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Jun 01 2021

SC Court of Appeals

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Georgetown County
Larry B. Hyman, Circuit Court Judge

THE STATE,

RESPONDENT,

V.

JODY L. WARD,

APPELLANT.

Appellate Case No.: 2018-000402

Petition for Rehearing

Pursuant to Rule 221(a), SCACR, Appellant respectfully petitions this Court for a rehearing of its opinion in this case. To support the Petition, Appellant shows the following:

The standard of reasonable diligence requires a person to act after they are put on notice that they should act. *See Maher v. Tietex Corp.*, 331 S.C. 371, 377, 500 S.E.2d 204, 207 (Ct. App. 1998) (“A cause of action should have been discovered through exercise of reasonable diligence when the facts and circumstances would have put a person of common knowledge and experience on notice that some right had been invaded or a claim against another party might exist.”). A juror and a witness both having the common last name “Cooper” is not sufficient to put Appellant on notice that the two were related. To require defendants and defense counsel to do genealogical research on prospective jurors is not reasonable.

June 4, 2020

s/ Tristan Shaffer
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CERTIFICATE OF SERVICE

I certify that on the date below I served the Petition for Rehearing on the State of South Carolina by e-mailing a copy to the Respondent at the address below.

June 1, 2021

s/ Tristan M. Shaffer
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