

77905

MOTION FOR REHEARING/REINSTATEMENT OF APPEAL

November 18, 2015

SC Court Of Appeals
Clerk Of Court
P.O. Box 11629
Columbia, S.C. 29211

RECEIVED
NOV 19 2015
SC Court of Appeals

Laurens Pediatric Clinic -Appellant
v.
SCDHHS -Respondent

Trial Court Case No. 2015ALJ080109AP

Petition for Rehearing/ Petition for Reinstatement Of Appeal

To the Clerk Of Court:

I hereby request for this court to reinstate the appeal of this case. I received on November 9, 2015 the Court Order of dismissal filed 11/05/2015 (see enclosed copy).

I had served all parties Notice Of Appeal but inadvertently missed the mail on time for SC Administrative Law Court. This is the reason for dismissal, however, I request reconsideration from the court as this will eliminate my chances to appeal the ruling of Honorable Judge Deborah Brooks Durden issued September 2, 2015. The case is about overpayment. I only see Medicaid, and uninsured patients. To stop the process of appeal will create great hardship, despite legitimate reasons to appeal.

I apologize for any inconvenience to the court, I work as a solo practitioner in rural South Carolina, and I will do my best to comply with the court rules.

Sincerely,



Nilsa I. Nazario, M.D., F.A.A.P.
P.O. Box 1367
Laurens, S.C. 29360-1367
(864) 483-0234
ninazario@aol.com

cc. SC Administrative Law Court
SCDHHS - Mr. Evan Gessner

The South Carolina Court of Appeals

Laurens Pediatric Clinic, Appellant,

v.

South Carolina Department of Health and Human
Services, Respondent.

Appellate Case No. 2015-002088

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SC Court of Appeals

The Honorable Deborah Brooks Durden
Trial Court Case No. 2015ALJ080109AP

ORDER

Appellant has failed to timely serve the notice of appeal on the Administrative Law Court, as required by Rule 203 of the South Carolina Appellate Court Rules. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY V. Claire Allen, Deputy
CLERK

Columbia, South Carolina

cc:
Nilsa I. Nazario
Evan Markus Gessner, Esquire
Jana E. Shealy

FILED

CS 11-05-2015

PROOF OF SERVICE

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM SOUTH CAROLINA
Administrative Law Court

Trial Court Case No. 2015ALJ080109AP

RECEIVED

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SC Court of Appeals

Laurens Pediatric Clinic

Appellant

v.

South Carolina Department Of Health And Human Services

Respondent

This is to certify that I sent copy of the Petition For Rehearing/Reinstatement Of Appeal, along with copy of Court Dismissal Of Case Order, and copy of this proof of service to the Respondent and S.C. Administrative Law Court, by US postal service on November 18, 2015.

November 18, 2015

Nilsa I. Nazario MD FAAP

Nilsa I. Nazario, M.D., F.A.A.P.

P.O. Box 1367

Laurens, S.C. 29360-1367

(864) 483-0234

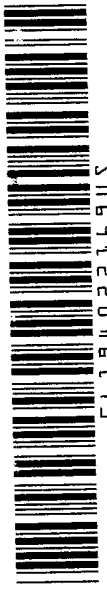
cc. Mr. Evan Gessner
Counsel SCDHHS
1801 Main St. Suite 1100
Columbia, S.C. 29201-8206

SC Administrative Law Court
Clerk Of Court
Edgar A. Brown Building
1205 Pendleton St., Suite 224
Columbia, S.C. 29201

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