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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM YORK COUNTY  
Court of Common Pleas

The Honorable S. Jackson Kimball, Master-in-Equity

Case No. 2011-CP-46-01595

**RECEIVED**  
JUL 1 2 2013  
**SC Court of Appeals**

Crescent Resources, LLC,.....Respondent,

v.

J & J Properties of Lake Wylie, LLC  
and

Jerrold H. Pettus, Sr., .....Appellants.

PETITION TO WITHDRAW AS COUNSEL AND  
TO SUBSTITUTE NEW COUNSEL


The undersigned counsel, John Martin Foster, seeks an order permitting him to withdraw as counsel for Appellants, and to substitute new counsel, Tina Cundari.

This appeal was dismissed by order dated June 7, 2013. The undersigned counsel filed a motion to reinstate the appeal on June 17, 2013. In the meantime, Appellants have obtained new counsel, Tina M. Cundari, to represent them in this matter. Because new counsel has been obtained, the undersigned counsel seeks an order permitting him to

withdraw as counsel of record and to substitute Tina M. Cundari as attorney for Appellants.

Counsel has notified Appellants in writing of his intent to withdraw as counsel as required under Rule 264(b), S.C.A.C.R. Appellants have consented to the withdrawal and to the substitution of Tina M. Cundari as their counsel.

July 9, 2013

  
\_\_\_\_\_  
John Martin Foster  
Post Office Box 106  
Rock Hill, South Carolina 29731  
803 324-8100  
Attorney for Appellants

Other Counsel of Record:

Wm. Mark White  
Jeremy D. Melville  
Spencer & Spencer, P.A.  
Post Office Box 790  
Rock Hill, S.C. 29731  
803 327-7191

Tina M. Cundari  
Sowell, Gray, Stepp & Laffitte, LLC  
1310 Gadsden Street  
Post Office Box 11449  
Columbia, South Carolina 29211  
803 929-1400

STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM YORK COUNTY  
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Case No. 2011-CP-46-01595

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CRESCENT RESOURCES, LLC, ..... Respondent,

vs.

J & J PROPERTIES OF LAKE WYLIE, LLC

and

JERRROLD H. PETTUS, Sr., ..... Appellants.

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PROOF OF SERVICE

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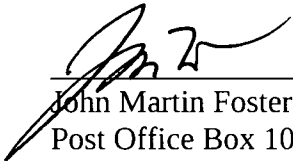
I certify that I have served the Petition to Withdraw as Counsel and to Substitute New Counsel, dated July 9, 2013, on the following counsel or persons of record:

Wm. Mark White  
Jeremy D. Melville  
Spencer & Spencer, P.A.  
Post Office Box 790  
Rock Hill, S.C. 29731

Tina M. Cundari  
Sowell, Gray, Stepp & Laffitte, LLC  
1310 Gadsden Street  
Post Office Box 11449  
Columbia, South Carolina 29211

by depositing the same with the United States mail, with sufficient first class postage attached, properly addressed to the clerk of the Court, and with a copy also directed to the respective last known address(es) of those attorney(s) and/or persons set out above, pursuant to Rule 262, S.C.A.C.R.

July 9, 2012

  
\_\_\_\_\_  
John Martin Foster  
Post Office Box 106  
Rock Hill, S. C. 29731-6106  
803 324-8100  
Attorney for Appellants

JOHN MARTIN FOSTER

Attorney at law

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|                                |              |                        |
|--------------------------------|--------------|------------------------|
| The Guardian Building          | PO Box 106   | 803 324 8100           |
| 223 East Main Street Suite 520 | Rock Hill SC | 803 324 8109 Fax       |
| Rock Hill South Carolina 29730 | 29731-6106   | jmfoster@comporium.net |

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July 9, 2013

The Honorable Jenny Abbott Kitchings  
Clerk of the South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

**RECEIVED**

JUL 1 2 2013

**SC Court of Appeals**

Re: Crescent Resources, LLC, Respondent,  
v. J & J Properties of Lake Wylie, LLC and Pettus, Appellants.

Case No. 2011-CP-20-01505

Dear Ms. Kitchings:

In accordance with Rules 240 and 263(a), S.C.A.C.R., enclosed herewith please find the original and seven (7) copies of counsel's Petition to Withdraw as Counsel and to Substitute New Counsel, together with Certificate of Service for the same in the above referenced case. I also enclose our check for the Motion fee of \$25.00.

I also enclose the re-corrected Proof of Service as to the Notice of Appeal. By copy of this letter, I am serving the attorney for the Respondents with copies of the said Petition, as evidenced by the Proof of Service.

Please return the extra conformed copies to my office in the enclosed self-addressed, stamped envelope. As always, thank you, and your staff, for your assistance in these matters.

Sincerely yours,



John Martin Foster

jmf/  
enclosures

cc: Client File

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Jeremy D. Melville  
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