

**STATE OF SOUTH CAROLINA  
In The Supreme Court**

Appellate Case No. 2013-001494

APPEAL FROM COLLETON COUNTY  
Court of Common Pleas  
The Honorable Perry M. Buckner, Circuit Judge  
Civil Action No. 2011-CP-15-20

Ricky S. Mitchell,..... Respondent,

v.

Marin Right of Way Service, LLC, and  
Bernardo L. Hernandez,.....Petitioners,

v.

Bernardo L. Hernandez,..... Third-Party Plaintiff,

v.

Three-Gen, Inc.,.....Third-Party Defendant.

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**WITHDRAWAL OF PETITION FOR A WRIT OF CERTIORARI**

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Thomas J. Keaveny, II, Esquire  
Robert D. Waltz, Esquire  
Matthew S. Byzet, Esquire  
*KEAVENY LAW FIRM, LLC*  
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*Attorneys for Petitioners*

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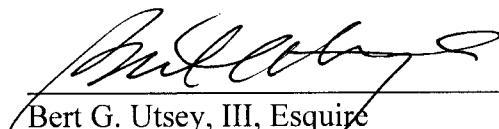
**SC Court of Appeals**

MAY IT PLEASE THE COURT that Petitioners Marin Right of Way Service, LLC and Bernardo L. Hernandez and Respondent Ricky S. Mitchell have agreed and do hereby stipulate to a voluntary withdrawal of this Petition with finality, the basis for same being the settlement and dismissal of the underlying action, with each party to bear its own costs;

NOW, THEREFORE, at the instance of Respondent Ricky S. Mitchell and with the consent of Petitioners Marin Right of Way Service, LLC and Bernardo L. Hernandez, this Petition is hereby withdrawn and ended with prejudice in its entirety pursuant to Rule 260(b) of the South Carolina Appellate Court Rules.


AND IT IS SO AGREED AND STIPULATED.

WE SO STIPULATE:

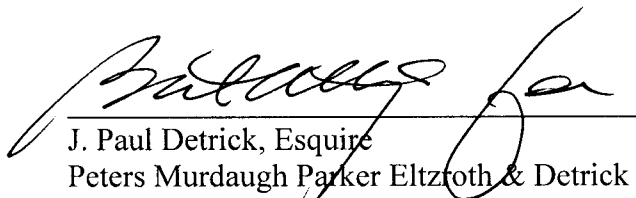
  
Bert G. Utsey, III, Esquire  
Peters Murdaugh Parker Eltzroth & Detrick PA  
123 S. Walter Street  
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ATTORNEYS FOR RESPONDENT

WE SO STIPULATE:

  
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ATTORNEYS FOR PETITIONERS

  
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July 2, 2014

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

Re: ***Ricky S. Mitchell, Respondent v. Marin Right of Way Service, LLC and  
Bernardo L. Hernandez, Appellants, v. Three-Gen, Inc., Third-Party Defendant***  
Appellate Case No.: 2012-212460  
Claim No.: 503923200  
Our File No.: 700-050

Dear Ms. Kitchings:

Enclosed please find the original and one copy of the ***Withdrawal of Petition for Writ of Certiorari*** in the above-referenced matter. Please file the original and return a clocked copy in the enclosed envelope.

If you have any questions, please do not hesitate to contact me.

With kindest regards, I am

Very truly yours,

  
Robert D. Waltz

RDW/sec

Enclosures

cc: Bert G. Utsey, III, Esquire (via email w/ encl.)  
J. Paul Detrick, Esquire (via email w/ encl.)  
Britton Hawk Mason, Esquire (via email w/ encl.)  
Lindsay Smith-Yancey, Esquire (via email w/ encl.)

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