

The Supreme Court of South Carolina

Brad J. Walbeck and Lea Ann Adkins, Both Individually
and Derivatively on Behalf of The I'On Assembly, Inc.;
I'On Assembly, Inc., Petitioners,

v.

The I'On Company, LLC; The I'On Club, LLC; The I'On
Group, LLC f/k/a Civitas, LLC; and I'On Realty, LLC,
Respondents.

Appellate Case No. 2019-000439

ORDER

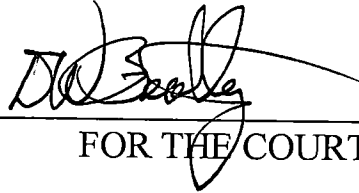
After granting a petition for rehearing filed by the petitioners and denying a petition for rehearing filed by the respondents, the South Carolina Court of Appeals withdrew its prior opinion and substituted an amended opinion. This amended opinion contains substantive changes from the original opinion. While a petition for rehearing has been filed regarding the amended opinion, the Court of Appeals has not acted on this petition.¹

The parties have now filed a consent motion asking this Court to hold the time to file any petition for a writ of certiorari in abeyance until thirty days after the Court of Appeals rules on the petition for rehearing.

Since the time to serve and file a petition for a writ of certiorari under Rule 242 of the South Carolina Appellate Court Rules (SCACR) will not begin to run until the Court of Appeals acts on the pending petition for rehearing, the motion is denied as unnecessary. *Cf.* Rule 242(a), SCACR (only a final decision of the Court of Appeals is subject to review); Rule 242 (c), SCACR (a decision of the Court of Appeals is not final until the Court of Appeals acts on the petition for rehearing, and the time to serve and file the petition for a writ of certiorari runs from the

¹ Before the Court of Appeals, the Appellate Case Number is 2015-001590.

petition for rehearing being decided by the Court of Appeals).



C.J.

FOR THE COURT

Columbia, South Carolina
April 16, 2019

cc: Justin O'Toole Lucey, Esquire
Joshua Fletcher Evans, Esquire
Timothy W. Bouch, Esquire
Yancey Alford McLeod, III, Esquire
Brian C Duffy, Esquire
Seth Warren Whitaker, Esquire
Julie Lauren Moore, Esquire