

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Honorable D. Craig Brown, Presiding Judge

---

Case No. 2015-CP-26-902

Appellate Case No. 2016-001701

---

**RECEIVED**

JUL 16 2018

SC Court of Appeals

Harold F. Jones d/b/a Butch Jones Body Shop, ..... Appellant,

v.

State Farm Mutual Automobile Insurance Company and  
Clint Cudd, ..... Respondents.

---

RETURN OF RESPONDENTS TO APPELLANT'S  
MOTION/PETITION FOR REHEARING

---

NELSON MULLINS RILEY & SCARBOROUGH LLP  
Charles R. Norris  
E-Mail Address: charles.norris@nelsonmullins.com  
Matthew W. Orville  
E-Mail Address: matt.orville@nelsonmullins.com  
151 Meeting Street / Sixth Floor  
Post Office Box 1806 (29402)  
Charleston, SC 29401-2239  
(843) 853-5200

Attorneys for Respondents

Pursuant to SCACR 240(e), Respondents State Farm Mutual Automobile Insurance Company and Clint Cudd (collectively, “Respondents”) file this Return to the Appellant’s Motion/Petition for Rehearing. Appellant’s Motion/Petition for Rehearing (the “Motion”) should be denied because it fails to state with particularity the points overlooked or misapprehended by the Court and Appellant’s argument is deficient on its face because it fails to raise any ground sufficient for rehearing.

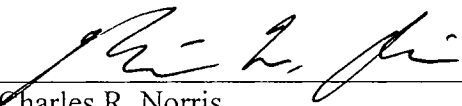
Appellant’s Motion is based upon SCACR 221(a), which requires that a petition state with particularity the points overlooked or misapprehended by the Court. The entire substance of the Motion is one sentence alleging the Court failed to consider all of the Appellant’s arguments. This does not sufficiently state *with particularity* the points overlooked or misapprehended by the Court.

Further, Appellant’s sole argument in his Motion is that the Court “only addressed one issue raised by the Appellant in his Brief and failed to address the additional arguments.” This fails to challenge the ruling itself. By simply arguing the Court did not rule on all of the issues raised Appellant fails to point out any particular error in the decision. The Court’s Order sufficiently notes “every point distinctly stated in the case which is necessary to the decision of the court” and the reason for the Court’s decision, as required by SCACR 220(b). Further, pursuant to SCACR 220(b)(2), the Court “need not address a point which is manifestly without merit.” Accordingly, the Appellant has stated no adequate grounds for rehearing.

For the foregoing reasons, the Appellant’s Motion/Petition for Rehearing should be denied.

[SIGNATURE PAGE FOLLOWS]

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: 

Charles R. Norris  
SC Bar No. 004238  
Matthew W. Orville  
SC Bar No. 102339  
151 Meeting Street / Sixth Floor  
Post Office Box 1806 (29402)  
Charleston, SC 29401-2239  
(843) 853-5200

*Attorneys for Respondents*

Charleston, South Carolina

July 13, 2018

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Honorable D. Craig Brown, Presiding Judge

---

Case No. 2015-CP-26-902

Appellate Case No. 2016-001701

---

**RECEIVED**  
JUL 16 2018  
SC Court of Appeals

Harold F. Jones d/b/a Butch Jones Body Shop, ..... Appellant,

v.

State Farm Mutual Automobile Insurance Company and  
Clint Cudd, ..... Respondents.

---

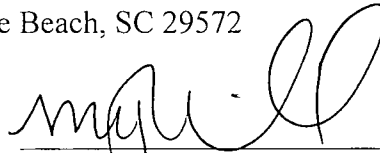
PROOF OF SERVICE

---

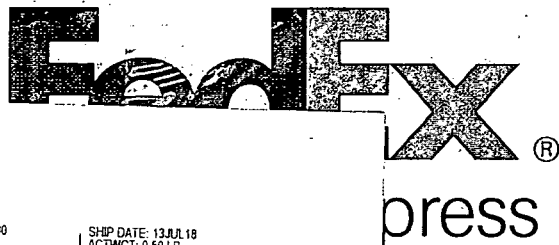
I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, counsel for State Farm Mutual Automobile Insurance Company and Clint Cudd, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified mailing a copy of the same via U.S. Mail, postage paid, and via electronic mail to the following addresses:

Pleadings: RETURN OF RESPONDENTS TO APPELLANT'S  
MOTION/PETITION FOR REHEARING

Counsel Served: Harold F. Jones  
Post Office Box 1068  
Myrtle Beach, SC 29572

  
\_\_\_\_\_  
Grace Hamill  
Administrative Assistant

July 13, 2018



ORIGIN ID:REWA (843) 853-5200  
MATT ORVILLE  
NELSON MULLINS  
LIBERTY CENTER, SUITE 600  
151 MEETING STREET  
CHARLESTON, SC 29401  
UNITED STATES US

SHIP DATE: 13 JUL 18  
ACTWGT: 0.50 LB  
CAD: 112127643WWSX03200

BILL SENDER

TO JENNY A. KITCHINGS  
SC COURT OF APPEALS  
SENATE ST

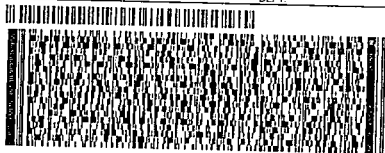
COLUMBIA SC 29201

734-1890

REF: 000500 034164MYO

DEPT.

552,08620C45



FedEx Express



MON - 16 JUL 10:30A  
PRIORITY OVERNIGHT

TRK# 7818 4124 2408  
0201

XH USCA

29201  
SC-US CAE



Extrer

RT 104  
FZ B20

1  
10:30  
E  
2408  
07:18



Matthew W. Orville  
T 843.534.4221  
matt.orville@nelsonmullins.com

NELSON MULLINS RILEY & SCARBOROUGH LLP  
ATTORNEYS AND COUNSELORS AT LAW

151 Meeting Street | Sixth Floor  
Charleston, SC 29401-2239  
T 843.853.5200 F 843.722.8700  
nelsonmullins.com

July 13, 2018

**RECEIVED**

JUL 16 2018

**SC Court of Appeals**

**Via FedEx**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

RE: Harold F. Jones d/b/a Butch Jones Body Shop v. State Farm Mutual  
Automobile Insurance Company and Clint Cudd  
Appellate Case No. 2016-001701  
Matter No.: 2015-03892-SC  
Our File No. 00500/03416

Dear Ms. Kitchings:

Enclosed are the original and seven (7) copies of Respondents' Return to Appellant's Motion/Petition for Rehearing and Proof of Service in the above-referenced matter. We would appreciate it if you could please file the original pleadings and return the clocked-in copies to our office via the self-addressed, postage paid envelope provided. By copy of this letter, we are serving these pleadings on the *pro se* Appellant.

Thank you for your assistance with this matter. Please do not hesitate to contact me should you have any questions or concerns.

Very truly yours,

Matthew W. Orville

MWO:gh  
Enclosure  
cc: Harold F. Jones (via regular mail w/enclosure)