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May 16 2023
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

L. Casey Manning, Circuit Court Judge

Case No. 2020-CP-40-03475
Appellate Case No. 2022-000389

University Hill Neighborhood Association Plaintiff/Respondent,

v.

City of Columbia, City of Columbia Design and Development Review Committee and
Trinitas Ventures LLC Defendants/Appellants.

**CONSENT MOTION FOR DISMISSAL AND AGREEMENT TO VACATE PRIOR
ORDERS OF CIRCUIT COURT**

Pursuant to Rules 240, 260(b), and 261(d) of the *South Carolina Appellate Court Rules*, Appellants City of Columbia (“City”), City of Columbia Design/Development Review Committee (“DDRC”), and Trinitas Ventures LLC (“Trinitas”) (collectively, “Appellants”), with consent and agreement of Plaintiff/Respondent University Hills Neighborhood Association (“Association”), respectfully request dismissal of this appeal together with the vacation of the orders of the lower court, which are presently on appeal, dated October 7, 2020, November 19, 2020, December 7, 2021, and March 10, 2022.

BACKGROUND

This action began as an appeal from two decisions of the City’s DDRC, a board of architectural review authorized by S.C. Code Ann. § 6-29-870. At that time, and as of the date of

the present appeal, Trinitas was under contract to purchase real property located on the corner of Gervais Street and Pickens Street in Columbia, South Carolina, known as 1600-1620 Gervais Street (the “Contract”). The DDRC approved the applications for site planning and design requested by Trinitas. Association, a nearby association of home owners, then appealed to the Circuit Court pursuant to S.C. Code Ann. § 6-29-900.

While the appeal has been pending before this Court, the Contract expired and the underlying real property was sold to a third-party purchaser. Therefore, the DDRC decisions on which Association initiated this lawsuit are moot, Trinitas is no longer pursuing the development, and the parties wish to dismiss this appeal. Given the status of the property and DDRC decisions, the parties respectfully request that this Court’s order of dismissal also vacate the lower court’s orders dated October 7, 2020, November 19, 2020, December 7, 2021, and March 10, 2022.

CONCLUSION

Accordingly, for the foregoing reasons, the parties respectfully request that this honorable Court grant a dismissal of this action and vacate the lower court’s orders entered on October 7, 2020, November 19, 2020, December 7, 2021, and March 10, 2022.

Respectfully submitted,

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Respectfully submitted this 16th day of May 2023.

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PROOF OF SERVICE

I certify that I caused to have served the **Consent Motion to Dismiss** on the Plaintiff/Respondent by depositing a copy of it in the United States Mail, postage prepaid, on May 16, 2023, addressed to its attorneys as follows:

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