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Aug 10 2022
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Trevor Eddy, Esquire, Special Referee

Civil Action No. 2021-CP-40-03536

Audra Hall,.....

Respondent,

v.

Merit Transport, Inc.

Appellant.

MOTION TO DISMISS THE APPEAL

Pursuant to Rules 260(c) of the South Carolina Appellate Court Rules, Appellant Merit Transport, Inc. (“Appellant”) hereby moves this Court to dismiss this matter. On August 9, 2022, the Special Referee filed an Order Vacating the Judgment Against Appellant and Dismissing the Complaint with Prejudice.

Therefore, Appellant respectfully requests this Court grant its motion pursuant to Rule 260(c) and dismiss this appeal.

[SIGNATURE BLOCK ON FOLLOWING PAGE]

Respectfully submitted,

ROGERS TOWNSEND, LLC

s/ Joseph J. Tierney, Jr.

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Attorneys for Merit Transport, Inc.

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IN THE COURT OF APPEALS

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SC Court of Appeals

Appeal from the Richland County Court of Common Pleas
for the Fifth Judicial Circuit

Trevor Eddy, Esquire, Special Referee

Circuit Case No. 2021-CP-40-03536

Audra Hall,

Respondents,

v.

Merit Transport, Inc.,

Appellants.

PROOF OF SERVICE

The undersigned certifies that on this 10th day of August, 2022, a copy of the Motion to Dismiss the Appeal was served to other counsel of record, Kenneth Emanuel Berger and Bradley Lewis Lanford, 5205 Forest Drive, Columbia, South Carolina 29206 and Brett D. Woron, 1328 Richland Street, Columbia, South Carolina 29201 by e-mailing same.

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By: s/ Joseph J. Tierney, Jr.

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VIA ELECTRONIC FILING (ctappfilings@sccourts.org)

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Audra Hall, Respondent v. Merit Transport, Inc., Appellant, Case No. 2021-CP-40-03536

Dear Ms. Kitchings:

We wish to inform you that yesterday, August 9, 2022, the Special Referee filed an Order Vacating the Judgment Against Merit Transport, Inc. and Dismissing the Complaint with Prejudice. Pursuant to this development, the Appellants will be dismissing the appeal. To that end, attached to this letter is Appellants Motion to Dismiss the Appeal pursuant to Rule 260(c) of the South Carolina Appellate Court Rules and Proof of Service of the Motion to Dismiss the Appeal on the respondent.

The filing fee of \$50.00 will be delivered to your office via Federal Express.

If there is any additional information we can provide at this time please let us know.

With kindest regards I am,

Sincerely,

ROGERS TOWNSEND, LLC

s/Joseph J. Tierney, Jr.

Joseph J. Tierney, Jr.

cc: Other Counsel of Record:
Kenneth Emanuel Berger, Esquire
Bradley Lewis Lanford, Esquire
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and

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