

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas
Doyet A. Early, III, Circuit Court Judge

CASE NO: 2014-CP-02-00879

RECEIVED

AUG 19 2016

SC Court of Appeals

Carlton E. Cantrell,

..... Appellant

v.

Aiken County, Aiken County Animal
Control, Shirley Hardin, Aiken
County Animal Control Officer Bobby
Arthurs, and Judge Charles T.
Carter,

..... Respondent

PETITION FOR REHEARING

Carlton E. Cantrell request that the Court of Appeals rehear and reconsider its opinion of August 3rd 2016 affirming the trial court's Order of Summary judgment in Favour of the defendants Listed above. This petition for Rehearing is based on the grounds set forth in the attached Memorandum in Support of Petition for Rehearing.

Other Counsel of Record
William H. Davidson, II
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Carlton E. Cantrell
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Plaintiff Appellant

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**MEMORANDUM IN SUPPORT
OF PETITION FOR REHEARING**

The Appellant respectfully request that the Honorable Court of Appeals reconsider its decision of August 3rd 2016, affirming the trial court. Appellant avers that the Court of Appeals did not adequately consider the following issues.

1. This is the third time that the Appellant has filed this Complaint in the Common Pleas Court and it has gone before the same judge Doyet A. Early III, presiding Circuit Court judge, every time, it is apparent that Aiken County is determined not to repay me for the damages that they brought on me because of their fraudulently and maliciously, misconduct by judge Charles T. Carter and Officers Shirley Harden and Bobby Arthurs.
2. judge Doyet A. Early III, sat on the Order for more than thirty days and the Appellant had to file for an extension in the Court of Appeals, before his thirty day time limit ran out to file an appeal on judge Early's decision.

3. The Appellant received a letter from the court of Appeals within 10 days to order the transcript on September 24, 2014 was the day of the letter. The Appellant sent a letter to the Court reporter on September 30 2014 to Bethanie Crepon, the court reporter. The Appellant received a letter dated October 06, 2014, that stated that the appellant needed to provide a copie of the transcript being ordered to the Court of Administration this is who the court reporter works for. I showed them a copie of the letter and the lady said that it wasnt necessary, but I asked how long should it be before I receive the transcript from the court reporter and the lady told me that the court reporter had 60 days to contact me in regards to the transcript and that I had to pay for the transcript before I receive it.

On December 13th 2014, I received a letter dated December 11th 2014 requesting that the appellant advise the Court of Administration the status of the transcript within 10 days. I contacted Bethanie Crepon by phone and she said that she had never received the request for the transcript at all, and she told me that I was suposto contact her within 10 days if she failed to contact me, I told her that I went to the Court Administration and asked about the transcript and they told me that you had 60 days to contact me. The Court of Appeals said that it would be all right and I got the Transcript from the Court reporter that week. Could this be another attempt to throw out my appeal just like the last time see pages 14-16 Appellants final brief.

4. When i took the signed Order from Judge Earley to the Court of Appeals Elizabeth Carter was doing my appeal for the third time she said that she was training a young black lady by the name of Ella which I met but I sent a letter complaining even though Elizabeth Carter is training a new case worker she is still in charge of my Appeal. During the Appeal at the very end I didn't receive any corespondance from the Court of Appeals and I called Monica and she said that Ella had been terminated but gave no reason behinde their decision.

I called Elizabeth Carter in July in reference to my appeal and she told me that we would be preparing for oral arguments.

In December of 2015 I received a letter from the Court of Appeals stating that this matter would be decided without oral arguments, why did Elizabeth Carter tell that we would be preparing for oral arguments and didn't give me any reason for deciding against, but I knew what their decision was going in favor of the defendants, after I received the letter.

5. On March 15th 2015 the Appellant turned in the Record on Appeal in time and the Final Briefs were due on April 3rd 2015, the Appellant sent in his final Brief on April 3rd, but never received a Final Brief from the defendants and on April 13th he received a motion to correct the Record on Appeal from the defendants dated April 10th 2015.

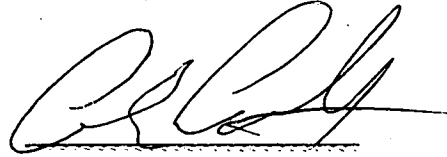
The defendants had two weeks to file a motion before I turned in my Final Brief in regards to the Record on Appeal. I received a letter from the Court of Appeals that a decision would be made in this matter. I received a Court order within 10 days that the Appellant shall serve and file a supplemental record on appeal, dated June 3rd. The Appeals court said nothing about the defendants final Brief and this was the last letter that I received from the Court of Appeals.

I did receive a Final Brief from the Defendants dated June 25th 2015,

6. Even though the correspondence letters and phone conversations are not in the Final Briefs or the Record on Appeal they are still part of the Appeal and can be used as evidence against the appeal itself.

WHEREFORE, on the grounds set forth in this Memorandum the appellant does hereby
move that the Court of Appeals rehear and reconsider its decision of August 3rd 2016.

August 17th 2016

A handwritten signature in black ink, appearing to read 'Carlton E. Cantrell', written over a horizontal dashed line.

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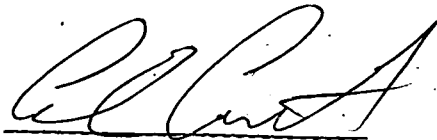
..... Respondent

PROOF OF SERVICE

I Carlton E. Cantrell, do hereby Certify that I have this day of August 17th
2016, served six copies and original of the Petition for Rehearing and Memorandum
in Support of Petition for Rehearing on to the South Carolina Court of Appeals and
one copy to the opposing council on record, by placing same in the United States
Mail with proper Postage attached.

Other Counsel of Record
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Plaintiff Appellant