule 1103 SCRE. Ipso Facto, the absence of evidence is evidence of absence.

The Appeals court has acknowledge S.C. Code Ann. § 41-35-110(5) (Supp. 2014) and § 41-35-120(1) (Supp. 2014) while at the same time blatantly refused to acknowledge (be faithful to the law - Canon 3(B)(2)) S.C. Code Ann. §41-27-230 "Employment" means: (1) “wages under a contract of hire, written or oral, expressed or implied”, S.C. Code Ann. §41-35-720 “A full and complete record shall be kept of all proceedings“, S.C. Code Ann. § 41-35-750 “the **commission shall certify and file** with the court **all** documents and papers and a transcript of all testimony taken in the matter and its findings of fact and decision” and 18 U.S. Code § 2071(b) “Whoever, having the custody of any such record...willfully and unlawfully conceals...shall be fined under this title...”, ipso facto, the judges of these courts are subject to 18 U.S. Code § 3 “Whoever, knowing that an offense...has been committed, receives, relieves, comforts or assists the offender ...is an accessory after the fact. “

With the Court using case laws such as *TNS478 (1998) Mills, Inc. v. S.C. Dep't of Revenue*, 331 S.C. 611, 624, 503 S.E.2d 471 that also states “Accordingly, since the Commission's decision was supported by the evidence”, Ipso Facto, there must be evidence to support the decision, it also states “Second, the record indicates”, Ipso Facto, there must be a “whole” record of the agency to determine whether or not an issue was

raised to and ruled upon by the agency, “to get such a judgment without evidence” is a violation of due process.

The lower courts can not make a decision in favor of the State and/or State Agency while the process is based upon the criminal actions of the State and/or State Agency, Therefore, said case can not be bound to process of which it would normally be bound to if no such criminal actions had existed. To do so is a violations of State Code §16-17-735 (E)(3) ““Sham legal process" means the ...reliance on as lawful authority...which purports to”, (b)”**assert jurisdiction or authority** over or determine or adjudicate the legal or equitable status, rights, duties, powers, or privileges of a person or property”

With the Appeals Court subjects this case upon the “Record as whole” and has taken a bias defense posture in favor of the State and/or State Agency. Then this court must provide substantial evidence in support of its decision and since this court can not, ipso facto, this court must acknowledge and base its decision upon the violation of S.C. Code Ann. §41-35-720 and § 41-35-750 (2009), thus "absence of evidence is evidence of absence". A case law must be so closely similar to the case at hand as to not create severe damages the justice of the case.

As explained in the Appellants Brief that the termination and/or altering the Contract for hire without the agreement of the employee by an employer is determined as an employee as quitting by the commission has and is in direct contradiction of SC Code §41-27-230 and constitutes as a breach of contract. (*State v. Blackwell-Selim*, 392 S.C. 1, 4, 707 S.E.2d 426, 428 (2011) trial court failed to make specific findings of fact to support its ruling), : *Houston v. Deloach & Deloach*, 378 S.C. 543, 549, 663 S.E.2d 85,

88 (Ct. App. 2008) (stating that pursuant to the Administrative Procedures Act, an appellate court's review of a decision of the Appellate Panel is limited to deciding whether the Appellate Panel's decision **is unsupported by substantial evidence** or is **controlled by some error of law**);. Therefore, any case law used by this court for the purpose of confining a decision to the whole record is invalid and void of any merit and/or authority. The failure of the Commission to provide the whole record to the Circuit Court is in fact have been harmful to the Appellant and causing and depriving the Appellant of a just appeal. With *United States v. Conces*, 507 F.3d 1028, 1043 (6<sup>th</sup> Cir. 2007) (party must show “categorically and in detail” that it took “all reasonable steps within its power to comply with the court’s order” (quoting *Glover v. Johnson*, 934 F.2d 703, 708 (6th Cir. 1991))); *United States v. Santee Sioux Tribe*, 254 F.3d 728, 736 (8th Cir. 2001) (party must demonstrate it “made in good faith all reasonable efforts to comply”), the Commission must categorically and in detail that it took all reasonable steps within its power to comply with State Code §41-35-720. §41-35-750 and made in good faith all reasonable efforts to comply under State Code §1-23-380 (5) The court may reverse or modify the decision if substantial rights of the appellant have been prejudiced because the administrative findings, inferences, conclusions, or decisions are:(c) **made upon unlawful procedure**; and (d) **affected by other error of law**.

Therefore the question to this court is

- (1) Does this court find that a pro se would know that the commission would refuse to disclose the record to the court violating **§41-35-720** and **§41-35-750** and prepare for such an criminal action as in brining in documents for the record. Also would the judge also have know as to the lack of record.

- (2) Does this court find that only the “Decision of the Commission” to be the “Whole Record”
- (3) Does this court find that the violating **CFR Title 29 §778.315** by an employer to be a “GOOD CAUSE” for an employee to either quit or refuse to accept a new contract of hire.
- (4) Does this court find that violating **CFR Title 29 §778.223** and/or **§778.318** by an employer to be a “GOOD CAUSE” for an employee to either quit or refuse to accept a new contract of hire when the employee are required to be on the job for a specific time frame and without pay for all hours worked.
- (5) Does this court find that failure of the commission and employer to show, plead and defend at a hearing to be abandonment of a case
- (6) Does this court find that violation of the above said is an **unlawful procedure** and/or **other error of law**
- (7) Does this court find that a verdict in favor of the State and/or State Agency that is base upon criminal action of the State and/or State Agency to be considered as “JUSTICE”
- (8) Does this court find that the termination of a contract of hire by an employer to be the termination of an employee (§41-27-230)
- (9) Does this court find that the alteration of a contract of hire by an employer without the approval or acceptance of an employee to be a breach of contract (§41-27-230).

Example of of the above (8 & 9 ), if the State was to inform the judges of this court that on XX date that it would no longer pay judges their salaries but instead would

pay only 1 hour per civil case and 1.5 hour per criminal case (@ \$15 per case hour) while having to be in the court house for nine hours a day Monday through Saturday (54 hours per week) without overtime pay, pay for anytime that you are in the court house while not working nor pay for any other job performances and also claims that's its an incentive to be more productive and considers it a pay raise (a judge can make more this way then by salary by doing enough cases although if a judge does not receive enough cases per week then the judge would make less then minimum wage for the required onsite working hours) to make more money. If any of the judges refused to accept this then they would be considered as quitting.

Due to the lower court judges refusal or incompetence in being faithful to the law (direct violation to Rule 501 SCACR **CANON 3**, the Judges's Oath, Rule 502.1 SCACR and the Lawyer's Oath, Rule 402 (k) SCACR ) The Appellant has provided the following authorities from CFR Title 29 Subtitle B Chapter V Subchapter B:

(A) §779.101 Guiding principles for applying coverage and exemption provisions.

It is clear that Congress intended the Fair Labor Standards Act to be broad in its scope. "Breadth of coverage is vital to its mission." (Powell v. U.S. Cartridge Co., 339 U.S. 497.) **An employer who claims an exemption under the Act has the burden of showing that it applies.** (Walling v. General Industries Co., 330 U.S. 545; Mitchell v. Kentucky Finance Co., 359 U.S. 290; Fleming v. Hawkeye Pearl Button Co., 113 F. 2d 52.) Conditions specified in the language of the Act are "explicit prerequisites to exemption." (Arnold v. Kanowsky, 361 U.S. 388.) "The details with which the exemptions in this Act have been made preclude their enlargement by implication." (Addison v. Holly Hill, 322 U.S. 60; Maneja v.

Waialua, 349 U.S. 254.) Exemptions provided in the Act “are to be narrowly construed against the employer seeking to assert them” and their application limited to those who come plainly and unmistakably within their terms and spirit; this restricted or narrow construction of the exemptions is necessary to carry out the broad objectives for which the Act was passed. (Phillips v. Walling, 324 U.S. 490; Mitchell v. Kentucky Finance Co., supra; Arnold v. Kanowsky, supra; Calaf v. Gonzalez, 127 F. 2d 934; Bowie v. Gonzalez, 117 F. 2d 11; Mitchell v. Stinson, 217 F. 2d 210; Fleming v. Hawkeye Pearl Button Co., 113 F. 2d 52.)

- (B) §779.372 (a) “Section 13(b)(10)(A) states that the provisions of section 7 shall not apply with respect to “any salesman, partsman, or mechanic primarily engaged in selling or servicing automobiles, trucks, or farm implements”
- (C) §779.372 (c)(3) “As used in section 13(b)(10)(A), a mechanic is any employee primarily engaged in doing **mechanical work** “, “**The term does not include** employees primarily performing such **nonmechanical work** as washing, cleaning, painting, polishing, tire changing, installing seat covers, dispatching, lubricating, **or other nonmechanical work**”

As to the action of Judge Burch’s perjury, this action is controlled under **18 U.S. Code § 1001** “whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully—

- (1)falsifies, conceals, or covers up by any trick, scheme, or device a material fact;
- (2)makes any materially false, fictitious, or fraudulent statement or representation; or
- (3)makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; shall be fined under this title”

and **18 U.S. Code § 1621** “Whoever— (2)in any declaration, certificate, verification, or statement under penalty of perjury as permitted under section 1746 of title 28, United States Code, willfully subscribes as true any material matter which he does not believe to be true; is guilty of perjury” and SC Code 16-9-10 “(2) It is unlawful for a person to willfully give false, misleading, or incomplete information on a document, record, report, or form required by the laws of this State.”

The action of refusal to produce a decision by Judge Burch in turn has violated the appellants Rights to Due Process, Thus has also violated **18 U.S. Code § 242** “Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State...to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States...be fined under this title or imprisoned not more than one year, or both” State v. Chapman, 289 S.C. 42, 344 S.E.2d 611 (1986). The constitutional guarantee of a speedy trial affords protection only against unnecessary or unreasonable delay. With the above said. Rule 502. SCACR, RULE 7 demands that the appropriate professional authority to be informed.

With the above said. The Judges of the Court of Appeal bound under the Rule 501, SCACR **APPLICATION OF THE CODE OF JUDICIAL CONDUCT**

**“A. Anyone, whether or not a lawyer, who is an officer of the unified judicial system and who performs judicial functions, including an officer such as a magistrate, master-in-equity or special referee, is a judge within the meaning of this Code. All judges shall comply** with this Code except as provided below.” and with the information provided to them and dismissing the actions there of, has directly violated Rule 501, SCACR **CANON 3D(1)** “A judge who receives information indicating a substantial

likelihood that another judge has committed a violation of this Code should take appropriate action. **A judge having knowledge\* that another judge has committed a violation** of this Code that raises a substantial question as to the other judge's fitness for office **shall inform the appropriate authority.**”, 18 U.S. Code § 242, 18 U.S. Code § 1001 “...whoever, in any matter within the jurisdiction of...judicial branch of the Government of the United States, knowingly and willfully— (1)falsifies, conceals, or covers up by any trick, scheme, or device a material fact;...shall be fined under this title, imprisoned not more than 5 years “, 18 U.S. Code § 3 “Whoever, knowing that an offense ... has been committed, receives, relieves, comforts or assists the offender in order to hinder or prevent his apprehension, trial or punishment, is an accessory after the fact.”. With the evidence given along with court records, the judges of the lower court thereby has knowledge of the perjury and violations of the Rights to Due Process by Judge Paul M. Burch and are now considered as accessories after the fact and conspirators to said.

With the above said, the Judges of the Appeals court can not rule on or dismiss the accusations of the actions of the above said but can only report these actions to the appropriate authorities or be in direct violations to and/or be in conspiracy after the fact to the violations

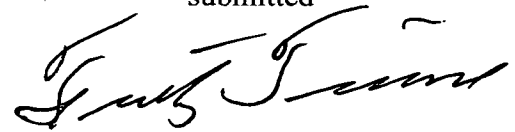
### CONCLUSION

Based on the foregoing argument and the arguments raised the Appellant’s Brief, the Appellant respectfully request that this Court grant this petition for rehearing, reconsider and rehear this matter, and issue an opinion which reverses the Court of Appeals’ decision in its entirety, removes any language that conflicts with this Courts

prior decisions and awards decision in the Appellants favor. Alternatively, the Appellant ask this Court to issue an opinion which clarifies for the bench and bar exactly what the definition "GOOD CAUSE" consist of and also an opinion as to a process when a State Agency fails to comply to state law while in a judiciary process.

August 27. 2015

Respectfully  
submitted

A handwritten signature in cursive script, appearing to read "Fritz Timmons".

Fritz A. Timmons  
P. O. Box 367  
Hartsville, SC 29551

faxed 5-4-9 @ 2:25pm V13

Form App-111...Rev. 2/05  
Catalog#: 05170

Appeal No. 0906675

**SOUTH CAROLINA EMPLOYMENT SECURITY COMMISSION**

**APPLICATION FOR LEAVE TO APPEAL TO COMMISSION**

X  
5/5/09  
5/1/09

Claimant's Name Fritz A. Timmons

SSN \_\_\_\_\_

Address \_\_\_\_\_

Date of \_\_\_\_\_

Initial Claim 03/20/09

Employer's Name Browns A/S RV's & Campers Inc

Address 30049 Hwy 151 Mcbee, SC 29101

Party Appealing Claimant

On 04/25/09, I received Appeal Tribunal Decision Number 2009-A-6453

mailed to me on 04/24/09 and ask for review of the record on the following grounds:

I disagree with the decision of the appeal tribunal because there was a substantial change in the terms or conditions of employment. The employer changed the pay system that was originally agreed upon when I was hired. The employer would dictate how much I would be paid for each job no matter how long it took to actually perform the work. With the change in the pay system, the employer would no longer be required to pay me time & a half when I worked over 40 hours per week. This is a violation of federal law because the type of work I performed & the employer are not considered exempt from paying overtime under federal law.

\* If appeal is untimely, state the reason. If appellant failed to attend Appeal Tribunal hearing, state the reason and whether postponement was requested:

S. C. Employment Security Commission  
MAY 05 2009

I know that I must continue to file my claims for each week of unemployment during the pendency of this appeal, I know that I can only be paid for those weeks that I have timely claimed. If I have received benefits and am ruled disqualified or ineligible, I know that I will be required to repay the benefits I have received for that time period.

\*\*As a Board of Review, the Commission is confined solely to the record submitted by the Appeal Tribunal and does not accept additional evidence or testimony in its consideration of the appeal.

Appellant Claimant \_\_\_\_\_

Signed by [Signature]

Title \_\_\_\_\_ Date 05/01/09

Does claimant need an interpreter?  YES  NO

What language/dialect? [Handwritten]

Claimant is  Deaf  Mute

MAY 04 2009

(For Workforce Center Use Only)

Filed at Hartsville WFC / 1600  
(Workforce Center Name and Number)

Date 05/01/09

Received by [Signature]  
(Workforce Center Representative)

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

RECEIVED

APPEAL FROM DARLINTON COUNTY  
Court of Common Pleas

AUG 31 2015  
SC Court of Appeals

J. Michael Baxley, Circuit Court Judge

Case No.2013-002356

Fritz Allen Timmons

Appellant.

v.

SCESC and Browns a/s RV and Campers

Respondent

PROOF OF SERVICE

I certify that I have served the MOTION TO REHEAR by depositing a copy of it in the United States Mail, postage prepaid, on August 27, 2015, addressed to the attorney of record, .Derrick McFarland, Carolina Dept. of Employment and Workforce, P. O. Box 8597, Columbia, SC 29202

August 27, 2015



Fritz A. Timmons, Pro Se  
P. O. Box 367  
Hartsville, SC 29551

August 27, 2015

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
P.O. Box 11629  
Columbia, SC 29211

RECEIVED

AUG 31 2015

SC Court of Appeals

RE: Fritz A. Timmons v. SCESC and Browns a/s RV and Campers Appellate Case No.  
2013-002356

Dear Jenny Abbott Kitchings

Enclosed is the original and six copies of the MOTION TO REHEAR along with  
proof of service of the Motion.

Sincerely,



Fritz A. Timmons, Pro Se  
P. O. Box 367  
Hartsville, SC 29551

August 27, 2015

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
P.O. Box 11629  
Columbia, SC 29211

RECEIVED

AUG 31 2015


SC Court of Appeals

Re: Fritz A. Timmons v. SCESC and Browns a/s RV and Campers  
Appellate Case No. 2013-002356

Dear Jenny Abbott Kitchings

Enclosed is a 25 dollar money order for the motion filing fee for the MOTION TO REHEAR served on August 27, 2015. Money Order # 22974939696

Sincerely,



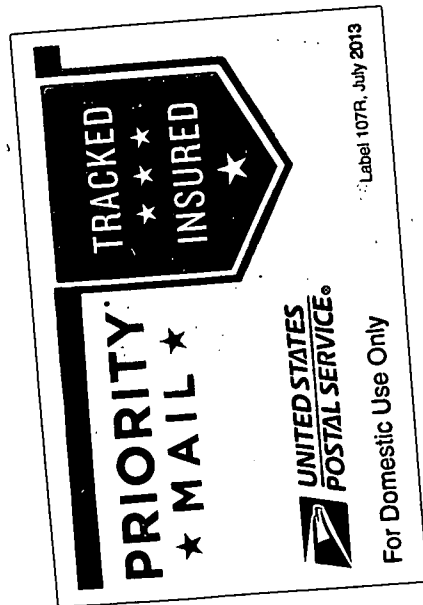
Fritz A. Timmons  
P. O. Box 367  
Hartsville, SC 29551

Fritz A. Simmons  
P. O. Box 367  
Hartsville, SC 29551



 1024  29211

U.S. POSTAGE  
PAID  
HARTSVILLE, SC  
29550  
AUG 27, 15  
AMOUNT  
**\$9.40**  
R2304M115951-04



Jenny Abbott Kitchings  
Clerk of Court  
P.O. Box 11629  
Columbia, SC 29211

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16 31 2015

SC Court of Appeals

8/25