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THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM HORRY COUNTY

Case No.2015-002255

RECEIVED

JUL 03 2017

SC Court of Appeals

Tommy J. Bellamy-----Appellant

v.

Horry County Assessor-----Respondent

APPELLANT'S MOTION TO REHEAR

Tommy J. Bellamy, Attorney Pro se
3684 Sea Mountain Highway
Little River, South Carolina, 29566
843 457-3625
Attorney for Appellant

Attorneys for Respondent

Arrigo Paul Carotti, Esquire
Horry County Attorney Office
1301 Second Avenue
Conway, South Carolina, 29525
843 915-5040

Emma Ruth Brittain, Attorney at law
1314 Professional Drive
Myrtle Beach, South Carolina, 29577
843 692-2628

To the Honorable South Carolina Court of Appeals, the Appellant, Tommy J. Bellamy , Attorney Pro se, moves pursuant to Order filed on June 26, 2017, Whereas, the Court denied the petition to reinstate, the court found no basis for granting the petition to restate. According to the Order, the Appellant failed to cure deficiencies that the Respondent contend were left out of the Second Record on Appeal.

The motion to rehear the petition to reinstate is filed within 15 days after the order was filed on June 26, 2017. The Appellant files this petition for rehear under Rule 221. This petition for rehear is in accordance with Rule 240,

The motion to rehear petition to reinstate is due to particularity the points that were overlooked or misapprehended by the court.

A. On May 8, 2017, the Appellant filed the Supplemental Record on Appeal as requested by the court. The Supplemental Record on Appeal was served on Respondent's attorney of record, Emma Ruth Brittain, Attorney at Law at her office at 4614 Oleander Drive, Myrtle Beach, South Carolina 29577. The Appellant filed and served the Supplemental Record on Appeal to the respondent that contained all requested deficiencies in the Respondent's complaint as numbered below:

- (1) Notice of Intent to Appeal and Request for Contested Case Hearing with Administrative Law Judge;
- (2) Request for Refund from Tommy J. Bellamy Submitted March 20, 2015;
- (3) Deed dated February 10, 2010, recorded March 4, 2010, in Deed Book 3448, Page 3341;
- (4) Letter from Dana B. Fogner to Tommy Bellamy dated October 8, 2014; and
- (5) Letter from Tommy Bellamy to Horry County Assessor's Office dated March 3, 2010.

B. The Respondent provided no motive to deny acceptance of two out of the five documents provided by the Appellant. The Respondent complained that the Appellant failed to provide 2 documents as listed The Appellant provided all documents that were listed in the complaint and included the documents as listed below in the Supplemental Record on Appeal.

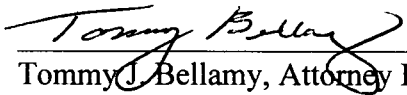
- (2) Request for refund from Tommy J. Bellamy Submitted March 20, 2015
- (4) Letter from Dana B. Fogner to Tommy Bellamy dated October 8, 2014

C. The materials contained in the Supplemental Record and the Second Amended Record on Appeal contain corrections of all exhibits, orders and any document in the Appellant's

possession. The matters were previously designated and included in the designation of matter by the party in this matter under Rule 209 and 210. The Supplemental Record on Appeal and the Second Amended Record on Appeal comply with the requirements of Rule 267. The undersigned hereby certifies that this Supplemental Record on Appeal complies with Rule 211(b), SCACR.

The Appellant moves the court for an order to rehear the petition to reinstate. The Appellant prays that the Court compel the Respondent to provide the court proof of the alleged deficiencies in the documents in the claim that the Appellant have provided improper documents.

June 30, 2017



Tommy J. Bellamy, Attorney Pro se
3684 Sea Mountain Highway
Little River, South Carolina, 29566
843 457-3625
Attorney for Appellant

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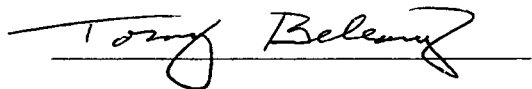
SC Court of Appeals

Horry County Assessor-----Respondent

Tommy J. Bellamy-----Appellant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this Motion to Rehear was served hand delivered to the Respondent's Attorney office at the address this date June 30, 2017. Emma Ruth Brittain, Attorney at law 1314 Professional Drive Myrtle Beach, South Carolina, 29577



Tommy J. Bellamy, Attorney Pro se
3684 Sea Mountain Highway

Little River, South Carolina,

\$125.00 CK enclosed please file the motion Thank you

The South Carolina Court of Appeals

Tommy J. Bellamy, Appellant,

v.

Horry County Assessor, Respondent.

Appellate Case No. 2015-002255

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ORDER

After careful consideration of the petition to reinstate, the Court finds Appellant has still failed to cure the deficiencies contained in the record on appeal. Accordingly, there is no basis for granting the petition to reinstate and the petition is denied.¹

Paul E. Short, Jr.

J.

H. Bruce Wain

J.

A. Ke

J.

Columbia, South Carolina

cc:

Tommy J. Bellamy
Arrigo Paul Carotti, Esquire
Emma Ruth Brittain, Esquire

FILED

June 26, 2017

¹ Because the petition to reinstate is denied, this court need not act on Respondent's "motion to dismiss the appeal and dismiss Appellant's petition to reinstate the appeal."