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Aug 11 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

G.D. Morgan, Jr., Circuit Court Judge

Perry H. Gravely, Circuit Court Judge

Circuit Court Case No. 2020-CP-23-01450
Appellate Case No. 2022-001432

Michael Gene Putnam..... Appellant,

v.

Robert Henry Purkerson and Robin Cary Maples, ... Respondents.

**APPELLANT’S MOTION TO WITHDRAW REPLY TO PROPOSED
CONSENT ORDER RELIEVING COUNSEL FOR APPELLANT
AND WITHDRAWAL OF MOTION FOR MATTERS
TO BE HELD IN ABEYANCE**

WHEREAS, Michael Gene Putnam, (the “Appellant”) as allowed and pursuant to the provisions of Rule 240 SCACR, respectfully request that the Court take notice that Appellant hereby withdraws the Motions and Requests of the Court as specifically and only contained in his filing as time stamped by the Clerk of Court on July 28, 2023. The Reply filing was titled as “REPLY TO PROPOSED CONSENT ORDER RELIEVING COUNSEL FOR APPELLANT AND MOTION FOR MATTERS TO BE HELD IN ABEYANCE PENDING SUBSTITUTION OF COUNSEL.” The reasons for the withdrawal will be clear to the Court after the following summarized background information.

BACKGROUND

The Appellant received on July 21, 2023 an email from the Goodwyn Law Firm, LLC. (hereinafter “Goodwyn”) with an attachment containing a filing of the same date with this Court captioned as a “CONSENT ORDER RELIEVING COUNSEL”. The “Consent Order” essentially sought immediate relief from representation as attorney(s) of the Appellant in the instant case cited above. Goodwyn’s Motion to be Relieved as Appellant’s counsel provided for no transition assistance and non-compliant with the requirements of Rule 407 SCACR. The Appellant’s Reply equated to a motion in opposition to Goodwyn’s proposed “Consent Order”.

On August 8, 2023 by letter to the Clerk of the Appellate Court, Goodwyn withdrew the “Consent Order Relieving Counsel”. (Exhibit 1) Goodwyn’s unconditional withdrawal has rendered Appellant’s Reply as “moot” in as much as Appellant’s Reply addresses matters of no consequence of the Court. "The court does not concern itself with moot or speculative questions. An appellate court will not pass judgment on moot and academic questions; it will not adjudicate a matter when no actual controversy capable of specific relief exists." *Sloan v. Greenville County*, 380 S.C. 528, 535, 670 S.E. 2d 663, 667 (Ct. App. 2009).

REQUESTS OF THE COURT

Until and unless there are additional filings related to Appellant’s representation by Goodwyn, Appellant knows of no other matters besides the Court’s acceptance of substitute counsel for Respondent Purkerson. Wherefore, Appellant respectfully request the Court to disregard as withdrawn Appellant’s Reply of July 28, 2023, including Appellant’s assertion of seeking substitute counsel at this time. Upon the Court’s acceptance of Appellant’s Requests as previously stated, Appellant knows of no reason why the instant case should be held in abeyance and not restored to the active docket with appropriate deadlines of upcoming filings communicated to all parties.

Respectfully submitted,



Michael Gene Putnam – Appellant
PO Box 76
Greenville, SC 29602-0076
Phone: 864-420-9624
Fax: 864-751-4365
Email: mputnam2006@gmail.com

Dated: August 10, 2023

Greenville, South Carolina

EXHIBIT 1

T. Jeff Goodwyn, Jr.*†
Charles G. Blackburn**
Jefferson D. Turnipseed**

GOODWYN LAW FIRM, LLC

2309 Devine Street
Columbia, South Carolina 29205

Tel. (803) 251-4517
Fax (803) 251-4527

Email: JGoodwyn@Goodwynlaw.com
Web: www.GoodwynLaw.com

*Also Licensed in Georgia
† Certified Circuit Court Mediator
** Of Counsel

August 7, 2023

VIA EMAIL – CTAPPFILINGS@SCCOURTS.ORG

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

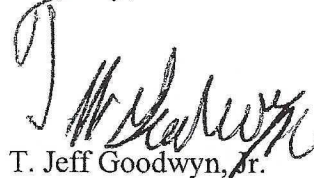
RE: *Michael Gene Putnam v. Robert Henry Purkerson*
Appellate Case No.: 2022-001432
Our File No.: 3000-0743

Dear Ms. Kitchings:

This letter is to withdraw the Consent Order Relieving Counsel and Proof of Service filed on July 21, 2023 in regards to the above referenced matter.

Thank you for your attention to this matter and should you have any questions, please do not hesitate to contact me.

Sincerely,



T. Jeff Goodwyn, Jr.

TJG:cnc

Enclosures

cc: Michael G. Putnam
Langdon Cheves, III, Esquire
Laura C. Tesh, Esquire
(all via email)

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APPEAL FROM GREENVILLE COUNTY

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Circuit Court Case No. 2020-CP-23-01450

Appellate Case No. 2022-001432

Michael Gene Putnam, Appellant,

v.

Robert Henry Purkerson and Robin Cary Maples Respondents.

PROOF OF SERVICE

I HEREBY certify that APPELLANT’S MOTION TO WITHDRAW REPLY TO PROPOSED CONSENT ORDER RELIEVING COUNSEL FOR APPELLANT AND WITHDRAWAL OF MOTION FOR MATTERS TO BE HELD IN ABEYANCE will be provided by email as copied on this filing to Counsel for Respondents as well as counsel for Appellant. Counsel for Respondent contact information is as follows:

Langdon Cheves, III, Esquire
Laura C. Tesh, Esquire
Willson, Jones, Carter & Baxley
325 Rocky Slope Road, Suite 201
Greenville, SC 29607
lcheves@wjcblaw.com
ltesh@wjcblaw.com

Additionally, this filing and this Proof of Service will be provided to counsel for Appellant by emailing a copy of same and also by USPS Certified Mail to T. Jeff Goodwyn, Jr. and Charles G. Blackburn of the Goodwyn Law Firm, LLC, 2309 Devine Street, Columbia, SC 29205 and by email at JGoodwyn@goodwynlaw.com and cblackbum@goodwynlaw.com, respectively.

Lastly, pro se Respondent Robin C. Maples, will be emailed and also provided by USPS First Class mail a copy of this filing to the last known contact information available.

Respectfully submitted,



Michael Gene Putnam – Appellant
PO Box 76
Greenville, SC 29602-0076
Phone: 864-420-9624
Fax: 864-751-4365
Email: mputnam2006@gmail.com

Dated: August 10, 2023

Greenville, South Carolina

August 10, 2023

The Honorable Jenny A. Kitchings
Clerk of Court
Court of Appeals of South Carolina
1220 Senate St.
Columbia, South Carolina 29201

Filed by E-mail

Re: APPELLANT'S MOTION TO WITHDRAW REPLY TO PROPOSED CONSENT ORDER
RELIEVING COUNSEL FOR APPELLANT AND WITHDRAWAL OF MOTION FOR
MATTERS TO BE HELD IN ABEYANCE.

Case No. 2020-CP-23-01450
Appellate Case No. 2022-001432

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Dear Ms. Kitchings:

SC Court of Appeals

Appellant's counsel withdrew his motion seeking an "Order Relieving Counsel" for Appellant. The withdrawal makes the Appellant's Reply Motion as "Moot" since the Motion has been withdrawn. Please advise the Court that the respective filings have been withdrawn and are of no consequence or consideration of the Court. A Proof of Service is enclosed as well.

The attached request for withdrawal should allow the instant case to be moved to to the active docket with appropriate deadlines established.

As always, please have your staff reach out to me should they have questions or need clarification of anything included.

[signature page follows]

Greenville, South Carolina

August 10, 2023

CC: T. Jeff Goodwyn, Jr. – Esq.
Charles G. Blackburn – Esq.
Langdon Cheves, III, Esq.
Laura C. Tesh, Esq.
Robin Cary Maples

With kindest regards,



Michael Gene Putnam - Appellant
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