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Oct 12 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court Of Common Pleas

Marvin H. Dukes, III, Circuit Court Judge

Appellate Case No. 2026-001492
Case No. 2024-CP-07-00650

Dalton Nathaniel Mickel.....Respondent,

v.

Clarence Dion Burgess, III and Royal Fam Trucking, LLC..... Appellants.

MOTION TO WITHDRAW APPEAL

Pursuant to Rule 260(c) of the South Carolina Appellate Court Rules, Appellants Clarence Dion Burgess, III and Royal Fam Trucking, LLC (hereinafter “Appellants”) hereby respectfully move to withdraw their appeal of this matter – specifically, the Honorable Marvin H. Dukes, III’s order dated June 4, 2026 and the February 4, 2026 verdict – which Notice of Appeal was filed with this Court on July 6, 2026.

[Signature page follows]

Respectfully submitted,

s/Curtis L. Ott
William Joseph Horvath, Esq.
Turner, Padget, Graham & Laney, P.A.
P.O. Box 22129
Charleston, SC 29413
whorvath@turnerpadget.com

-and-

Gray T. Culbreath, SC Bar No. 11907
Curtis L. Ott, SC Bar No. 66145
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1201 Main Street, Suite 1200
Columbia, SC 29201
gculbreath@gwblawfirm.com
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Attorneys for Appellants

October 12, 2026

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v.

Clarence Dion Burgess, III and Royal Fam Trucking, LLC..... Appellants.

PROOF OF SERVICE

This is to certify that the undersigned counsel has caused to be served this day the original **Appellants' Motion to Withdraw Appeal** via electronic mail to the address stated in the Supreme Court Order 2022-05-06-03 and in accordance with Rule 262, SCACR and additionally via electronic mail to the following counsel of record in this matter as set forth below:

James Garrett Biggart, II, Esq.
Michael Cooper Klaasmeyer, Esq.
Jonathan David Graham, Esq.
Morgan & Morgan, P.A.
4401 Belle Oaks Drive, Suite 300
North Charleston, SC 29405
jbiggart@forthepeople.com
cooper.klaasmeyer@forthepeople.com
jgraham@forthepeople.com

Attorneys for Respondent Dalton Nathaniel Mickel

A copy of the email serving the aforementioned to all counsel of record is attached hereto.

Respectfully submitted,

s/Curtis L. Ott
William Joseph Horvath, Esq.
Turner, Padget, Graham & Laney, P.A.
P.O. Box 22129
Charleston, SC 29413
whorvath@turnerpadget.com

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Attorneys for Appellants

October 12, 2026

Jillian Hansen

From: Jillian Hansen
Sent: Monday, October 12, 2026 12:30 PM
To: 'jbiggart@forthepeople.com'; 'cooper.klaasmeyer@forthepeople.com'; 'jgraham@forthepeople.com'
Cc: Gray Culbreath; Curtis Ott; 'whorvath@turnerpadget.com'
Subject: RE: 10056-83 Mickel v. Burgess (Appeal) - Motion to Withdraw Appeal
Attachments: [FINAL] Ltr SC CoA encl Motion to Withdraw Appeal.pdf; [FINAL] Motion to Withdraw Appeal.pdf; [FINAL] Proof of Service - Motion to Withdraw Appeal.pdf

Categories: GTC

Good afternoon,

Attached hereto and served upon you, please find Appellants' correspondence to the Court as well as a Motion to Withdraw Appeal which will be submitted to the South Carolina Court of Appeals today. A copy of this message will be affixed to the Proof of Service, which will also be submitted today.

Kind regards,
Jillian



Jillian Hansen
Paralegal
jhansen@gwblawfirm.com

Gallivan, White & Boyd P.A.
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October 12, 2026

VIA HAND DELIVERY & EMAIL

Ms. Jenny Abbott Kitchings, Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201
ctappfilings@sccourts.org

Re: *Dalton Nathaniel Mickel v. Clarence Dion Burgess, III and Royal Fam Trucking, LLC*
Richland County C/A No. 2025-CP-40-07916
Appellate Case No. 2026-001492
GWB File No. 10056-83

Dear Ms. Kitchings:

Enclosed herewith, please find courtesy copies of Appellants Clarence Dion Burgess, III and Royal Fam Trucking, LLC's Motion to Withdraw Appeal pursuant to Rule 260(c), SCACR, as well as its corresponding Proof of Service. These documents have already been submitted for electronic filing in accordance with Supreme Court Order 2022-05-06-03 and Rule 262, SCACR.

Also enclosed is my firm's check in the amount of Fifty and No/100 Dollars (\$50.00) for payment of the associated filing fee.

Please feel free to contact me should you have any questions.

Sincerely,

GALLIVAN, WHITE & BOYD, P.A.



Curtis L. Ott

CLO/jh
Enclosures: As Stated

cc: All Counsel of Record (*via email only*)