

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

69362

APPEAL FROM BEAUFORT COUNTY  
Marvin H. Dukes III, Master-in-Equity and Special Circuit Court Judge

Civil Action No. 2011-CP-07-03945  
Appellate Case No. 2012-212441

River City Developers, LLC ..... Respondent

v.

Coosaw Investments, LLC; Hilton C.  
Smith Jr.; and Somerset Point at Ladies  
Island Homeowners Association, Inc.  
f/k/a Coosaw River Estates  
Homeowners Association, LLC ..... Appellants

MOTION TO WITHDRAW APPEAL

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Attorneys for the Appellants

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SC Court of Appeals

The Appellants hereby move to withdraw this appeal pursuant to Rule 260(c), SCACR. This appeal involves the correctness of the lower court's order striking a lis pendens that was placed on the Respondents' property as a result of monies owed to Appellant Somerset Point at Ladies Island Homeowners Association, Inc. The property has since sold to a third party, and the issue presented by the appeal is now moot. Accordingly, the Appellants hereby withdraw this appeal.

GRIFFITH, SADLER & SHARP, P.A.

By:



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Attorneys for the Appellant

August 5, 2013  
Beaufort, South Carolina

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CERTIFICATE OF SERVICE

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Attorneys for the Appellants

I am a legal assistant at Griffith, Sadler & Sharp, P.A., and on August 5, 2013, I placed a copy of the Appellants' *Motion to Withdraw Appeal* in the US Mail, with first-class postage prepaid, and addressed as follows:

H. Fred Kuhn Jr.  
Moss, Kuhn & Fleming, PA  
PO Drawer 507  
Beaufort, SC 29901

Robert V. Mathison Jr.  
PO Box 5271  
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**MATTHEW D. CAVENDER**  
**MARSHALL H. WALDRON, JR.**  
**(OF COUNSEL)**  
*+ certified mediator*  
*\* also admitted in NC*

August 5, 2013

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

**RE: Normandy Corporation v. River City Developers, LLC; and Somerset Point at Lady's Island Homeowners Association, Inc.**  
**Civil Action No. 2011-CP-07-03945**  
**Appellate Case No. 2012-212441**  
**GS&S File No.: 9221**

Dear Ms. Kitchings:

Please find the original and seven copies of the enclosed Motion to Withdraw Appeal in reference to the above captioned matter. I would appreciate you filing the original and returning a clocked copy to me in the enclosed self-addressed stamped envelope.

With kindest regards, I remain

Very truly yours,

Matthew D. Cavender  
MDC/cde  
Enclosures

cc: H. Fred Kuhn Jr.  
Robert V. Mathison Jr.

**RECEIVED**

AUG 08 2013

**SC Court of Appeals**