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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM YORK COUNTY  
Court of Common Pleas

The Honorable S. Jackson Kimball, Master-in-Equity

Case No. 2011-CP-46-01595

Crescent Resources, LLC,.....Respondent,

v.

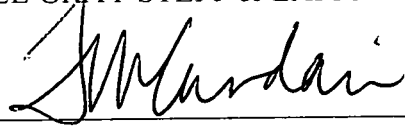
J & J Properties of Lake Wylie, LLC,  
and Jerrold J. Pettus, Sr.,.....Appellants.

**MOTION TO WITHDRAW AND DISMISS APPEAL**

Pursuant to Rule 260, SCACR, Appellants J & J Properties of Lake Wylie, LLC, and Jerrold J. Pettus, Sr., seek to withdraw the notice of appeal and to obtain an order dismissing the appeal. Respondent Crescent Resources, LLC, consents to this request.

The parties agree that they shall bear their own costs and attorneys' fees, and that no costs or fees shall be assessed against any party under Rule 222, SCACR.

SOWELL GRAY STEPP & LAFFITTE, LLC

By: 

Tina Cundari  
1310 Gadsden Street  
Columbia, South Carolina 29201  
(803) 929-1400  
[tcundari@sowellgray.com](mailto:tcundari@sowellgray.com)

Attorneys for Appellants

January 3, 2014

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**SC Court of Appeals**

**WE CONSENT:**

SPENCER & SPENCER, P.A.

By: Jeremy Melville w/ permission  
W. Mark White  
Jeremy D. Melville  
226 E. Main Street  
Rock Hill, SC 29730  
803-327-7191

Attorneys for Respondent

January 3, 2014

THE STATE OF SOUTH CAROLINA  
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Court of Common Pleas

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Case No. 2011-CP-46-01595  
Appellate Case No. 2012-213727

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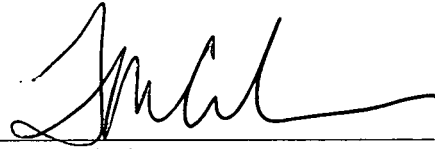
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**PROOF OF SERVICE**

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I certify that I have served the Motion to Withdraw and Dismiss Appeal on W. Mark White, Esquire, and Jeremy D. Melville, Esquire, counsel for Respondent, by electronic mail and by depositing a copy of the motion in the United States Mail, postage prepaid, on January 3, 2014, addressed to: W. Mark White, Esquire, and Jeremy D. Melville, Esquire, Spencer & Spencer, PA, Post Office Box 790, Rock Hill, South Carolina 29731.

*[Signature page follows]*



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[tcundari@sowellgray.com](mailto:tcundari@sowellgray.com)

Attorneys for Appellant

Columbia, South Carolina  
January 3, 2014

January 3, 2014

**BY HAND DELIVERY**

The Honorable Jenny Abbott Kitchings  
Clerk of Court, South Carolina Court of Appeals  
Edgar Brown Building  
1205 Pendleton Street  
Columbia, South Carolina 29201

RE: Crescent Resources, LLC, Respondent v. J & J Properties of Lake Wylie, LLC, and Jerrold  
H. Pettus, Sr., Appellants  
Appellate Case No.: 2012-213727  
SGSL File No.: 6587/1500

Dear Ms. Kitchings:

Enclosed are an original and seven (7) copies of Appellants' Motion to Withdraw and Dismiss Appeal in the above-referenced matter. Please file the original and return a filed-stamped copy to my office by our courier. Also enclosed is a check in the amount of \$25.00 for the filing fee.

As you will see in the motion, opposing counsel consents to the relief requested. By copy of this letter to opposing counsel, I am notifying them of my communication with the Court.

Thank you for your assistance in this matter and please contact me if you have any questions.

Very truly yours,



Tina M. Cundari

TMC:mdl

Enclosures

cc: W. Mark White, Esq. (by Email and U.S. Mail)  
Jeremy D. Melville, Esq. (by Email and U.S. Mail)

**RECEIVED**

JAN 03 2014

**SC Court of Appeals**