

THE STATE OF SOUTH CAROLINA
In The Supreme Court

APPEAL FROM CHARLESTON COUNTY
Master-In-Equity

Mikell Scarborough, Master-in-Equity

Case No. 2008-CP-10-5661

Carolyn Smalls, Respondent,

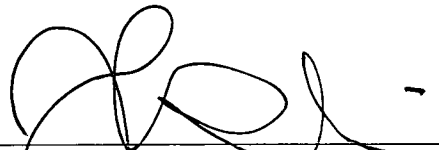
v.

Floyd D. Sanders, Appellant.

MOTION FOR REMAND OF APPEAL TO ENTER SETTLEMENT
AGREEMENT

Pursuant to Rule 240, SCACR, the Appellant, Floyd Sanders, with the consent of Respondent, Carolyn Smalls, moves that the Court hold this appeal in abeyance for the purpose of petitioning the trial court for approval of a negotiated settlement. Should settlement be consummated, the Appellant further requests that the Court dismiss this appeal upon request of the parties and the production of a filed order of settlement from the trial court.

August 28, 2013



John Edward Robinson
36 Broad Street
Charleston, SC 29401
(843) 723-5152
Attorney for Appellant

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SEP 23 2013

SC Court of Appeals

I CONSENT TO THE RELIEF
REQUESTED IN THIS MOTION:



Charles Goldberg
61 Broad Street
Charleston, SC 29401
Attorney for Respondent
(843) 720-2800

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APPEAL FROM CHARLESTON COUNTY
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Carolyn Smalls, Respondent,

v.

Floyd D. Sanders, Appellant.

AFFIDAVIT OF SERVICE

I certify that I have served the Motion for Remand on Carolyn Smalls, by personally delivering a copy of it to her attorney of record, Charles Goldberg, at his office at 61 Broad Street, Charleston, South Carolina, 29401, on August 28, 2013.

August 28, 2013



John Edward Robinson
36 Broad Street
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(843) 723-5152
Attorney for Appellant

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McDowell Law Offices

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*G. Simms McDowell, III
John Edward Robinson*

*Post Office Box 670
Charleston, SC 29402*

August 28, 2013

VIA FIRST CLASS MAIL

The Honorable Jenny Abbot Kitchings
Clerk, SC Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RE: Carolyn Smalls, Respondent, v. Floyd Sanders, Appellant, Case No. 2008-CP-10-5661.

Dear Ms. Kitchings:

Pursuant to Rule 240, SCAR, you will please find enclosed:

- (1). A Motion for Remand to Approve Settlement Agreement for the above-captioned case together with the consent signature of opposing counsel;
- (2). A Certificate of Service for the Motion;
- (3). Six (6) copies of the Motion and Affidavit(s) in compliance with applicable rules.

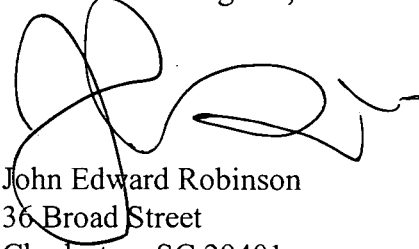
It is the intention of the parties that this Motion, which is consented to by opposing counsel, result in this action be remanded to the Hon. Mikell Scarborough, so that he may approve the settlement of the parties. This motion was filed after consultation with Court staff on the best manner in which to proceed. If the filing is deficient or you have questions or concerns about the filing please do not hesitate to contact me. I thank you in advance for any courtesies extended.

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SEP 23 2013

SC Court of Appeals

With Kindest Regards,

A handwritten signature in black ink, appearing to read "John Edward Robinson". The signature is fluid and cursive, with a large loop at the beginning and a long, sweeping tail that ends in a small hook.

John Edward Robinson
36 Broad Street
Charleston, SC 29401
(843) 723-5152
Attorney for Appellant

Other Counsel of Record:

Charles Goldberg
61 Broad Street
Charleston, SC 29401
Attorney for Respondent
(843) 720-2800