

The South Carolina Court of Appeals

Mell Woods,

Appellant,

v.

John D. Hinson, Christine E. Jones,
John C. Hinson, Kathy Huffstickle,
Robert H. Hinson, Darrell W. Hinson,
Charles J. Hinson, William L. Hinson,
Elaine H. Hensley, William C. Hinson,
Jr., John Does, (1-5), Jane Does, (1-2), Respondents.

The Honorable Brooks P. Goldsmith
Chester County
Trial Court Case No. 2010-CP-12-00595

REMITTITUR


No Petition for Reinstatement having been filed in the above matter since issuance of this Court's Order dated February 29, 2012,

IT IS SO ORDERED that the above appeal be and hereby is remitted.

 Clerk
For the Court

Columbia, South Carolina
Original to: The Honorable Sue K. Carpenter

FILED

3/22/12 

cc: Mell Woods
B. Michael Brackett, Esquire



The South Carolina Court of Appeals

TANYA A. GEE
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

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February 29, 2012

Mell Woods
PO Box 2603
Lancaster, SC 29721

Re: Woods, Mell v. Hinson, John
Case #2012206469

Dear Mr. Woods:

Enclosed is a copy of an Order of the Court regarding your Motion in the above case. Pursuant to Rule 221(b) of the South Carolina Appellate Court Rules, the remittitur in the case will be sent to the Clerk of Court for Chester County after fifteen (15) days, exclusive of the date of filing this Order.

Very truly yours,

V. Claire Allen, Deputy
CLERK

TAG/jt

cc: B. Michael Brackett, Esquire

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Respondents.

The Honorable Brooks P. Goldsmith
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ORDER

Appellant has filed a motion to dismiss this appeal without prejudice because Appellant's timely Rule 59, SCRPC, motion is still pending in the circuit court. After careful consideration, Appellant's motion is granted. See Hudson v. Hudson, 290 S.C. 215, 349 S.E.2d 341 (1986) ("[I]n the event timely post-trial motions are filed under Rule 59, simultaneously with or subsequent to the filing of a Notice of Appeal, the appellant shall notify the Clerk of . . . Court in writing. Upon receipt of such notice, the appeal shall be dismissed without prejudice. Any party can appeal within ten (10) days after the order disposing of the post-trial motions. A second filing fee will not be collected from a party who previously appealed.").

IT IS SO ORDERED.

Jasqu M. Cureton A.J.

FILED

2/29/12 (5)

Columbia, South Carolina

cc: Mell Woods
B. Michael Brackett, Esquire