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Aug 07 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM CHARLESTON  
COUNTY  
Court of Common Pleas

Keith Kelly, Circuit Court Judge

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Appellate Case No. 2023-000542

Case No. 2020-CP-10-03931

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Royal Palms Property Owners Association, Inc.,

Respondent,

v.

Alpha Prime LLC, Alpha Prime Construction LLC, Sagehorn And Company Inc., Royal Palms Holding LLC, Lennar Carolinas LLC, Alpha Omega Construction Group, Inc., Valmar Nunes, individually, Bruza Construction LLC, Simons Construction Company, LLC, Cesar E Desouza a/k/a Cesar Desouza, individually, Raul Martinez Masonry LLC, Mark Wolverton, individually, DVS, Inc., Carolina Foundation, Inc., CEBS Construction, LLC a/k/a CEBS Custom Homes, LLC, Archer Exteriors, Inc., JAS Construction Services, LLC, Henry Palmer, individually and d/b/a Palmer's Construction Services, LLC, Angelo De Souza, individually and d/b/a Sunrise Siding, LLC, WW Pereira Construction, LLC, GC General Construction, LLC, Siding Construction, LLC, Builders Firstsource - Southeast Group, LLC, Associated Materials Incorporated a/k/a and d/b/a Alside; Cohen's Drywall Company, Inc.; Guaranteed Framing, LLC; Hurley Services, LLC; Sunrise Windows And Doors, LLC; Pereira Construction, LLC; Della Putti Construction; J. Plitz Construction, LLC; CMAC Construction, LLC; Henry's Construction & Trucking, Inc.; Charlotte Mechanical, LLC; Ethridge Electric Co., LLC; Builders Insulation of North Carolina, LLC a/k/a City Wide Insulation of Madison, Inc. a/b/a Builders' Insulation; Tradition Builders, Inc.; Heaven Woodworks, Inc.; Bishop & Sons Plumbing & Piping, Inc.; Arteaga Roofing, LLC; Melinda Amador; James Bayles; Blanca Christina Lopez a/k/a Blanca Christina Chaves; Flavio Morales; Daniel Leon Ramos; Juan Garza Ramos; Fidel Morales; and City Wide Insulation of Madison, Inc. d/b/a Builders Insulation; Defendants

Of which Lennar Carolinas, LLC is the Appellant.

And

Builders Firstsource-Southeast Group, LLC, Third Party Plaintiff

v.

Hurley Services, LLC and Sunrise Windows and Doors, LLC and Sunrise Windows and Doors LLC, Third-Party Defendants

And

Sagehorn and Company, Inc., Third Party Plaintiff

v.

Henry's Construction Trucking, Inc., Charlotte Mechanical, LLC, Ethridge Electric Co., LLC, Builders Insulation of North Carolina, LLC, Tradition Builders, Inc., Heaven Woodworks, Inc., Bishop & Sons Plumbing & Piping, Inc., and John Doe 1-10, Third Party Defendants

And

Alpha Omega Construction Group, LLC, Third Party Plaintiff

v.

Arteaga Roofing, LLC, Melinda Amador, James Bayles, Blanca Christina Lopez, Flavio Morales, Daniel Leon Ramos, Juan Garza Ramos and Fidel Morales, Third Party Defendants.

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**NOTICE OF AGREED DISMISSAL OF APPEAL**

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Appellant Lennar Carolinas, LLC, with the consent of Respondent Royal Palms Property Owners Association, Inc., respectfully requests that the appeal be dismissed, the matter be remanded, and that no costs or fees be taxed to or against any party, in accordance with Rule 260(b), SCACR.

s/Katon E. Dawson Jr.

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*Attorneys for Appellant Lennar Carolinas, LLC*

**WE SO AGREE AND CONSENT:**

s/Robert L Wylie, IV

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*Attorneys for Respondent Royal Palms Property Owners Association, Inc.*

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**PROOF OF SERVICE**

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The undersigned hereby certifies that on August 7, 2023, copies of the Notice of Agreed Dismissal of the Appeal were served on all counsel of record for the Respondent via email to counsels' individual AIS email addresses:

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August 7, 2023

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