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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

MAR 30 2020

SC Court of Appeals

The Honorable Alex Kinlaw, Circuit Court Judge

David Rosen.....Appellant,

v.

Josephine Middleton.....Respondent.

Appellate Case No. 2019-002040

APPELLANT'S PETITION FOR REHEARING

COMES NOW the appellant, pursuant to Rule 221, SCACR, and other rules of Court, and petitions for rehearing as to the Court's dismissal of this appeal. The appellant, in an abundance of caution, files this petition in order to preserve his ability to file a petition for certiorari. The appellant respectfully submits that substantial rights will be affected.

This is not simply a case where the Circuit Court granted relief from a judgment that was 10 months old, which is rare in and of itself. This is a case where the respondent submitted documents at the hearing on her motion for relief from the judgment against her which undeniably show the respondent fired her attorney and then the Court granted her motion based on attorney abandonment. To snatch away the judgment the appellant worked so diligently to obtain where the respondent has voluntarily proven there is no basis for her motion affects the appellant's substantial rights, and this Court should hear the appeal and reverse the Circuit Court.

s/Joshua T. Hawkins
Joshua T. Hawkins, S.C. Bar #78470
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PROOF OF SERVICE

I certify that I served the Appellant's Petition for Rehearing on Josephine Middleton by depositing copies of it in the United States Mail, postage prepaid, on March 25, 2020, addressed to its attorneys of record, Devon Marc Pureifoy and Kimberly Truluck Thomason, at 3 Boyce Avenue, Greenville, South Carolina 29601.

s/ Joshua T. Hawkins
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MAR 30 2020

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SC Court of Appeals

March 25, 2020

Ms. Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

Re: *David Rosen v. Josephine Middleton*
Appellate Case No. 2019-002040

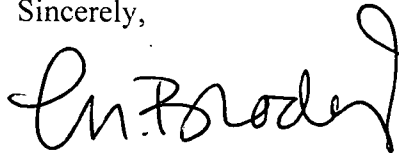
Dear Ms. Kitchings,

Please find enclosed for filing Appellant's Petition for Rehearing in the above-mentioned case. In accordance with the Operation of the Appellate Courts During the Coronavirus Emergency Order put in place on March 20, 2020, there are no additional copies included; however, please also find enclosed the following:

- ✓ Proof of service to all parties, and
- ✓ Filing fee of \$50.

Should you have any questions, please do not hesitate to contact our office.

Sincerely,



Monica Brody
Paralegal

Enclosures

Copies:

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GREENVILLE

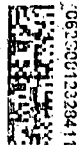
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Court of Appeals