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Ryan P. Compton
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February 29, 2016

VIA FAX AND U.S. MAIL

The Honorable Jenny A. Kitchings
Clerk of Court, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211
Fax: 803.734.1839

Re: David M. Repko v. County of Georgetown
Case Tracking No.: 2014-000156
GW File: 13.156

Dear Mrs. Kitchings:

Please find enclosed for filing the original and seven (7) copies of Appellant's Return to Respondent's Petition for Rehearing in reference to the above matter. In accordance with Rule 262(a)(2), SCACR, I am submitting this letter and enclosed Appellant's Return to Respondent's Petition for Rehearing via facsimile copy for filing and am also immediately sending same by U.S. Mail. I have also enclosed a Proof of Service of this document on counsel for the Respondent. Please return the additional copy to me file-stamped via the self-addressed stamped envelope.

Thank you for your attention to this matter. If you have any questions or need any additional information, please do not hesitate to contact me.

With kind regards, I remain,

Respectfully,
GOLDFINCH WINSLOW, LLC

Ryan P. Compton

Enclosure

cc: Robert L. Widener, Esquire
(via U.S. Mail and e-mail rwidener@mcnair.net)
David J. Mills, Esquire
(via U.S. Mail and e-mail to dmills@mcnair.net)

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas
Benjamin H. Culbertson, Circuit Court Judge

Appellate Case No. 2014-000156
Case No. 2012-CP-22-00558

David M. Repko.....Appellant,

v.

County of GeorgetownRespondent.

**APPELLANT’S RETURN TO RESPONDENT’S PETITION FOR
REHEARING**

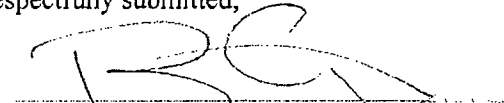
This Return is filed by Appellant, pursuant to Rule 221 and Rule 240(e) of the South Carolina Appellate Court Rules (SCACR). In compliance with this Court’s correspondence to Appellant, dated February 19, 2016, received on February 23, 2016, Appellant timely files this requested Return within the 10 day period allotted by the Court’s correspondence. Rule 221 governs petitions for rehearing. Rule 240(e) governs returns to motions and petition generally.

Rehearing is not needed. This Court’s decision filed on January 6, 2016 reaches the correct result. The following is a brief response to Respondent’s Petition for Rehearing as requested by this Court.

This Court did not err in reversing the trial court. Appellant submits that the many points argued by the Respondent in its Petition for Rehearing were not misapprehended

and were not overlooked by the Court through its opinion, through briefing, and through oral arguments of the parties to this appeal. Because this Court's opinion correctly decides the matter without misapprehending or overlooking any points argued, the Appellant respectfully requests that this Court: (1) deny Respondent's request for a rehearing; (2) deny the Respondent's request that this Court issue a new, substitute opinion affirming the trial court as to the "duty" issue, the "immunity" issue, and the "statute of limitations" issue that Respondent re-argues through its petition; and (3) deny Respondent's Petition for Rehearing so that this case can proceed towards a final resolution in accordance with the Court's January 6, 2016 opinion.

Respectfully submitted,



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ATTORNEYS FOR APPELLANT

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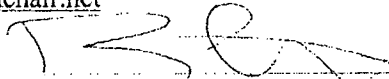
County of GeorgetownRespondent.

PROOF OF SERVICE

The undersigned hereby certifies that the foregoing Appellant's Return to Respondent's Petition for Rehearing was served on counsel for the Respondent by mailing a copy of the same by United States Mail, with first class postage prepaid to the following addresses for counsel of record, and by electronic mail to counsel of record:

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