



# The South Carolina Court of Appeals

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August 18, 2026

The Honorable Renee Elvis  
PO Box 677  
Conway SC 29528-0677

## REMITTITUR

Re: Michael Smith v. The City of Myrtle Beach  
Lower Court Case No. 2024CP2608031  
Appellate Case No. 2026-000122

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

*Jasmine D. Smith, Deputy*  
CLERK

Enclosure

cc: John M. Leiter, Esquire  
Douglas Michael Zayicek, Esquire  
Max John Mazurek, Esquire  
Cheryl D. Shoun, Esquire



# The South Carolina Court of Appeals

Michael Smith, Cynthia Vanaman-Setzer, Clarence E.  
Frazer, Richard J. Owen, and Erika K. Farthing,  
Plaintiffs,

of whom Michael Smith, Cynthia Vanaman-Setzer, and  
Clarence E. Frazer are the Appellants,

v.

The City of Myrtle Beach, South Carolina, and GD CP  
Properties, LLC, Respondents.

Appellate Case No. 2026-000122

The Honorable B. Alex Hyman  
Horry County  
Trial Court Case No. 2024CP2608031

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## ORDER

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The parties have asked that this appeal be dismissed by agreement pursuant to Rule 260(b) of the South Carolina Appellate Court Rules (SCACR). Accordingly, the appeal is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY

  
CLERK

Columbia, South Carolina

cc:

John M. Leiter, Esquire

Douglas Michael Zayicek, Esquire

Max John Mazurek, Esquire

Cheryl D. Shoun, Esquire

**FILED**  
**Jul 30 2026**