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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

RECEIVED

JUL 31 2013

Judge George James, Jr., Circuit Court Judge

Case No. 2010-CP-40-2889

SC Court of Appeals

1634 Main, L.P.Appellant

v.

Shirley Hammer a/k/a Shirley Grace
Hightower.....Respondent

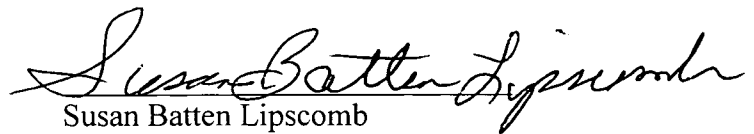
v.

Howard Hammer.....Third Party Defendant

—————
MOTION TO REMAND
—————

The Honorable George C. James, Jr. issued an Order dated January 28, 2013, filed January 29, 2013. Motions to reconsider were served and filed, and Defendant and Third Party Plaintiff Shirley Hammer Made a Motion for Sanctions. Judge James then issued an Order Addressing Post-Trial Motions and the Motion for Sanction dated June 3, 2013, filed June 6, 2013. Appellant received written notice of the entry of the Order on July 9, 2013, as to Plaintiff 1634 Main, L.P. Plaintiff filed Notice of Motion and Motion to Reconsider, Alter, Amend or Modify as to the Order filed June 6, 2013, and thereafter filed a Notice of Appeal. Appellant requests an Order remanding the case to the lower court in order for it to hear and issue an Order on the Motion to Reconsider, Alter, Amend or Modify.

July 31, 2013



Susan Batten Lipscomb
Lipscomb Law Firm, P.A.
1634 Main Street, Suite 200
Columbia, SC 29201
(803) 233-6654
Attorney for Appellant

Other Counsel of Record:

Desa Ballard
Stephanie Weissenstein
P.O. Box 6338
West Columbia, SC 29169
Attorney for Respondent

Howard Hammer, *pro se*
1609 Catawba Street
Columbia, SC 29205

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Howard Hammer.....Third Party Defendant


PROOF OF SERVICE

I, Susan Batten Lipscomb, attorney for Appellant, 1634 Main, L.P., do hereby certify that on July 31, 2013, Appellant's Motion to Remand was served on counsel of record by placing a copy thereof in the United States Mail, postage prepaid, addressed as set forth below:

Desa Ballard, Esquire
Stephanie Weissenstein, Esquire
P.O. Box 6338
West Columbia, SC 29169

Howard Hammer, *pro se*
1609 Catawba Street
Columbia, SC 29205

July 31, 2013


Susan Batten Lipscomb

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Kelsey@LLFSC.com

July 31, 2013

VIA HAND DELIVERY

The Honorable Jenny A. Kitchings
Clerk, S.C. Court of Appeals
1015 Sumter St.
Columbia, SC 29201

RECEIVED
JUL 31 2013
SC Court of Appeals

Re: 1634 Main, L.P. v. Shirley Hammer a/k/a Shirley grace Hightower v. Howard Hammer
Case No.: 2010-CP-40-2889

Dear Ms. Kitchings:

Enclosed for filing please find the original plus seven copies of the Motion to Remand in the above-referenced matter. Please file the original and six copies and clock stamp the seventh copy to be returned to our office via our courier. I have also enclosed a check in the amount of \$25.00 to cover the filing fee.

By copy of this letter we are filing a copy of this motion in the lower court and serving a copy on counsel of record and Howard Hammer, *pro se*.

Thank you in advance for your assistance in this matter.

Very truly yours,



Susan Batten Lipscomb

Enclosure

cc: The Honorable Jeanette McBride
Desa Ballard, Esquire
Stephanie Weissenstein, Esquire
Howard Hammer, *pro se*