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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Jennifer B. McCoy, Circuit Court Judge

Appeal No. 2019-000574

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MAR 29 2022

SC Court of Appeals

Elizabeth Lofton,.....Appellant,

v.

Berkeley Electric Cooperative, Inc. and
John Lucas Tree Expert, Co.,..... Respondents.

**RESPONDENT JOHN LUCAS TREE EXPERT, CO.'S
PETITION FOR REHEARING**

Pursuant to Rules 221 and 240, SCACR, Respondent John Lucas Tree Expert, Co. hereby moves this Court to reconsider its Unpublished Opinion, No. 2022-UP-089, filed March 2, 2022. This Court overlooked and/or misapprehended the facts that Plaintiff Elizabeth Lofton's Motion to Amend her Complaint was not ripe for decision because it was not properly before the Circuit Court at the time it granted summary judgment to Defendants. In addition, this Court overlooked and/or misapprehended the significance of the fact that Plaintiff has never attempted to provide any explanation of her unreasonable delay in taking any step to cure her standing problem. Finally, and in the alternative, this Court overlooked and/or misapprehended the fact that Plaintiff sought leave to amend her complaint in her late-filed opposition to summary judgment,

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