



# The South Carolina Court of Appeals

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June 21, 2016

The Honorable Connie Reel-Shearin  
180 N Irby St MSC-E Rm B11  
Florence SC 29501-3456

## REMITTITUR

Re: Theron Bartell v. Cedar Terrace  
Lower Court Case No. 2013CP2101844  
Appellate Case No. 2015-000793

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

Enclosure

cc: Theron J. Bartell  
Parker Edwards Howle, Esquire

# The South Carolina Court of Appeals

Theron J. Bartell, Banc Home Saving Association,  
Appellant,

v.

Cedar Terrace, LLC, Respondent.

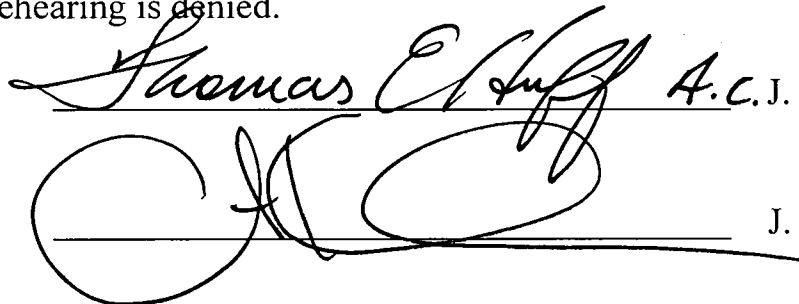
Appellate Case No. 2015-000793

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## ORDER

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This appeal was dismissed due to Appellant's failure to serve and file his initial brief and designation of matter.<sup>1</sup> Appellant has now filed a motion for an extension of time to serve and file his initial brief and designation of matter, which we construe as a petition to rehear the dismissal of his appeal. After careful consideration of the petition for rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing or reinstating this appeal. Accordingly, the petition for rehearing is denied.

 Thomas E. Huff A.C.J.  
J.

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<sup>1</sup> We note that Appellant received a copy of the transcript on October 1, 2015; accordingly, he should have served and filed his initial brief by October 31, 2015. After granting Appellant three extensions, this court ordered Appellant on February 8, 2016, to serve and file his initial brief and designation of matter within ten days and explained that failure to comply with the order would result in the dismissal of the appeal. Appellant failed to comply with the order, and this appeal was dismissed on March 1, 2016.

Joseph W. Cerrito A. J.

Columbia, South Carolina

cc:  
Theron J. Bartell  
Parker Edwards Howle, Esquire

**FILED**

5/12/16 ~~W. J. Cerrito~~