

STATE OF SOUTH CAROLINA
In The Supreme Court

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APPEAL FROM SUMTER COUNTY
Court of Common Pleas

S.C. SUPREME COURT

Hon. George C. James, Jr., Circuit Court Judge

Opinion No: 2017-UP-249 (S.C. Ct. App. filed June 21, 2017)

Charles Taylor,

Petitioner,

v.

Stop "N" Save, Inc., d/b/a, El
Cheapo Plus #7 and Roy Rahal,

Respondent,

APPENDIX

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1 Copy of Decision of Court of Appeals on Which Certiorari is Sought

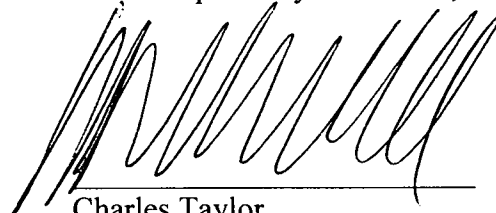
1 Copy of *Petition & Reply =1* for Rehearing filed in Court of Appeals

1 Copy of the Court of Appeals Ruling on above Petition for Rehearing

1 Copy of Briefs on Appeal / *Appellant's, Respondents', Appellant's Reply*

1 Copy of Record on Appeal / *vol.1 500 p's., vol.2 500 p's., vol.3 208 p's.*

Most Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Charles Taylor', written over a horizontal line.

Charles Taylor
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Sumter, South Carolina

September 15, 2017

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

Charles Taylor, Appellant,

v.

Stop 'N' Save, Inc., d/b/a El Cheapo Plus #7 and Roy
Rahal, Respondents.

Appellate Case No. 2015-002481

Appeal From Sumter County
George C. James, Jr., Circuit Court Judge

Unpublished Opinion No. 2017-UP-249
Submitted May 1, 2017 – Filed June 21, 2017

AFFIRMED

Charles Taylor, of Sumter, pro se.

Gray Thomas Culbreath, James E. Brogdon, III, and
Jessica Ann Waller, all of Gallivan, White & Boyd, PA,
of Columbia; Randy J. Soriano, of Bryan Cave, LLP, of
St. Louis, MO; and Julia Fenwick Ost, of Bryan Cave,
LLP, of Atlanta, Georgia, all for Respondents.

PER CURIAM: Charles Taylor, pro se, appeals the circuit court's order granting
summary judgment in favor of Stop 'N' Save, Inc., d/b/a El Cheapo Plus #7 and

has held that it may be denied where the proposed amendment would be futile."), *rev'd on other grounds*, 401 S.C. 1, 736 S.E.2d 242 (2012).

5. As to issue six, we find this issue is not properly before the court. *See* Rule 201(a), SCACR ("Appeal may be taken, as provided by law, from any final judgment, appealable order or decision."); *Adickes v. Allison & Bratton*, 21 S.C. 245, 259 (1884) ("Any judgment or decree, leaving some further act to be done by the court before the rights of the parties are determined, is interlocutory; but if it so completely fixes the rights of the parties that the court has nothing further to do in the action, then it is final."); *Mid-State Distribs., Inc. v. Century Imps., Inc.*, 310 S.C. 330, 335, 426 S.E.2d 777, 780 (1993) ("South Carolina case law has established what constitutes an interlocutory appeal. If there is some further act which must be done by the court prior to a determination of the rights of the parties, then the order is interlocutory."); S.C. Code Ann. § 14-3-330(4) (2017) (explaining only interlocutory orders "granting, continuing, modifying, or refusing an injunction or granting, continuing, modifying, or refusing the appointment of a receiver" are appealable); *Blackwell v. Fulgum*, 375 S.C. 337, 345, 652 S.E.2d 427, 431 (Ct. App. 2007). ("[T]he very definition of 'abeyance' is that of 'temporary inactivity' or 'suspension.'" (quoting Black's Law Dictionary 4 (7th ed.1999))).³

AFFIRMED.

GEATHERS, MCDONALD, and HILL, JJ., concur.

³ To the extent Taylor argues the circuit court erred in failing to rule on Respondents' motion to dismiss for vexatious litigation and sanctions, we note he is not aggrieved by the circuit court's refusal to rule on the opposing party's motion. *See* Rule 201(b), SCACR ("Only a party aggrieved by an order, judgment, sentence or decision may appeal."). To the extent Taylor argues the circuit court erred in not awarding him vexatious litigation sanctions, we addressed this issue in section three, *supra*.

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM SUMTER COUNTY
COURT OF COMMON PLEAS

Hon. George C. James, Jr., Circuit Court Judge

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SC Court of Appeals

Appellate Case No: 2015-002481

RECEIVED
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SC Court of Appeals

Charles Taylor,.....Appellant

v.

Stop "N" Save, Inc., d/b/a, El Cheapo Plus #7 and
Roy Rahal,.....Respondent

APPELLANT'S PETITION
FOR REHEARING
(RECONSIDERATION)
PURSUANT TO
SCACR 221(A)

CHARLES TAYLOR, APPELLANT
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Pursuant to SCACR 221(a), Appellant hereby move the court by this petition for a rehearing on only: (2). **As to issue three,** & (3). **As to issue four,** & (4). **As to issue five,** as delineated in the court's opinion filed June 21, 2017 in this case, because the court overlooked by err the main issues raised and argued by all parties in their respective briefs and ruled on by the lower court in its 11-20-15 order re: each ruling therein (R. p. 7-23) which rulings, all, Appellant appealed to this court which it overlooked by err, and thus did not address at all. Thus Appellant, most respectfully, petitions this court to so address.

ARGUMENT

First on (2). As to issue three-in the opinion; as it relates to the 1st cause of action of gross (negligence). To establish a negligence cause of action under our state law, it must be proven the following 3 elements: (1). Duty of care owed by Defendant to the Plaintiff; (2). Breach of that duty by a negligent act and/or omission; and (3). Damages proximately resulting from that breach of duty. (J. T. Baggerly v. CSX Transp., Inc., 370 S. C. 362, 368-69, 635 S.E.2d 97, 101 (2006) (Citations Omitted); and gross negligence has been define as failure in exercising slightest degree of care and where one is so indifferent to the consequences from his / her conduct as to give not slightest care to what she / he is doing. Clark v. S. C. Department of Public Safety, 362 S.C. 377, 382, 608 S.E.2d 573, 576 (2005) (Citations Omitted)

1. **Duty;** the issue simply put, arose because Respondents / Rahal had gotten together with, and intentionally rented a U-Haul truck to a driver in a drug deal, with no valid driver's license, after he oversaw that driver forgery/sign another's name on U-Haul truck rental documents with which to get the truck, (*Appellant's Main Brief p.2 para.6 and p.18 para.3-H*),

all done from their Southside Sumter store i.e. (*Stop “N” Save, inc., d/b/a, El Cheapo Plus #7 / which he, Rahal, managed for Zaher Mohammad-who was back and forth home Middle East Syria*), and Rahal knew the license less driver had no valid driver’s license by his own admission, (R.pp. 210–211 and R. pp. 39 & 36), with which truck he (license less driver) came to move, being mad because Appellant had the local magistrate evict them for drug dealing etc., and he intentionally tried to destroy, with his U-Haul truck 6-1-13, Appellant’s (home \$150,000.00 total invested - now loss / Appellant’s Main Brief p. 3 para. 10), (R. p.55), (attach to amend. comp’l R.p.55.), that the Appellant, (*being disable w/ spinal injury & et al. etc.*), moved out of (home) into the storage unit to rent it (home) for low price (\$650.00mth) to them, (the license less truck driver), to supplement his (Appellant’s) disability income (R. p. 47), and that as a result of the (house’s) ruin, Appellant couldn’t get his rent to get his, must have, medications (*Appellant’s Main Brief p. 3 para. 9*) on a regular basis or in a timely manner, if at all, and as a result, suffered severe and catastrophic damages, later known to Respondents, and Appellant sued the said Respondents / Rahal, vicariously, for (1). Gross negligence, and, (2). Lied, for all of the damages that the said license less driver, with his / their (Respondents’ / Rahal’s) (U-Haul’s) truck caused the Appellant (*Appellant’s Main Brief p. 3 para. 8-11*), and out of all such, arose the “duty issue” and the “vicarious liability issue” as both related to the “Graves Amendment” i.e. U.S. Federal Law, 49 U.S.C. 30106 (2005), (*re lower court judge’s order ruling on the matter-albeit in err*) (R. p. 12 sec. (a)(2)), and the Appellant appealing the ruling-s (*Appellant’s Main Brief p.--i-- bottom--quoted below verbatim*);

“Also-this case presents a novel question of law, specifically a federal law 49 U.S.C. 30106 (2005) i.e. the “Graves Amendment”, for this court’s interpretation as to whether or not it protect auto rental companies, their agents and/or affiliates from vicarious liability for negligence or criminal wrongdoing. The Appellant argues it does not, and, the Respondents argues that it does, and, the lower court agreed with Respondents summarily. Details under sec. 3 para. 3-E p. 15”. (Appellant’s Brief) (VERBATIM).

Also, as to whether or not they (Respondents / Rahal) owed a duty to the public, (Appellant in the instant case), under South Carolina law, not to endanger the public (Appellant) and / or his property by renting vehicles to unlicensed person known to have no valid S. C. driver's license pursuant to S. C. law, *Title 56, Chapter 1, Article 1, General Provisions, relevant part-s here, (b) section 56-1-20, (c) section 56-1-500, (d) section 56-1-440, (e) section 56-1-580, and under Article 2 section 56-1-620* (R. p. 166). Appellant of course argued that Respondents / Rahal did have such a duty (*Appellant's Main Brief p. 5 para. 1-B*), because among other reasons, they were not protected by the "Graves Amendment" as they had argue and court had rule with Appellant arguing the contrary all as shown above.

Also, the court ruled Appellant's gross negligence claim fail because Appellant fail to produce any evidence that Respondents / Rahal owed him, Appellant, such a duty, (R. p. 15 #1) not to do what they (Respondents / Rahal) did as stated above, and more specifically stated in (*Appellant's Main Brief p. 2 para. 6*); and in any case, the court rule, that they could not be held vicariously liable under federal law i.e. the "Graves Amendment" 49 U.S.C. 30106(a)(2) in face of the *text* saying just the opposite as to Respondents / Rahal's said acts of negligence and criminal wrongdoing (R. p. 12 sec (a)(2)). So naturally the issue-s were then appealed by Appellant to our state's Appellate Court, and in its said opinion-in said section therein, this court did not at all address these issues, overlooked by err, the issue of the disputed duty, for which it was 1 of the main issues (reasons) as to Appellant's gross negligence cause of action, for the appeal to this court in the first instance. Thus Appellant petitions this court for rehearing (reconsideration) for it to address the negligence cause of action's most important / most relevant and hotly contested duty issue,

Encompassing the “Graves Amendment” as raised and argued in (*Appellant’s Main Brief*) and in (*Respondents’ Main Brief-identical*) in (*the Lower Court’s Order: R. p. 15 #1*), and also in (*Appellant’s Reply Brief*) re: all the above.

Also the lower court rule Appellant’s gross negligence claim fail because Respondents/Rahal rented the U-Haul truck, not to the license less driver, (Reginald Morton), but to (Odell Morton) and that he had a valid Maryland’s driver’s license (R. p. 9 top); but of course Respondents/Rahal swore under oath repeatedly time and again in his interrogatories and in his deposition testimonies that he rented the U-Haul truck to (Reginald Morton) intentionally knowing that he had no valid driver’s license, (R. pp. 210 L. 3-5 & R. p. 211 L. 13-15) (*copies for quick re: p. 16-17 attached herewith*), and otherwise all through the Record, and of course it was all over looked along with all the evidence that (Odell Morton / a sc resident for years) had no facial valid driver’s license-either, (*Appellant’s Main Brief p. 17 para. 3-F*) and especially (R. pp. 36 and 1183) (*copies for quick re: p. 18-19 attached herewith*), and over looked too was the undisputed document evidence provided by Respondents/Rahal themselves, to prove categorically that Reginal Morton himself admitted that he rented the truck, and reported the U-Haul truck damages claim, (R. pp. 39 and 301) and (*copies for quick re: p. 20-21 attached herewith*), couple all of the foregoing with the witnesses affidavits testimonies re what they witness as to the above, especially those of Mrs. McBride, (R. p. 1150), and of Mrs. Mitchell (R. pp. 1165 and 1174) and all other such affidavits in the (R. pp. Index 2-3); so the evidence best answers who Rahal rented the truck to, but that evidence was over looked, Appellant’s argue by lower ct. err, but in any case, all these issues were raised, argued, addressed

in (*Appellant's 2 Briefs—filed in this court 6-8-16*) in (*Respondent's Main Brief—filed 6-13-16*) in (*the Hearing Transcript R. pp. 575-720*), &/ or in (*Court's Order 11-20-15 R. pp. 7-23*) & in the (*Record-1208 p's. / 1072 desig. by respd's 98% irrelevant matter scacr 222(c)*) & that in any case, most of the foregoing fact / evidence issues were factual jury trial issues because Appellant had always demanded a jury trial from the very beginning undisputed, (R. p. 72). Thus Appellant most respectfully petitions this court to rehear, (reconsider) address these issues because they were not at all addressed in this court's 6-21-17 opinion, by overlook err, Appellant argues.

2. **Breach of said Duty**; Respondents / Rahal rented a U-Haul truck to a license less driver which breached said duty, and in the manner already thoroughly shown, re all-the-above, but the lower court nevertheless ruled that Appellant needed to but fail to produce any evidence that Respondents / Rahal breached any duty owed to the public (Appellant) in the instant case (R. p. 16 #2). Appellant thus argued err, because he did produce such evidence as is evident by re all the above and in (*Appellant's Main Brief p. 6 para. 2nd-5th and para's. 1-C p. 7 and all p. 8*), and /or in any case, it was a jury issue. So naturally the issue was then appeal by Appellant to our Appellate Court, and in its said opinion-in said section therein, this court did not, at all address, by overlook err, the issue-s re the disputed breach of duty, for which it was the 2nd main issue, as to Appellant's negligence cause of action, for the appeal to this court in the first instance. Thus Appellant most respectfully petitions this court for rehearing (reconsideration) for it to address the negligence cause of action's most important / most relevant and disputed breach of duty issue raised, argued, addressed, in all previously said appellate documents file in this court.

3. Damages Proximately Resulting from Respondents / Rahal's Breach of Their said Duties:

Respondents / Rahal having been vicariously sued as stated, for all of the damages, heretofore detailed in said appellate documents filed in this court on the said dates, all caused by said license less driver (R p. 36) (*quick re p.18 attached*), with said U-Haul truck, for said reasons, against said Respondents / Rahal, and the lower court ruled in its order essentially that Appellant presented no proof of any of his damages resulting from Respondents / Rahal's conduct; overlooking all the evidence of such, least of which was attach to Appellant's complaint itself (R. pp. 27-55), and/or in any case, such was a jury issue. So naturally the issue was then appealed by Appellant to our Appellate Court, and in its said opinion--in said section therein, this court did not at all address, by overlook err, the issue-s of the damages proximately resulting from the Respondents / Rahal's breach of their said duties, for which it was the 3rd main issue-s as to Appellant's negligence cause of action, for the appeal to this court in the first instance. Thus the Appellant most respectfully petitions this court for rehearing (reconsideration) for it to address the negligence cause of action's most important / most relevant damages proximately resulting from Respondents / Rahal's breach of their said duties; issue raised and argued in all the said appellate documents filed in this court on the said dates.

Second on (2). As to same issue three--in the opinion; as it relates to the 2nd cause of action of iied. To establish an iied cause of action a Plaintiff must establish that: (1).the defendant intentionally or recklessly inflicted emotional distress or was certain or substantially certain that such distress would result from his conduct; (2).the conduct

was so extreme and outrageous so as to exceed all possible bounds of decency and must be regarded as atrocious and utterly intolerable in a civilized community; (3).the actions of the defendants caused plaintiff's emotional distress; and; (4).the emotional distress suffered by the plaintiff was severe such that no reasonable man / woman could be expected to endure it. Hanson v. Scalise Builders of South Carolina, 374 S.C. 352, 650 S.E.2d 68 (2007) (quoting Ford v. Hutson, 276 S.C. 157, 162, 276 S.E.2d 776, 778 (1988)(Citations omitted).

The issues per the (4) iied elements re above, they were raised, argued, addressed in the lower court in (*Appellant's Main Brief p. 9 para's. 2A—2M and in Reply Brief*) and in (*Respondents' Main Brief—identical*) in (*the Court's Order R. p. 18 section D,*), with the mountains. of evidence supporting the (4) elements of Appellant's iied claim, but all that evidence was overlooked by the lower court to later ruled that Appellant fail to provide any evidence that supports the elements of an iied claim, and thus Respondents / Rahal is entitled to summary judgment on Appellant's iied cause of action as a matter of law, (R. p. 18 section D); but that needless to say, Appellant argue he did provide such evidence in abundance as is evident in the above stated documents filed in this court on the said dates. So naturally the said (4) iied issues were then appealed to our Appellate Court, and in its said opinion—in said section therein this court did not at all address, by overlook err, the said (4) main element / issues for Appellant's appeal to this court in the first instance. Thus Appellant most respectfully petitions this court for rehearing, (reconsideration) for it to address the (4) iied elements, raised, argued, addressed, as stated heretofore.

Second on (3). As to issue four-in the opinion; as it relates to Appellant's sanctions motion pursuant to South Carolina Rule of Civ. Proc. 11 and S.C. Code Ann. 15-36-10 (Supp. 2016) against Respondents / Rahal's defense attorneys specifically James E. Brogden, III, and more specifically Gray Thomas Culbreath, for their having made / signed the 12 different false statements in 12 different instances / documents / times etc., (*Appellant's Main Brief p. 28 para. 4-A—4-J*) and in (*Respondents Main Brief—identical*) in (*the Court's Order R. p. 21 para. 3rd*), the said false statements were made / sign for the purpose of, to create a false defense for the Respondents / Rahal who by the way, in his sworn interrogatories and more importantly, in his sworn deposition 6-2-15 testimonies, all given under sworn oath (R. p. 725 L. 8-11) pursuant to our state statutes, admitted that the defense manufactured for them by their attorneys who U-Haul was paying, was not true, when in effect he was asked, as to the defense his attorneys were advocating for them, was it true, he unequivocally under sworn oath, being mindful of it, thought about it, and took, it appears, a deep breath, and looked at his attorneys present, being James E. Brogdon, III., and Gray T. Culbreath, looking, believed in Rahal's face nervously as he, Rahal answered---**no**, (R. pp. 200-201). (*copies for quick re: attached p. 22-23*), and what is so momentous about that is the fact that the center of gravity for the whole case was, who?, Respondents / Rahal rented the U-Haul truck to, which he, Rahal had originally and previously said unequivocally again, in interrogatories answers at these times, that he rented the U-Haul truck to, **not Odell Morton**, but **to Reginald Morton**, (R. p. 95), which was sign 2-11-14 by the attorney James E. Brogdon, III., with attorney Gray T. Culbreath's name underneath his, (*copy attached for quick re: p. 24*).

So as shown just before, Respondents Rahal said anyone advocating a defense to the contrary, it was not true---no---being his exact word. But that is precisely the defense--falsehood(s) Respondents / Rahal's defense team attorneys have all continuously advocated to this very day---none stop---in every document they signed and in every argument they made in court itself and before the judges etc., and there were a few, different judges, who handled this case from its original filing 10-9-13, as it proceeded in the lower court until ending there 11-20-15; resting on said false statements and;

This court said in effect in its 6-21-17 opinion in relevant section therein, that re Appellant's motion for sanctions against the defense / attorneys pursuant to rule, (*S.C. Rule Civ. Proc. 11*), and law, (*S.C. Code Ann. 15-36-10*) and (reference all Applicable 407 Rules of Professional Conduct et al. such Applicable S.C. Law-s, etc.), that Appellant's motion for such sanctions was properly denied by the lower court because Appellant was not the prevailing party in the lower court, (which rule 11 does not require appellant believe and argues re making/signing known false statements), but in any case, this court can now clearly see the undeniable reason-s shown all above, as to---why---the Appellant could not / did not prevail in the lower court, as this court said, with summary judgment to the defense / attorneys, which was gotten based upon the said falsehoods shown above, upon which all other court rulings opinions, et al., etc. rests. So, as can easily and obviously be seen now, that when Appellant stated it was 12 false statements the defense / attorneys made / sign / argued in different documents at different times, one can now unmistakably see how many more it really was / is, and it is evident as to Appellant's carefulness not to overstate, but

rather to under state what he could prove with the evidence, anywhere, especially at a jury trial as example facts: (*Appellant's Main Brief p. 23 top-down, et al., etc.*); less it not be believed, as up to now, if the true numbers of the instances of the defense attorneys' falsehoods were accurately stated by a, *pro-se* Appellant, instead of the said (12) that were actually / vastly understated (R. pp. 95-131) and (*Appellant's Main Brief p. 28 sec. 4 of 6 4-A—4-J*).

It is testament to the defense attorneys' team ability to perpetuate such falsehood-s for so long from since at least 2-11-14 (R. p. 95) and (*copy attached for quick re: p. 24*), all to the detriment of the Appellant and his suffering as documented and shown all throughout the said documents filed in this court on said dates per this appeal, and; Under S. C. Rule 11, a party and /or the party' attorney-s may be sanctioned for filing a frivolous pleading, motion, or other paper, for making frivolous arguments. Runyon v. Wright, 322 S.C. 15, 19, 471 SE2d 160, 162 (1996). Likewise, the S. C. Frivolous Civil Proceedings Sanctions Act, provides that an attorney maybe sanctioned for "filing a frivolous pleading, motion, or document", or a pleading "interposed for merely delay, or merely brought for any other purpose, other than securing proper discovery, joinder of the parties, or adjudication of the claim or defenses upon which the proceedings." South Carolina Code Ann. 15-36-10; and that the said conduct of the said defense / attorneys, does, clearly and without question, by any reasonable measure, entitles Appellant to sanctions of some kind against the defense or attorneys or both and Appellant say that with the firmest of convictions because due to the evidence of Rahal's, very own, "smoking gun" sworn under oath testimony, repeated, time and

again, which his attorneys disputing (violates any number of SCACR's under 407), especially disputing his sworn under oath testimony, all as stated above and in attachments, So naturally the Appellant most respectfully petitions this court for rehearing (reconsideration) accordingly, re each issue relating in any way to said sanctions motion, and relating in any way to the said defense / attorneys conduct as stated re all the above, and re all the attached, and otherwise re (*Appellant's Main Brief p. 28 para. 4-A—4-J et al.*).

With all that shown and said; Appellant says that still before making such a sanctions motion against the said attorneys, it was done only after Rahal's sworn deposition testimony under oath 6-2-15, then the sanction motion was file 8-3-15, because he, (Appellant), realized that in making such a motion against such attorneys, never mind the justness of it, that he was committing the unwritten, unspoken, unadmitted, cardinal sin of never a *pro se* party complain against any attorney-s, let alone of these's caliber, or you will certainly lose your case, all else notwithstanding, and no matter how the loss is couched the end result will be the same. So the Appellant thought long and hard before bringing such a motion to the court, putting it in such an awkward position of having to sanction the attorneys, especially of these's caliber, on the motion of a *pro se* party disable too like Appellant, either that or to dismiss Appellant's case summarily to avoid sanctioning these attorneys. And for which position, Appellant apologies and hoped the court would not hold it against him / his case. But, put one's self into the Appellant's shoes, what was he to do, he lose because the attorneys made / sign the said false statement, for that very purpose, and/or, he lose if he complains of it via such a sanction motion, either way, he lose; so Appellant chose the latter.

It should be noted here that up until Appellant filed said sanctions motion against the attorneys, everything up to then was proceeding, *gross negligence & iied claims*, to a jury trial per the lower court's order of July 8, 2015--*last line p.2 verbatim in the order #4. "This case shall be the first case for trial the week of December 7, 2015"*, and sign by, (now of our Supreme Court), but then, the Chief Administrative Judge George C. James, Jr., and dated, July 8, 2015. There were plenty of facts / evidence, etc. for jury trial re above; and there was no mention by anyone otherwise, let alone--thought by anyone seriously, including the numerous judges including (Judge young) & (Judge Newman) etc., that handle many motions etc., in this case, between its filing original 10-9-13 to 8-3-15 sanction motion's filed date; almost 2 years between the 2 dates. So if there were no facts / no evidence for a jury trial, certainly one would have seen that and the case dismiss very early pursuant to Rule 12 (b) 6) etc., especially with the said attorneys, who would do anything as shown above to gain some defense traction as they had not gotten any before, no matter what they did or how hard they tried until the said false statements begin to be made / sign shortly after Respondent / Rahal had told the truth in his interrogatory 2-11-14 answer, (R. p. 34) (*copy for quick re: p. 24 attached herewith*), about 4 months after the case was first filed 10-9-13, when, after Rahal's truthful interrogatory statement 2-11-14, thereafter did the defense attorneys realized what Rahal's truth meant to their defense case that U-Haul had hire them to defend (R. p 580 L. 1-10), and (R. p. 698 L.6-10), did the false statements begin thereafter and perpetuated to this day, notwithstanding Respondents / Rahal's other, same true testimony, in deposition of 6-2-15 almost a year and half from his first true interrogatory answer 2-11-14 (R. p. 34) (*quick re: copy p. 24 attached*), the same truth, over and over and over again,

But, once the attorneys brought Appellant's sanction motion against them to the attention of the court (complaining really because the attorneys couldn't and didn't refute client Rahal's testimony evidence anywhere in record as shown), & in effect, after the 10-14-15 motions hearing, the case that was scheduled for trial priority as the 1st case for trial the 1st week of December 7, 2015 per above judge's order, now and henceforth, would have no facts / no evidence, hence, no jury trial, and was summarily dismiss 11-11-16 first by e-mail notice (R. p. 5) and final written order (R. pp. 7-23), and thus the said defense / attorneys finally achieve this way what they could not achieve any other way, before on the merits of the case, and notwithstanding all of the said and shown above false statements as stated all above. So naturally Appellant appealed the lower court's ruling on his sanctions motion to our Appellate Court, petitioning it here, most respectfully, for rehearing, (reconsideration), on the sanctions motion finding in the opinion in light of all the above and attached herewith.

And, that of course the Appellant brings this petition with quite a bit of trepidations re the sanctions motion for reasons stated, and with same trepidations to our Supreme Court when this petition is denied, expecting their denial too, of Appellant's certiorari petition as well in the end; because this case pains disable Appellant re this sanctions motion, because of the reasons said above, but as stated, Appellant had no other choice and believes and argues that all of the blame and fault should be directed at the Respondents / Rahal / their Attorneys, for if they had played by the rules, this case would have long been over. Appellant realizes that they want to win

For U-Haul who is paying their fees (R. p. 580 L. 1-10) but so does Appellant want to win his case, but breaking the rules, making / signing false statements, etc., should not be an acceptable route to victory---we all want to win---but that doesn't mean we can go around breaking the rules, willy-nilly, to achieve it, it has to be done by fair and square means---by the "rules" as the Appellant have always done, win or lose.

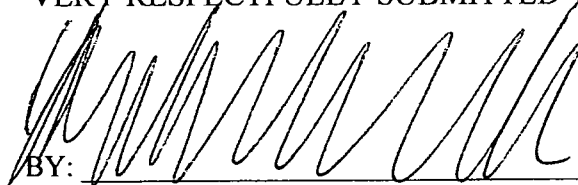
As hard as it is to say, Appellant must say it here, that regrettably, this case cannot justly be decided unless and until the issue of the said false statements of Respondents / Rahal's attorneys are justly dealt with, because, those false statements are what summary judgment to the defense / attorneys is based on and grounded in, and its a dilemma that faced the lower court too as shown above, for the court to have to sanction such attorneys for the 12 false statements they made and sign to base their defense on, which statements they made and sign knowing their falsity as shown above, and it's seems difficult to sanction them because a *pro se* party brought the motion, but justice demands it be examined and done, it's just no way around it, or less Appellant lose his case, he--Appellant argues. When this case concludes in the courts, anyone looking at it in other public arenas will clearly see too the court's dilemma especially through this brief / petition with attachments.

Third on (4). As to issue five, as it relates to the issue of Appellant's motion to amend to add U-Haul (*appropriate / applicable / entity*) as a Defendant; that in light of all the foregoing, Appellant petitions this court, most respectfully, to accordingly rehear, (reconsider), its finding of futility in relevant section in its opinion, as such relates to the issues raised and argued in (*Appellant's Main Brief p. 38 sec. 5 of 6 5-A—5-J*).

CONCLUSION

That pursuant to all the foregoing reasons, with attachments, the Appellant most respectfully, petitions this court for rehearing, (reconsideration), as to its opinion No. 2017-UP-249 filed June 21, 2017 pursuant to the Appellant's Appeal in this case, and urges this court's ultimate reversal, and, ultimately to find that, among other things, after rehearing (reconsideration), after all things considered, there is at minimum, sufficient, facts/evidence, presented by Appellant, to warrant a, jury trial, Appellant first sought as to each jury factual issue, re: each element of Appellant's causes of action of : (1). Gross negligence and (2). Iied claims, and accordingly, the lower court err in awarding summary judgment to the Respondents re each its rulings; if this court is willing, in light of all the foregoing with attachments.

VERY RESPECTFULLY SUBMITTED



BY: _____
CHARLES TAYLOR, APPELLANT PRO SE
332 MYRTLE BEACH HIGHWAY
SUMTER, SOUTH CAROLINA 29153
(803) 609-7990-UGCARDS @AOL.COM

Sumter, South Carolina

June 1, 2017

1 it. Do you want me to?

2 A. Yeah. That would be great. Yes, please.

3 Q. Okay. Did you intentionally rented

4 Reginald Morton a U-Haul truck on June 1, 2013?

5 A. Yes.

6 Q. Okay. I want to show you Item No. 5.

7 MR. TAYLOR: Item No. 5, please, sir.

8 (Exhibit No. 5 was marked for
9 identification.)

10 MR. CULBREATH: Yeah. It looks like
11 11.

12 MR. TAYLOR: Could I proceed? Can I
13 proceed?

14 MR. CULBREATH: Yes.

15 BY MR. TAYLOR:

16 Q. You want me to wait while you --

17 A. Just one second, please.

18 Q. Okay. All right.

19 A. Okay.

20 Q. My question -- I want you -- I want you to
21 look at the highlight section.

22 A. Okay.

23 Q. My question is what does it say?

24 A. It says, "El Cheapo states that the person
25 that rented the subject U-Haul truck to Reginald

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w/ 7-1-17 ApInt's.
Rehearing Petition

1 Q. You -- yes.

2 A. That's the first time I met him, yeah, as
3 a customer walk in and want to rent a truck.

4 Q. On 6-1-13?

5 A. Yes, sir.

6 Q. And he walked in and wanted to rent a
7 truck on 6-1-13?

8 A. Uh-huh.

9 Q. Uh-huh?

10 A. Yes. I'm sorry.

11 Q. Very well. Thank you.

12 A. Okay.

13 Q. Did you know that Reginald Morton did not
14 have a valid driver's license on 6-1-13?

15 A. Yes.

16 Q. Didn't -- did you know that Odell Morton
17 did not have a valid Maryland driver's license on
18 6-1-13?

19 MR. CULBREATH: Object to the form.

20 BY MR. TAYLOR:

21 Q. He noted his objection. You want to
22 answer it still? My -- I'll ask it again. Since he
23 objected you might have lost track of the question.

24 A. Okay.

25 Q. Did you know that Odell Morton did not

P.17
w/ 7-1-17 Aplnt's.
Rehearing Petition

ROA
p.211

EXHIBIT C

Reginald Morton,

South Carolina SC USA IDENTIFICATION CARD ID

MORTON, REGINALD ODELL ID#: 103274559
334 MYRTLE BEACH HWY
SUMTER SC 291535010

DOB: 03-14-1964
Issued: 04-20-2003
Expires: 04-30-2008
Sex: M
Weight: 178
Height: 5-6

4343 02

NOT A DRIVER'S LICENSE

07-14-1986

Dana Goins, or

South Carolina SC USA IDENTIFICATION CARD ID

GOINS, DANA ID#: 103211065
334 MYRTLE BEACH HWY
SUMTER SC 291535010

DOB: 09-29-1964
Issued: 02-13-2003
Expires: 02-13-2008
Sex: F
Weight: 170
Height: 5-7

4343 02

NOT A DRIVER'S LICENSE

09-29-1964

Odell Morton

Washington, D.C. DL

DLN: 1547924
EXPIRES: 10-20-2009

ODELL MORTON
222 R ST NW #103
WASHINGTON, DC 20001

DATE OF BIRTH	ISSUE DATE	TYPE
10-20-1938	01-24-2005	03
		D

SEX: M HEIGHT: 5-6 WEIGHT: 240

Odell Morton

None of them had a valid driver's license to rent nor to drive the subject u-haul truck on South Carolina highways, or else where, but they got together with the other defendants, & for a \$300+ fee, got the truck anyway, which they then came with, after being evicted for non payment of the rent and drug dealing activities, & damages plaintiff's property (house) in the process of moving and then jumped bailed to, now we know, Maryland; where the bondsman, among others, were hunting Reginald Morton as to where had he disappeared--since 6/1/13.

Rehearing Petition
w/ 7-1-17 Aplnt's.

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South Carolina Department of Motor Vehicles

SCDMV

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- ▶ [For Attorneys](#)
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Buy a plate today



Moving?

Welcome to South Carolina

If you come into South Carolina from another state and establish a permanent residence, you must apply for a South Carolina driver license. If you own any vehicles they must also be registered in our state.

If you have a valid driver's license issued by the state from which you moved, you can use it for 90 days, after which time you must surrender it and obtain a South Carolina driver license. You have 45 days to transfer your out of state vehicle registration to South Carolina.

Depending on the class license you hold, you must complete a [Form 447-NC](#) or [Form 447-CDL](#), Application for South Carolina Credential. See [Accepted Forms of Identification](#) for documents needed to obtain the license.

▶ [Back to Top](#)

For New Residents Licensed in Another State

Military Personnel (and their dependents) and students temporarily in South Carolina are not required to obtain a South Carolina Driver's license. However, you must have a driver's license from your home state to operate in South Carolina.

If you are a new resident, you may use a valid driver's license from your former state for up to 90 days. However, you must convert to a South Carolina driver's license before the end of the 90-day period. If your name has changed since birth, you must provide all legal documents (adoption records, marriage certificate, certificate of naturalization, court ordered name change) supporting all name changes from birth to present. For more information about documents you will need to get a S.C. license, see [Accepted Forms of Identification](#). If your driver's license from your home state has expired more than nine months, you must also pass the knowledge and road tests. To schedule a road test, you should call the DMV office where you would like to take the skills test.

Each qualified driver can have only one driver's license. You may not have a valid license from South Carolina and another state. To qualify for a SC driver's license, you must pass the eye exam given at all DMV offices or submit a statement of visual acuity from an eye care professional. A South Carolina license is valid for ten years and must be renewed by your birthday in the tenth year.

Note that Section 23-3-460 of the SC Code of Laws states that a person who has been convicted anywhere of an offense listed in 23-3-430 must register with the county sheriff within 10 days of establishing residency in South Carolina. A copy of the Sex Offender Registry Law is available upon request.

▶ [Back to Top](#)

Transferring Your CDL License From Another State

After establishing residency in South Carolina, you must apply to transfer your CDL license within 30 days.

On This Page

[Welcome to South Carolina](#)

[For New Residents Licensed in Another State](#)

[Transferring Your CDL License From Another State](#)

[Transferring Your Out of State Vehicle License](#)

[Moving to Another State from South Carolina](#)

[Returning a SC License Plate](#)

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[SC Department of Insurance](#)

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w/7-1-17 Aplnt's
Rehearing Petition

ROA
p.1183

Preliminary Note				
Contract No.: 98200861 Wednesday 6/3/2013 8:32 AM		U-Haul of Marlow Heights (318068)	3710 St Barnabus Rd SUTLAND, MD, 20746	(301)423-0053
Customer Name: Reginald Morton 824 maury ave Fort Washington, MD 20749	Cont Ph - Email: 803-565-5985 202-400-5326	Customer ID: m695652005810 MD 1014	Customer DID: Oct 20, 1998	
Equipment	Serial Number	License Plate	License Plate State	Odometer In
TM - 10' Truck	TM 1891F	AE4076S	AZ	27763.0

I, Reginald Morton, ACKNOWLEDGE THAT I RENTED FROM THE El Cheapo Plus # 7 ON 6/1/2013 8:31 AM, AND CONTRACT NUMBER 98200861. THE ADDITIONAL CHARGES FOR THIS RENTAL ARE \$47.50. I AGREE THAT THE BALANCE DUE AMOUNT, WHICH INCLUDES A \$30 LATE PAYMENT SERVICE FEE, IS (\$77.58).

Rental Charges: \$47.50
Service Fee: \$30.00
Balance Due: \$77.58

I UNDERSTAND THAT U-HAUL EXPECTS PAYMENT FOR RENTALS IMMEDIATELY UPON RETURN OF EQUIPMENT, AND I AGREE THAT U-HAUL IS ENTITLED TO THIS BALANCE DUE.

IF PAYMENT NOT RECEIVED IN 7 DAYS, U-HAUL WILL IMMEDIATELY INITIATE COLLECTION PROCEDURES. COURT COSTS, ATTORNEY'S FEES AND ALL OTHER COSTS ASSOCIATED WITH COLLECTION AND/OR OBTAINING A JUDGMENT AGAINST YOU WILL BE ADDED TO THE BALANCE DUE. IF YOU WANT TO AVOID THESE ADDITIONAL COLLECTION CHARGES, PAY THE AMOUNT OF (\$77.58) IMMEDIATELY TO THE ADDRESS LISTED BELOW.

I ACKNOWLEDGE THAT I HAVE RECEIVED A COPY OF THIS NOTICE.

Make Payments:

Mail to U-Haul International
P.O. Box 52128
Phoenix, AZ 85072-2128
ATTN: Payment Processing

or
Call 1-888-826-9633

or
Visit local U-Haul Center

Customer Signature - (Reginald Morton)

U-Haul Signature - (Joseph Cusic)

Contract Remarks
8103 - SCHEDULED - Phone Contact Attempt Spoke To Customer 8103 - NOT SCHEDULED - Reminder Text Message Sent [Success]. Phone Contact Attempt Spoke To Customer CONTACT CUST FOR SCHED BY PHONE AT 8035655985 Contact cust for sched by PHONE at 8035655985 CALLED CUST LVM ABOUT LATE RETURN... CUST CALLED BACK WILL RETURN TODAY 06/04/2013.

**DEFENDANTS RENTED THEIR
TRUCK TO LICENSE LESS
REGINALD MORTOM
See: prima facie proof above**

P.20
w/ 7-1-17 Aplnt's.
Rehearing Petition

ROA
p.39

p.7



June 27, 2013

Reginald Morton
824 MAURY AVE
FORT WASHINGTON, MD 20749

RE: Claim Number: 00475309-2013
Date of Loss: June 01, 2013
Reported Date: June 21, 2013

Dear Reginald Morton:

This letter acknowledges receipt of your claim. In order to process your claim quickly, we ask that you assist us by sending the following items to the address at the bottom of this page:

- If applicable, a copy of the police report covering this incident
- Name, address and signed statement of facts by witness(es)
- Two (2) Estimates of damages clearly itemizing repairs and costs
- Copy of vehicle registration or title
- Color photographs which clearly depict and confirm your damages
- Proof of subrogation, estimates of repair and evidence of payment
- Name and address of U-Haul Lessee and/or Driver
- U-Haul equipment number and/or license plate number involved in incident
- Legible copy of the U-Haul rental receipt/contract
- Completed cargo loss form (please submit repair estimate for any *electronic* cargo)
- Receipts to provide proof of ownership, original purchase price, etc. (PROPERTY)
- Other: Please contact

Thank you,
Spencer Sussman
P.O. Box 24463
Phoenix, AZ 85074
Phone: 800-528-3066 x664366
Fax: 602-745-6417
E-Mail: ssussman@repwest.com

See above Reginald Morton reported his damages claim to the insurer RepWest-so there can be no credible dispute about their house damages liability.

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w/ 7-1-17 Aplnt's.
Rehearing Petition

Repwest Insurance Company

1. Repwest provides insurance policies for U-Haul.
2. U-Haul's customers and dealers. In addition Repwest provides insurance programs for the self-storage industry independent of U-Haul.
3. Repwest also provides loss adjusting and claims handling for U-Haul through regional offices across North America.

ROA
p.301

PLAINTIFF'S ITEM #12
re: Defendants Roy Rahal / El Cheapo Deposition 6-2-15
SC Civil Case # 2013-CP-43-1808

p.7
w/ plaintiff's 9-25-15 final
dispositive brief for Oct. 14, 2015
dispositive hearing.

1 BY MR. TAYLOR:

2 Q. I'll --

3 A. And, you know, I rented him the truck and
4 he left. Now, if he was sick, he wasn't sick, if
5 he's honest, he's not honest, I mean, how do I know?

6 Q. Good enough. And I'm just asking the
7 question and then get a quick answer and we'll move
8 on because a lot of them I expect you wouldn't know,
9 but I have to ask the question.

10 So if Reginald Morton said you did not
11 rent him the U-Haul truck on back -- 6-1-13, is he
12 lying? If -- if he said, "Well, Mr. Rahal didn't
13 rent me the truck," is he lying or is he telling the
14 truth?

15 MR. CULBREATH: Object to the form.

16 THE WITNESS: If he said he
17 doesn't -- he didn't rent the truck?

18 BY MR. TAYLOR:

19 Q. If he said you didn't rent him a truck, is
20 that the truth or you rented him a truck?

21 A. I rented him the truck.

22 Q. Okay. Good enough. Anyone else who say
23 and advocate the same story, in other words, if
24 anyone else say that you did not rent Reginald
25 Morton a truck, that is not the truth, is it?

P.22
w/ 7-1-17 Aplnt's
Rehearing Petition

1 A. -- No.

2 Q. Okay. Okay. Now, let's see. Boy, my --
3 my head and back is killing me. It's about to bust.
4 Okay. About the mail. Okay. Here is where we --
5 right here. No. 22. Okay. Here is where we are.
6 No. 22. One here -- oh, I don't want to give you
7 mine. I think you had already put a sticker on No.
8 22.

9 COURT REPORTER: Or I was going to
10 take -- what do you want me to do --

11 MR. TAYLOR: Okay.

12 COURT REPORTER: -- with No. 22?

13 MR. TAYLOR: Let me see. Let me see
14 that one.

15 COURT REPORTER: What you don't want
16 marked I can cross out.

17 MR. TAYLOR: Okay. I know what it
18 is. 22. That's 23. This is 22. And let's mark
19 this 23. And this is 22. There we go. You got --

20 COURT REPORTER: Mark this as No. 22?

21 MR. TAYLOR: Yes. That's the actual
22 -- here is the --

23 MR. CULBREATH: What's what?

24 MR. TAYLOR: Let -- let's use that
25 one there. I'll keep --

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w/ 7-1-17 Aplnt's.
Rehearing Petition

ROA
p.201

RESPONSE: El Cheapo objects to this Request on the grounds that it is not a proper request seeking documents and is vague and ambiguous. El Cheapo further objects to this Request on the grounds that it is not reasonably calculated to lead to the discovery of admissible evidence. El Cheapo further objects to this Request on the grounds that it seeks information that is confidential and/or proprietary.

4. Specifically, the name of the person(s) at El Cheapo that rented the subject truck on 6/1/13.

RESPONSE: El Cheapo objects to this Request on the grounds that it is not a proper request seeking documents. Subject to and without waiving the foregoing and General Objections, El Cheapo states that the person that rented the subject U-Haul truck to Reginald Morton was Roy Rahal, the manager of El Cheapo.

Respectfully submitted,

GALLIVAN, WHITE, & BOYD, P.A.

BY: 

GRAY T. CULBREATH (S.C. Bar #11907)
JAMES E. BROGDON, III (S.C. Bar #7959)
Post Office Box 7368
Columbia, South Carolina 29202
TEL: (803) 779-1833

ATTORNEYS FOR U-HAUL CO. SOUTH CAROLINA
INC., AND STOP 'N' SAVE D/B/A EL CHEAPO PI
#7

Columbia, South Carolina
February 11, 2014

Rehearing Petition
w/ 7-1-17 Aplnt's.

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p.1

ROA
p.95

**TO BEGIN WITH-THIS SHOWS
THE AWARENESS OF THE
TRUTH OF THE SUBJECT
MATTER BY ALL & DATE
OF AWARENESS; IF NOT EARLIER!!**

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM SUMTER COUNTY
COURT OF COMMON PLEAS

The Hon. George C. James Circuit Court Judge

RECEIVED

JUL 03 2017

SC Court of Appeals

Appellate Case No: 2015-002481

Charles Taylor.....Appellant

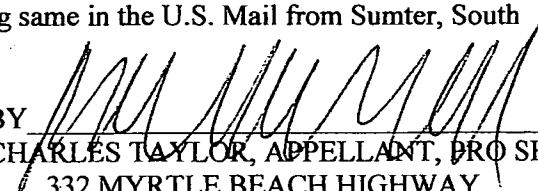
v.

Stop "N" Save, Inc., d/b/a, El Cheapo Plus #7 and

Roy Rahal.....Respondents

PROOF OF FILING AND OF SERVICE

Appellant certifies that he filed and serve 1 unbound original and 6 bound copies of the petition for rehearing and serve same to counsel below by depositing same in the U.S. Mail from Sumter, South Carolina on date below with postage affixed.

BY 
CHARLES TAYLOR, APPELLANT, PRO SE
332 MYRTLE BEACH HIGHWAY
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(803) 609-7990 UGCARDS@AOL.COM

Defendants' Counsels of Record:

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James E. Brogdon, Esq., and
Jessica A. Waller, Esq., of
Gallivan, White & Boyd, P. A.

Post Office Box 7368

Columbia, SC. 29202

(803) 779-1833; AND

Randy J. Soriano, Esq., of

Bryan Cave, LLP.

211 N. Broadway/Suite 3600

St. Louis, Missouri 63102

(314) 259-2384; AND

Julia L. Fenwick, Esq., of

Bryan Cave, LLP.

1 Atlantic Center, 4th Fl.

1201 W. Peachtree St., NW.

Atlanta, Georgia. 30309

(404) 572-6923

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM SUMTER COUNTY
COURT OF COMMON PLEAS

Hon. George C. James, Jr., Circuit Court Judge

Appellate Case No: 2015-002481

RECEIVED
JUL 13 2017
SC COURT OF APPEALS

Charles Taylor.....Appellant

v.

Stop "N" Save, Inc., d/b/a, El Cheapo Plus #7 and


Roy Rahal.....Respondents

PROOF OF FILING AND SERVICE

Appellant certifies that he filed 1 unbound original & 6 bound copies of the petition for rehearing pursuant to SCACR 221(A), and served same to counsel below 7-1-17, by depositing same in the U.S. Mail, from Sumter, South Carolina with postage affixed.

Sumter, South Carolina

July 13, 2017

BY 
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STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM SUMTER COUNTY
COURT OF COMMON PLEAS

Hon. George C. James, Jr., Circuit Court Judge

Appellate Case No: 2015-002481

Charles Taylor,.....Appellant

v.

Stop "N" Save, Inc., d/b/a, El Cheapo Plus #7 and
Roy Rahal,.....Respondents

APPELLANT'S REPLY
TO RESPONDENTS' RETURN TO
APPELLANT'S PETITION
FOR REHEARING
(RECONSIDERATION)
PURSUANT TO
SCACR 221(A)

RECEIVED
JUL 11 11 4
U.S. Court of Appeals

CHARLES TAYLOR, APPELLANT
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E-MAIL: UGCARDS@AOL.COM

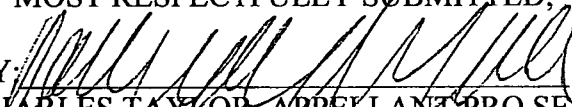
Charles Taylor *pro se* (hereinafter “Appellant / Apln’t.”) file this Reply to Stop “N” Save, Inc., d/b/a El Cheapo Plus #7 & Roy Rahal (hereinafter “Respondents / Respds.’), Return; Apln’t. reasserting that this court **did not address** in its opinion **particularly,** Aplnt’s. (1).gross negligence, & (2).iied law claims, with each’s required element-s, as such relates to Aplnt’s. sanctions motion & to follow on rule 15 motion; how else to determine if the lower court erred as specifically argued in Aplnt’s. 6-8-15 Main Appellate Brief sec.’s 3A-3Q p.14-28, and 4A-4J p.28-34, and 5A-5J p.34-38, but specifically and especially, as to 3A-3Q p.14-28 re said (1) and (2) law claims above stated, and Respds’. return seemingly suggests this court should just simply continue to not address said particulars pursuant to SCACR 221(a).

Appellant argues and believes this court should grant his petition to address said issues raised on appeal and not addressed in said opinion regardless the reason, still not address as in both parties’ appellate briefs arguments specific Aplnt’s sec. 3A-3Q p.14-28 & 4A-4J p.28-34 & 5A-5J p.34-38, all evident by the lower court rulings / **addressing** albeit by err each gross negligence & iied 2 law causes of action & required elements, & re the court’s 11-20-15 order (R. pp. 7-23), notwithstanding Respondents’ return alleging to the contrary.

The issues Respds. complains of in their return are not new et al. etc. as they claim, but same in Aplnt’s. 6-8-16 Appellate Brief Sec. 3 (3A-3Q) p.14-28, & Sec. 4 (4A-4J) p.28-34, & follow on Sec. 5 (5A-5J) p.34-38, & above correspond to identical delineations in this court’s 6-21-17 opinion, re all stating particularly SCACR 221(A) what’s not address in said opinion.

1.

signature page follows

MOST RESPECTFULLY SUBMITTED,
BY: 
CHARLES TAYLOR, APPELLANT PRO SE
332 MYRTLE BEACH HIGHWAY
SUMTER, SOUTH CAROLINA 29153
(803) 609-7990 UGCARDS@AOL.COM

Sumter, South Carolina

July 13, 2017

¹ Aplnt's. petition is not based on this court's misapprehension of any facts or law necessarily, but based *specifically* on the fact that this court did not (addressed) in its opinion *specifically each* (2) cause of action, (1). *gross negligence* & (2). *iiied*, & *each required elements*, as *each* was *specifically* raised, argued, (addressed) by all parties and then ruled on *each specifically* (addressed) by the lower court *specifically* in its 11-20-15 order (R. pp. 7-23), and *each* of such *specifically* appeal to this court in Aplnt's. Main 6-8-16 Appellate Brief *specifically sec. 3A-3Q, 4A-4J, & 5A-4J*, and that *each* was not *specifically* (addressed) in this court's 6-21-17 opinion as *each* was *specifically* (addressed) by everyone theretofore, that is what the petition is based on, and not what Respds. inaccurately and conveniently asserts in return, which petition brought pursuant to SCACR 221(a).

² Respds. assert in return SCRCP 11 requires a party to prevail before sanctions can be levied for signing know false statements (R. pp. 95-131) but Apln't. asserts in reply a reading of that rule does not require such, & otherwise *see Kugle v. DaimlerChrysler Corp., 88 S.W.3d 355 (Tex. App. 2002, in short pertinent part. that after a car accident resulted in several deaths and numerous injuries suit was filed against Daimler and after discovery Daimler alleged both witness and evidence tampering and move for sanctions against both plaintiffs and their attorneys and after conducting a hearing, the trial court entered a final judgment, holding attorneys jointly and severally liable for more than \$865,000.00 in monetary sanctions and imposing "death penalty" sanctions by dismissing the plaintiffs' personal injury and wrongful death suit, which was affirmed on appeal.*

³ Respds'. return correctly says purposes rule 221(a) is not for & Aplnt's. reply correctly what it is for.

To Be Sure:

⁴ Rehearing sought on: (2). As to issue three, & (3). As to issue four, & (4). As to issue five, no rehearing-these address: (1). As to issue one, & (1). As to issue two, & (5). As to issue six, all as delineated in court's 6-21-17 opinion in which all in *petition & reply* was **not address**.

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM SUMTER COUNTY
COURT OF COMMON PLEAS

Hon. George C. James, Jr., Circuit Court Judge

Appellate Case No: 2015-002481

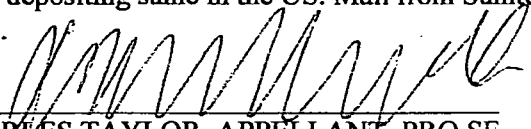
Charles Taylor.....Appellant
v.
Stop "N" Save, Inc., d/b/a, El Cheapo Plus #7 and
Roy Rahal.....Respondents

PROOF OF FILING AND SERVICE

Appellant certifies that he filed 1 unbound original & 6 bound copies of his Reply to Respondents' Return to his Rehearing Petition & serve same to counsel below by depositing same in the US. Mail from Sumter, South Carolina on date 7-13-17 below with postage affixed.

Sumter, South Carolina

July 13, 2017

BY 
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SC Court of Appeals

The South Carolina Court of Appeals

Charles Taylor, Appellant,

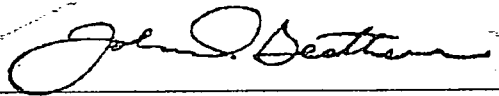
v.

Stop 'N' Save, Inc., d/b/a El Cheapo Plus #7 and Roy
Rahal, Respondents.

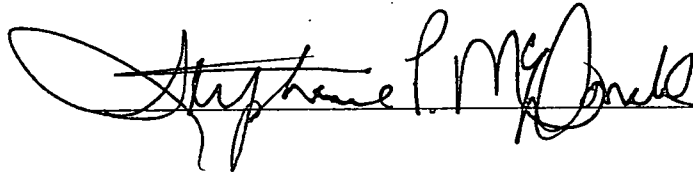
Appellate Case No. 2015-002481

ORDER

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. Accordingly, the petition for rehearing is denied.



J.



J.



J.

Columbia, South Carolina

cc: Charles Taylor
Gray Thomas Culbreath, Esquire
James Edward Brogdon, III, Esquire
Julia L. Fenwick, Esquire

FILED

August 18, 2017

Randy J. Soriano, Esquire
Jessica Ann Waller, Esquire
The Honorable George C. James, Jr.

STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM SUMTER COUNTY
Court of Common Pleas

Hon. George C. James, Jr., Circuit Court Judge

Opinion No: 2017-UP-249 (S.C. Ct. App. filed June 21, 2017)

Charles Taylor,

Petitioner,

v.

Stop "N" Save, Inc., d/b/a, El
Cheapo Plus #7 and Roy Rahal,

Respondents,

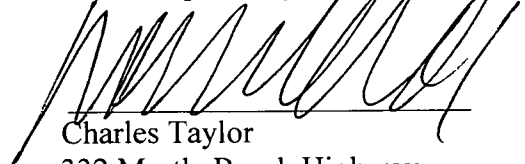
CERTIFICATE OF FILING APPENDIX

Petitioner certifies that he filed 1 unbound and 1 bound (2 total) copies of the Appendix (with *Petition for Certiorari*) hand delivery to this court on the date below. A copy of this 3 page document was copied / served to Respondents' counsel below, on the date below via US Mail.

Sumter, South Carolina
September 15, 2017

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Most Respectfully Submitted,



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