



The South Carolina Court of Appeals

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March 27, 2013

The Honorable Melanie Huggins-Ward
PO Box 677
Conway SC 29528-0677

REMITTITUR

Re: Williams Carpet v. Mark Skelly(2)
Lower Court Case No. 2007CP2600265
Appellate Case No. 2012-213575

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

V. Claire Allen, Deputy

CLERK

Enclosure

cc: G. Michael Smith, Sr.
Henrietta U. Golding
James Keith Gilliam

The South Carolina Court of Appeals

Williams Carpet Contractors Inc., Respondent,

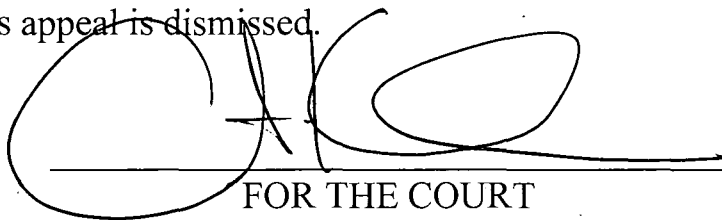
v.

Mark Skelly, Appellant.

Appellate Case No. 2012-213575

ORDER

On December 12, 2012, Mark Skelly filed a notice of appeal, appealing "the jury verdict dated April 22, 2010 and entered as a matter of law as a result of the [r]emittitur dated November 9, 2012." The remittitur was sent down by this court after Skelly failed to serve and file a petition for rehearing from this court's October 24, 2012 opinion, which reversed the circuit court's grant of Skelly's motion for judgment notwithstanding the verdict. Any challenge to this court's October 24, 2012 opinion should have been raised in a timely petition for rehearing. Because no timely petition for rehearing was filed, this court correctly sent the remittitur. Accordingly, the appeal challenging the November 9, 2012 remittitur is not proper and this appeal is dismissed.



FOR THE COURT

Columbia, South Carolina

FILED

3/11/13 AS

cc:

G. Michael Smith, Sr.

Henrietta U. Golding

James Keith Gilliam