

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
In the Court of Common Pleas

R. Knox McMahon, Presiding Judge

Case No. 2012-212487

RECEIVED

DEC 13 2013

SC Court of Appeals

Mariko Marie Clack.....Respondent,

v.

Eddie Arnold Smith, d/b/a the Lawn Doctor.....Appellant.

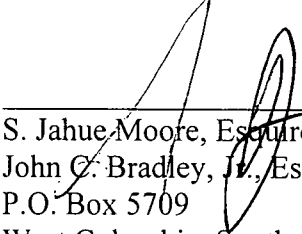
AGREED DISMISSAL OF APPEAL

Pursuant to Rules 240 and 260(b) of the South Carolina Appellate Court Rules, Appellant, Eddie Arnold Smith, d/b/a the Lawn Doctor, hereby requests that this Court issue an order dismissing their appeal in the above-captioned matter. The basis for this motion is that the parties have settled this matter, rendering this appeal moot. Pursuant to Rule 261(b), SCACR, this settlement does not need court approval and need not be submitted to this Court.

Based on this settlement, Appellant desires that this appeal be dismissed in its entirety. Counsel for Respondent, Mariko Marie Clack, consents to the dismissal of the appeal. The parties further agree that no costs shall be assessed to either party under Rule 222, SCACR.

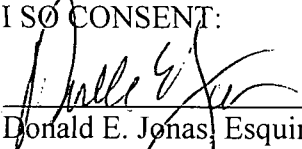
Therefore, Appellant respectfully moves this Court for an Order dismissing the above-captioned appeal in its entirety.

Respectfully submitted,



S. Jahue Moore, Esquire
John C. Bradley, Jr., Esquire
P.O. Box 5709
West Columbia, South Carolina 29171
(803) 796-9160
ATTORNEYS FOR APPELLANT

I SO CONSENT:



Donald E. Jonas, Esquire
PO Box 99 (29071)
142 A.B. Frye Road
Lexington, South Carolina 29073
(803) 309-2483
ATTORNEYS FOR THE RESPONDENT

Lexington, South Carolina

December 12, 2013