

The South Carolina Court of Appeals

Gary Smart, Respondent,

v.

James Allen Grady, Louis Daniel Moffett, Lynwood
Brantley d/b/a Brantley Hauling, Randolph Murdaugh,
III, Defendants,


Of whom James Allen Grady is the Appellant.

Appellate Case No. 2011-197289

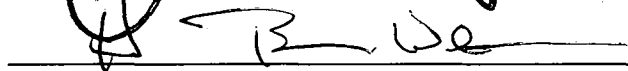
ORDER

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.

Because this Court recalled the remittitur in this case, Respondent's motion for costs is denied as premature. *See* Rule 222(d), SCACR ("A party desiring costs to be taxed shall, within fifteen (15) days of the issuance of the remittitur, serve and file a motion requesting that costs be assessed under this Rule.").



C.J.



J.



J.

FILED

1/31/13 AS

Columbia, South Carolina

cc:

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