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Jul 28 2023

SC Court of Appeals

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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Appeal from Georgetown County  
Court of Common Pleas  
William H. Seals Jr., Circuit Court Judge

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Case No. 2019-CP-22-00503  
App. No. 2022-001756

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Casey A. Wesley, individually and as personal  
representative of the Estate of Howard Wayne Wesley,

Respondent,

v.

Jay Thomas Johnson, M.D.,

Appellant.

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**APPELLANT JAY THOMAS JOHNSON, M.D.'S MOTION TO WITHDRAW APPEAL**

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Pursuant to Rules 260 and 261(b), SCACR, Appellant Jay Thomas Johnson, M.D. (the "Appellant"), by and through his undersigned counsel, hereby withdraws his appeal and moves the Court for an order dismissing the above referenced appeal, which has been held in abeyance per the Order entered on May 30, 2023. The parties have completely resolved the matter and the settlement has now been approved by the lower court.

As evidenced by the attached email, the Respondent consents to the dismissal and has agreed to waive any provisions for costs in connection with this appeal.

Respectfully submitted,

**/s/ Robert H. Hood, Jr.**

**Hood Law Firm, LLC**

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*Attorneys for the Appellant*

*Jay Thomas Johnson, M.D.*

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**PROOF OF SERVICE**

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I certify that the foregoing Motion for Withdrawal of Appeal was served on the following counsel of record by electronic mail on July 28, 2023.

John P. Linton, Jr. (SC#79130)  
Jennifer S. Ivey (SC#102533)  
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July 28, 2023

**Via E-Filing, E-Mail and U.S. Mail**

The Honorable Jenny Abbott Kitchings  
[ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)  
Clerk, South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

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Re: Casey A. Wesley, individually and as personal representative of the Estate of Howard Wayne Wesley v. Jay Thomas Johnson, M.D.  
C/A No. 2019-CP-22-00503, Georgetown CP  
Court of Appeals No. 2022-001756  
HLF File No. 61.012

Dear Ms. Kitchings:

This firm represents the Appellant Jay Thomas Johnson, M.D. in the above-referenced appeal which is currently being held in abeyance. Enclosed is Appellant's Motion to Withdraw the Appeal along with an email consent from counsel for the Respondent and a Certificate of Service which has been submitted for filing electronically. The motion filing fee of \$50.00 is enclosed with this letter.

Kind regards,

Yours truly,

**/s/ Robert H. Hood, Jr.**

Robert H. Hood, Jr.

RHHjr./mde

Enclosure

cc: [Via E-Mail]: John P. Linton, Jr., Esquire / Jennifer S. Ivey, Esquire  
([linton@wglfirm.com](mailto:linton@wglfirm.com) / [ivey@wglfirm.com](mailto:ivey@wglfirm.com))