

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

**APPEAL FROM SPARTANBURG COUNTY
COURT OF COMMON PLEAS FOR SPARTANBURG COUNTY**

The Honorable Gordon G. Cooper, Master-in-Equity

CASE NO. 2009-CP-42-5129

KATHERYNA MULHOLLAND-MERTZ,..... APPELLANT,

v.

**CORIE CREST HOMEOWNERS ASSOCIATION OF SPARTANBURG,
INC., RICHARD T. BIGGS, KATHLEEN A. BIGGS, JAMES HANNAH,
AND ELIZABETH A. HANNAH,..... RESPONDENTS.**

NOTICE OF MOTION AND MOTION TO DISMISS

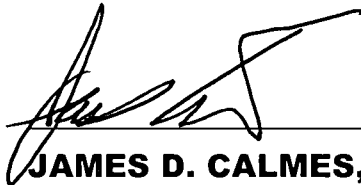
YOU WILL PLEASE TAKE NOTICE that the undersigned attorney for Appellant does move before this Honorable Court for an order dismissing the Appellant's appeal of the Orders of the Honorable Gordon G. Cooper, Master-in-Equity for Spartanburg County, dated August 26, 2013, October 24, 2013 and November 8, 2013.

This motion is filed with the consent of the attorney for Respondents.

RECEIVED

MAR 24 2014

Respectfully submitted,



**JAMES D. CALMES, III, SC ID# 1089
POST OFFICE BOX 16135
GREENVILLE, SOUTH CAROLINA 29606
TELEPHONE: (864) 233-6224
ATTORNEY FOR THE APPELLANT**

**MARCH 17, 2014
GREENVILLE, SOUTH CAROLINA**

I CONSENT.



**A. TODD DARWIN, SC ID# 7032
HOLCOMBE BOMAR, P.A.
POST OFFICE BOX 1897
SPARTANBURG, SOUTH CAROLINA 29304
TELEPHONE: (864) 594-5300
ATTORNEY FOR RESPONDENTS**

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The Honorable Gordon G. Cooper, Master-in-Equity

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KATHERYNA MULHOLLAND-MERTZ..... APPELLANT,

v.

**CORIE CREST HOMEOWNERS ASSOCIATION OF SPARTANBURG, INC.,
RICHARD T. BIGGS, KATHLEEN A. BIGGS, JAMES HANNAH, AND
ELIZABETH A. HANNAH.....RESPONDENTS.**

CERTIFICATE OF SERVICE

RECEIVED

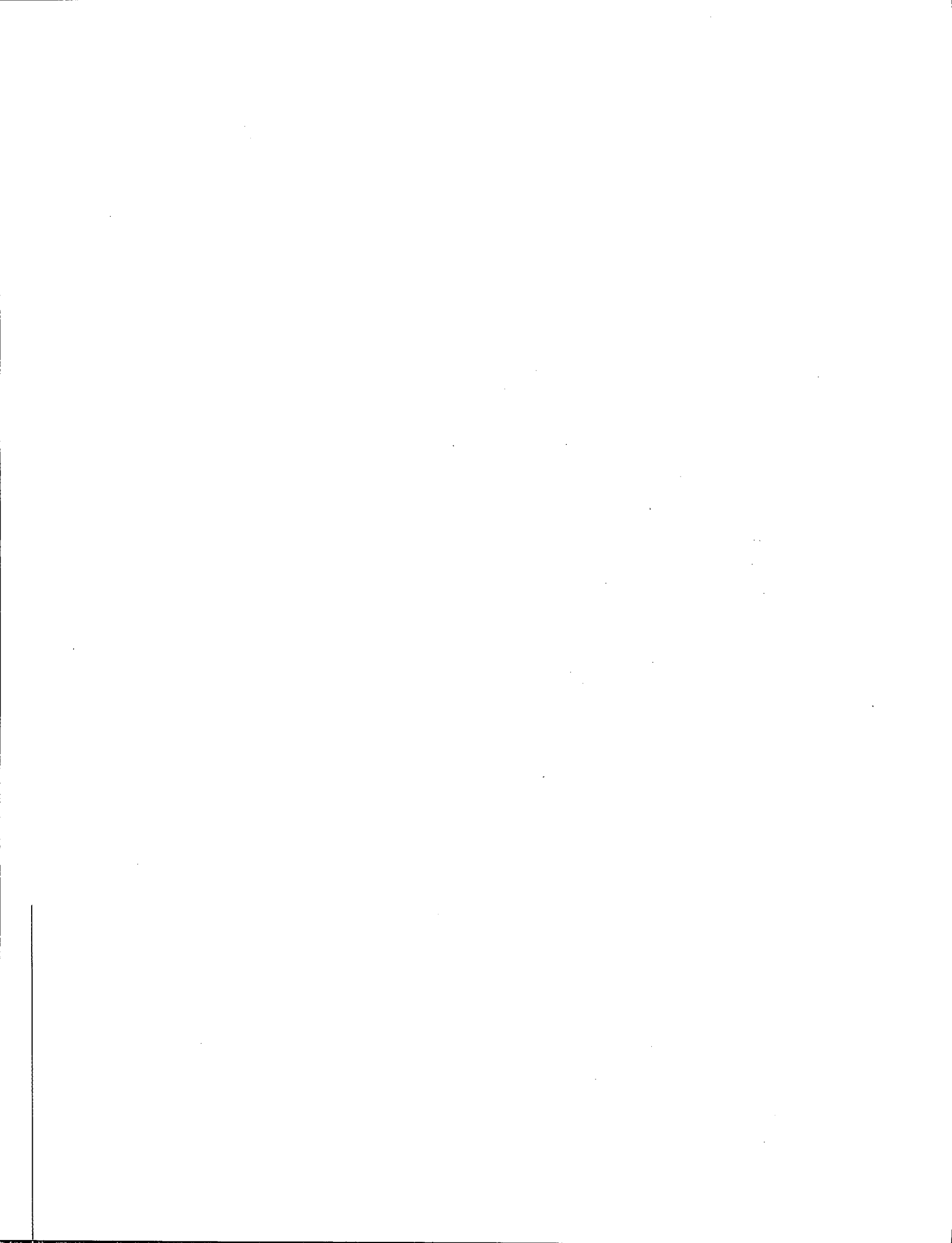
MAR 24 2014

SC Court of Appeals

**JAMES D. CALMES, III, SC ID# 1089
512 EAST NORTH STREET
POST OFFICE BOX 16135
GREENVILLE, SOUTH CAROLINA 29606
TELEPHONE: (864) 233-6224
ATTORNEY FOR THE APPELLANT**

THE UNDERSIGNED, S. Lauren Satterfield, secretary of James D.

Calmes, III, attorney for the **APPELLANT, KATHERYNA MULHOLLAND-**



MERTZ, certifies that on the 18th day of March, 2014, she served the Notice of Motion

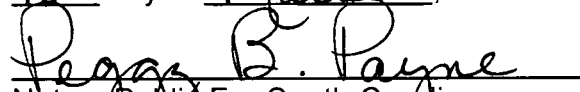
and Motion to Dismiss in this action by hand delivery, copies of the same delivered to:

Holcombe Bomar, P.A.
A. Todd Darwin, Attorney at Law
P.O. Box 1897
Spartanburg, SC 29304

Holcombe Bomar, P.A.
John Hollis Inabinet, Attorney at Law
P.O. Box 1897
Spartanburg, SC 29304


S. LAUREN SATTERFIELD

SWORN to before me this
18th day of March, 2014


Notary Public For South Carolina
My Commission Expires: March 3, 2018

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JAMES D. CALMES III
Attorney at Law

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Greenville, South Carolina 29606
Telephone 864/233-6224
Facsimile 864/233-5088
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March 19, 2014

The Honorable Jenny Abbott Kitchings,
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: Mulholland-Mertz v. Corie Crest Homeowners Association of
Spartanburg, Inc., et al.
Case No.: 2009-CP-42-5129
App. Case No: 2013-002500

Dear Ms. Kitchings,

Please find enclosed one original and six copies of the Appellant's Notice of Motion and Motion to Dismiss along with the original certificate of service regarding the above entitled case.

Also, please find enclosed a check for \$25.00 for the motion fee.

Please do not hesitate to contact me should you have any questions.

Sincerely yours,



James D. Calmes, III

Enclosures 1) One (1) Original and Six (6) Copies of the Motion to Dismiss
2) Original Certificate of Service
3) \$25.00 Check

RECEIVED

MAR 24 2014

SC Court of Appeals

