



# The Supreme Court of South Carolina

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January 16, 2018

Mr. Hamid Demmirio, #115800  
Lieber Correctional Institution  
P. O. Box 205  
Ridgeville SC 29472

Re: Hamid Demmirio v. State  
Appellate Case No. 2015-002184  
Lower Court Case No. 2013CP4004121

Dear Mr. Demmirio:

This responds to your motion to countermand or reverse this Court's order dated January 7, 2016. This document has been construed as a petition for rehearing. No action will be taken on this petition for rehearing for three reasons.

First, this petition does not show that a copy has been served on opposing counsel as required by Rule 240 of the South Carolina Appellate Court Rules (SCACR). This Court cannot act on *ex parte* communications of this nature.

Second, under Rule 221, SCACR, any petition for rehearing had to be actually received by this Court within fifteen days of the filing of the above order. Therefore, your petition is untimely.

Third, when no timely petition for rehearing was received by this Court, the remittitur was sent to the circuit court on January 25, 2016. The sending of the

remittitur ended appellate jurisdiction over this case, and no further motions can be considered by this Court. *Wise v. S.C. Dept. of Corr.*, 372 S.C. 173, 642 S.E.2d 551 (2007).

Accordingly, no action will be taken on your petition for rehearing by this Court.

Very truly yours,

A handwritten signature in black ink, appearing to be 'D. A. S.', with a long horizontal stroke extending to the right.

CLERK

cc: Office of the Attorney General