

RECEIVED

May 29 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

The Honorable R. Lawton McIntosh, Circuit Court Judge

Case No. 2020-CP-23-03949
Appellant Case No. 2023-001227

Nery Rodas d/b/a RNG Contracting, LLCRespondent,

v.

Brian W. Bowles and Kristina BowlesAppellants.

**MOTION TO WITHDRAW
APPEARANCE OF COUNSEL FOR CAUSE**

COMES NOW, the undersigned counsel, Ms. Ra’na Heidari Esq., and the law firm Holder, Padgett, Littlejohn, + Prickett, LLC. (hereinafter the “Attorneys”) pursuant to Rule 1.16 of South Carolina’s Rules of Professional Conduct, hereby move this Court for an order permitting them to withdraw as attorneys of record for Appellants, Brian W. Bowles and Kristina Bowles (“Appellants”), in the above-captioned action. In support of this motion, the undersigned respectfully shows unto the Court the following:

1. Ms. Heidari was retained by the Appellants to represent them in this matter during her employment at A Business Law Firm, LLC.
2. A valid attorney-client relationship was established, and representation was initiated as agreed upon.

3. Since March 3, 2024, Ms. Heidari has moved to Holder, Padgett, Littlejohn, + Prickett, LLC.
4. Despite repeated requests, the Appellants have refused to execute a new engagement letter with Holder, Padgett, Littlejohn, + Prickett, LLC., thus formalizing the transfer of representation.
5. The Appellants have not paid any legal fees beyond the initial retainer, which has since been exhausted.
6. Despite numerous attempts by counsel to communicate with the Appellants via phone and email, the Appellants have failed to adequately respond.
7. Counsel has made reasonable efforts to obtain the Appellant's cooperation and response, including repeated requests and reminders regarding the outstanding documents and payment.
8. The lack of communication and failure to meet financial obligations has resulted in an irreparable breakdown of the attorney-client relationship.
9. Continued representation under these circumstances is impractical and would result in undue hardship on counsel.
10. Counsel has complied with Rule 1.16(b) of the South Carolina Rules of Professional Conduct, which permits withdrawal when a client fails substantially to fulfill an obligation to the lawyer regarding the lawyer's services and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled.
11. Counsel has taken steps to avoid foreseeable prejudice to the Appellant's rights, including providing reasonable notice of the intent to withdraw and allowing time for the Appellant to secure new representation.

12. A copy of this Motion has been served on the Appellant via email and at his last known address by USPS Certified Mail Restricted Delivery on May 29th, 2024, in compliance with Rule 5 of the South Carolina Rules of Civil Procedure.

WHEREFORE, for the reasons set forth above, the undersigned counsel respectfully requests that this Honorable Court grant this Motion to Withdraw Appearance as Counsel for the Appellants and relieve Ms. Ra'na Heidari, Esq. and Holder, Padgett, Littlejohn, + Prickett, LLC. of any further obligation in this matter.

Respectfully submitted this 29th day of May 2024.

HOLDER PADGETT LITTLEJOHN + PRICKETT LLC.

s/Ra'na Heidari
Ra'na Heidari, Esquire (S.C. Bar #104501)
Holder Padgett Littlejohn + Prickett, LLC.
P.O. Box 1804
Greenville, SC 29602
(864) 335-8808
(864) 248-4090 (fax)
rheidari@hplplaw.com

Attorneys for Appellants

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

The Honorable R. Lawton McIntosh, Circuit Court Judge

Case No. 2020-CP-23-03949
Appellant Case No. 2023-001227

Nery Rodas d/b/a RNG Contracting, LLCRespondent,

v.

Brian W. Bowles and Kristina BowlesAppellants.

PROOF OF SERVICE

I certify that I have served the foregoing Motion to Withdraw Appearance as Counsel for the Appellants on the above-named Respondent by e-mail on May 29th, 2024, addressed to counsel of record as follows, and to the Appellants personally via USPS Certified Mail Restricted Delivery and by e-mail to the addresses written below.

Charles G. Blackburn, Esq.
cblackburn@goodwynlaw.com

Brian and Kristina Bowles
380 Tate Chapman Road
Simpsonville, SC 29681
bbowles@ymail.com

(signed on following page)

Respectfully submitted,

HOLDER PADGETT LITTLEJOHN + PRICKETT LLC.

s/Ra'na Heidari

Ra'na Heidari, Esquire (S.C. Bar #104501)

Holder Padgett Littlejohn + Prickett, LLC.

P.O. Box 1804

Greenville, SC 29602

(864) 335-8808

(864) 248-4090 (fax)

rheidari@hplplaw.com

Attorneys for Appellants

May 29, 2024

Via US Mail and Email

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

RECEIVED
May 29 2024
SC Court of Appeals

RE: *Nery Rodas d/b/a RNG Contracting, LLC v. Brian W. Bowles and Kristina Bowles*
Circuit Case No: 2020-CP-23-03949
Appellant Case No: 2023-00127

Dear Ms. Kitchings:

Please find enclosed herewith one copy of Motion to Withdraw Appearance of Counsel for Cause, along with a Proof of Service for the same. Also enclosed is our filing fee in the amount of \$50.00.

Should you have any questions, please do not hesitate to contact us.

Very truly yours,

HOLDER PADGETT LITTLEJOHN + PRICKETT, LLC



Sarah Kellner
Paralegal

/skk

Enclosures

cc: Charles G. Blackburn, Esq. (cblackburn@goodwynlaw.com)
T. Jeff Goodwyn, Jr., Esq. (jgoodwyn@goodwynlaw.com)