

The South Carolina Court of Appeals

Jack Powell, Appellant,

v.

Carolina Center for Occupational Health, Respondent.

Appellate Case No. 2015-000049


ORDER

This appeal was dismissed on October 12, 2015 due to Appellant's failure to serve and file a designation of matter. Thereafter, Appellant filed a designation, a motion to allow the designation out of time, and a proof of service. On October 22, 2015, this court sent Appellant a deficiency letter requiring the motion and proof of service to be signed and warning the motion would not be considered unless the deficiencies were corrected within ten days of the date of the letter. The deficiencies were not corrected, and this court sent the remittitur down on November 18, 2015. Appellant has now filed a motion requesting that this court 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 [c]ourt or its officer." *State v. Keels*, 39 S.C. 553, 17 S.E. 802 (1893). Appellant has failed to make such a showing. The remittitur was properly sent, and this court no longer has jurisdiction over the case. Appellant's motion, therefore, is denied.

 A.C.J.
FOR THE COURT

Columbia, South Carolina

FILED

4/13/16 

cc:

Jack Powell

Peden Brown McLeod, Jr., Esquire

Gordon Wade Cooper, Esquire

Morgan S. Templeton, Esquire

Julie J. Armstrong