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Aug 09 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Spartanburg County
Court of Common Pleas

Roger L. Couch, Circuit Court Judge
R. Keith Kelly, Circuit Court Judge

Cases No. 2012-CP-42-04733 and -04915
Appellate Case No. 2023-000506

Jonathan Bryant,

Petitioner,

v.

Kevin Fountain,

Respondent.

In re:

Southern Wholesale, Inc.,

Plaintiff,

v.

Chad Kerr and Jonathan Bryant,

Defendants,

and

Jonathan Bryant,

Third-Party Plaintiff,

v.

Southern Wholesale, Inc. and Kevin Fountain,

Third-Party Defendants.

Of whom Kevin Fountain, Southern Wholesale, Inc.,
and Speciality Equipment Leasing, Inc., are the

Appellants,

and Jonathan Bryant is the

Respondent.

CONSENT MOTION TO DISMISS APPEAL

**Counsel identified on the following page*

Russell G. Hines (SC Bar No. 72100)
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25 Calhoun Street, Suite 400
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-and-

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THE LAW OFFICE OF
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P.O. Box 822
Folly Beach, South Carolina 29439
(843) 805-6300

Attorneys for Appellants

NOW COME Appellants, Kevin Fountain, Southern Wholesale, Inc., and Specialty Equipment Leasing, Inc., by and through their undersigned counsel, joined by and with the express consent of Respondent, Jonathan Bryant, by and through his undersigned counsel, pursuant to Rule 260, SCACR, and hereby move for dismissal of this appeal.

The basis for this motion is that the parties have reached a full and final settlement and agree that the case should be ended with no costs awarded to or assessed against any party.

WHEREFORE, Appellants, joined by and with the express consent of Respondent, ask this Honorable Court to dismiss this matter with prejudice, with no costs awarded to or assessed against any party.

<SIGNED ON THE FOLLOWING PAGE>

Respectfully submitted,

By: s/Russell G. Hines
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Attorneys for Appellants

Charleston, South Carolina

August 9, 2023

RESPONDENT JOINS AND CONSENTS:

TALLEY LAW FIRM, P.A.

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Attorneys for Respondent

Spartanburg, South Carolina

August 9, 2023

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Appellants,

and Jonathan Bryant is the

Respondent.

PROOF OF SERVICE

**Counsel identified on the following page*

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Attorneys for Appellants

I, Russell G. Hines, of Clement Rivers, LLP, attorneys for Appellants, hereby certify that Appellants' **CONSENT MOTION TO DISMIS APPEAL** was served on Respondent on August 9, 2023, by emailing (see attached service email) a copy of the same to Respondent's counsel of record:

Scott F. Talley, Esquire
TALLEY LAW FIRM, P.A.
scott@talleylawfirm.com
Attorneys for Respondent

W. Westbrook Wills III, Esquire
THE LAW OFFICE OF
W. WESTBROOK WILLS III
wwills@wwillslaw.com
Additional Counsel for Appellants

Respectfully submitted,

By: s/Russell G. Hines
Russell G. Hines (SC Bar No. 72100)
CLEMENT RIVERS, LLP
Attorneys for Appellants

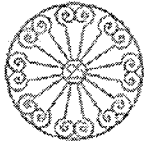
Charleston, South Carolina

August 9, 2023

From: [Hines, Russell](#)
To: ["Scott Talley"; W. Westbrook Wills III](#)
Cc: ["Hannah@talleylawfirm.com"; Justman, Aimee; Bell, Pollyana \(Polly\)](#)
Subject: Bryant v. Fountain (Appellate Case No. 2023-000506) -- Consent Motion to Dismiss Appeal
Date: Wednesday, August 9, 2023 5:31:49 PM
Attachments: [image001.png](#)
[Bryant v. Fountain \(Appellate Case No. 2023-000506\) -- Consent Motion to Dismiss Appeal.pdf](#)

Attached for service in the above-referenced matter please find a **Consent Motion to Dismiss Appeal**.

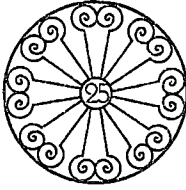
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AUG 14 2023

SC Court of Appeals

August 10, 2023

VIA US MAIL

Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Jonathan Bryant, Petitioner v. D. Kevin Fountain, Respondent; In re: Southern Wholesale, Inc., Plaintiff v. Chad Kerr and Jonathan Bryant, Defendants and Jonathan Bryant, Third-Party Plaintiff v. Southern Wholesale, Inc., and D. Kevin Fountain, Third-Party Defendants
Appellate Case No.: 2023-000506
Case No.: 2012-CP-42-4733
YCR File: 17720-20230287

Dear Ms. Kitchings:

Enclosed please find our firm's check representing the filing fee for the Consent Motion to Dismiss Appeal, which was electronically filed on August 9, 2023, in the above-referenced matter.

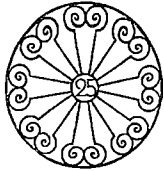
With best wishes and kindest regards, I am

Sincerely,

CLEMENT RIVERS, LLP

Pollyana Bell
Project Assistant

/pbb
Enclosure(s)



CLEMENT RIVERS, LLP

P.O. Box 993
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RGH
20230287

Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
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Columbia, SC 29211

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SC Court of Appeals

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