

# The Supreme Court of South Carolina

Adam Corey Rabon, as Personal Representative for the  
Estate of Erik Randall Rabon, Appellant,

v.

Huggins Beach Service, Inc., the City of Myrtle Beach  
and Craig J. Risbourg, Respondents.

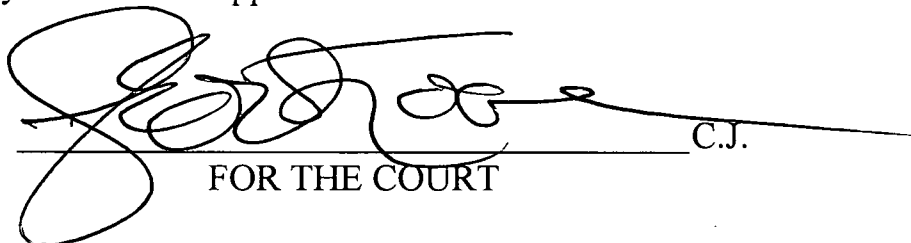
Appellate Case No. 2012-208006

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## ORDER

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By order dated May 1, 2013, in response to notification from the parties that they had reached a settlement, we held this appeal in abeyance and remanded the case to the circuit court for consideration of the settlement agreement. S.C. Code Ann. §§ 15-51-41, 15-51-42(C)(3) (2005); Rule 261(b), SCACR. The parties were instructed that following consideration of the settlement agreement by the circuit court, they were to inform this Court whether the agreement was approved, and if it was approved, proceed pursuant to Rules 260(b) and 261(b), SCACR, if they wish to have the appeal dismissed. Thereafter, the parties notified this Court that they had agreed to dismiss this matter pursuant to Rules 260(b) and 261(b), SCACR. However, the agreement was approved by the circuit court at a time when this Court had exclusive jurisdiction over the matter. *See* Rule 205, SCACR. Accordingly, that approval was vacated and the parties were directed to resubmit the settlement agreement to the circuit court while the matter was on remand pursuant to the May 1, 2013 order of this Court. Counsel for appellant has now provided this Court with a copy of an order of the circuit court dated July 29, 2013, approving the settlement agreement. Therefore, in accordance with the parties' Agreement to Dismiss, we hereby dismiss this appeal.

  
C.J.  
FOR THE COURT

Columbia, South Carolina

August 7, 2013

cc:

Robert N. Richardson, Jr., Esquire  
Jimmy Carlton Powell, Jr., Esquire  
Jeffrey Edwin Johnson, Esquire  
James Richard Battle, II, Esquire  
The Honorable Melanie Huggins-Ward