

The South Carolina Court of Appeals

M&T Bank, Respondent,

v.

Tyrone Davis; Bobby J. Bellamy; BC Fund and Management, LLC d/b/a BC Fund, LLC and United States of America, Defendants,

Of which Bobby J. Bellamy is the Appellant,

And

Tyrone Davis and BC Fund and Management, LLC d/b/a BC Fund, LLC are Respondents,

And

Bobby J. Bellamy, Appellant,

v.

William O. Smith, Respondent.

Appellate Case No. 2018-001523

ORDER

This appeal was dismissed on June 27, 2019. No petition for rehearing was filed as of July 15, 2019, and this Court sent down the remittitur on that day. Appellant has now filed a motion requesting that this court recall the remittitur and reinstate the appeal. A remittitur cannot be recalled except upon "a very strong showing . . . that remittitur was sent down through some mistake or inadvertence on the part of this Court or its officer." *State v. Keels*, 39 S.C. 553, 17 S.E. 802 (1893). Appellant has failed to make such a showing. Because Appellant failed to timely

file a petition for rehearing with this Court, remittitur was properly sent, and this Court no longer has jurisdiction over the case. Appellant's motion, therefore, is denied.



FOR THE COURT

Columbia, South Carolina

cc:

Bobby J. Bellamy
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FILED

September 17, 2019