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Aug 10 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM BERKELEY COUNTY

Court of Common Pleas

The Honorable Diane S. Goodstein

Appellate Case No. 2026-001668
Circuit Court Case No. 2022-CP-08-02548

Andrew Tyler and Emily Amerson, individually,
and on behalf of all others similarly situated,

Respondents,

v.

D.R. Horton, Inc; Lowcountry Septic System
Solutions, LLC; Coastal Soil and Wetland
Services, LLC; Alternative Septic Services,
LLC; Mountain Soils, Inc.; Horizon Landscape
Management, Inc.; BR's Clearing & Grading,
Inc.; Pleasant Places, Inc; L. Dean Weaver
Construction Co., Inc.; MV Engineering
Consultants, LLC; Lowcountry Land
Development Consultants, LLC; and John Doe
#2-5,

Defendants,

of which D.R. Horton, Inc. is the

Appellant,

AND

Lowcountry Septic System Solutions, LLC;
Horizon Landscape Management, LLC; and
D.R. Horton, Inc.,

Third-Party Plaintiffs,

v.

JSR Clearing and Grading, LLC; Charleston
Tractor Works, LLC; Trinity Construction,
LLC; and Lowcountry Land Development
Consultants, LLC,

Third-Party Defendants.

MOTION TO DISMISS APPEAL

Pursuant to Rule 260(c), SCACR, Appellant D.R. Horton, Inc. hereby moves to dismiss its appeal in the above-captioned case, without prejudice.¹

D.R. Horton filed its notice of appeal in this case to preserve its appellate rights during the busy summer months. Now, having had time to review the matter in more detail with all attorneys present, D.R. Horton agrees to withdraw the notice of appeal.

THEREFORE, Appellant requests the notice of appeal be dismissed, without prejudice, with each party to pay its own costs.

KENISON, DUDLEY & CRAWFORD, LLC

s/ Kimila L. Wooten

John T. Crawford, Jr. (S.C. Bar # 69682)

Kimila L. Wooten (S.C. Bar # 64516)

David L. Paavola (S.C. Bar # 100714)

Kathryn L. Harden (S.C. Bar # 103217)

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¹ Appellant's counsel consulted with counsel for Respondents to obtain consent for this motion but did not receive a definitive response before filing. Therefore, Respondents' counsel has neither consented nor formally objected to this request.

August 10, 2026
Greenville, South Carolina

Attorneys for Appellant

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PROOF OF SERVICE

The undersigned does hereby certify that on August 10, 2026, a copy of the Motion to Dismiss Appeal was served by email on all counsel of record as follows.

KENISON, DUDLEY & CRAWFORD, LLC

s/ Kimila L. Wooten

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August 10, 2026

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