

The South Carolina Court of Appeals

Austin International, Inc., Respondent,

v.

Mark A. Boley and Fred E. Watts, Defendants,

Of Whom Mark A. Boley is Appellant.

Mark A. Boley and Fred Watts, Third Party Plaintiffs,

v.

Randy Howard Austin, Third Party Defendant.

Appellate Case No. 2009-146347

ORDER

This appeal has been held in abeyance since July 1, 2010, due to Appellant's pending bankruptcy proceedings. Because the bankruptcy court discharged Appellant on September 4, 2013, and closed the bankruptcy case on September 6, 2013, this appeal is no longer held in abeyance. Appellant indicated in his previous letters to this court that if he were to receive a discharge, "[t]his will render this appeal moot." Accordingly, Appellant shall either: (1) inform this court within ten days that this appeal is moot, or (2) serve and file Appellant's initial brief and designation of matter within thirty days.


FOR THE COURT

Columbia, South Carolina

FILED
10/8/13

cc:

Tracy Thompson Vann

John Martin Foster