

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas

Larry B. Hyman, Jr., Circuit Court Judge

Civil Action No: 2014-CP-26-01340

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SEP 08 2014

SC Court of Appeals

173457

Windy Price,

Appellant,

v.

The Town of Atlantic Beach, The Town of Atlantic Beach Municipal Election
Commission, Carolyn Gore, Lenearl Evans, Kenneth McIver, Kenneth McLaurin,
and Joe Montgomery,

Respondents.

**MOTION OF THOMAS & BRITTAIN, P.A.
TO WITHDRAW AS COUNSEL FOR APPELLANT**

Appellant's attorneys, Thomas & Brittain, P.A., hereby respectfully move to be relieved as counsel pursuant to Rule 240, SCACR, and Rule 1.16(a) of the Rules of Professional Conduct, Rule 407, SCACR.

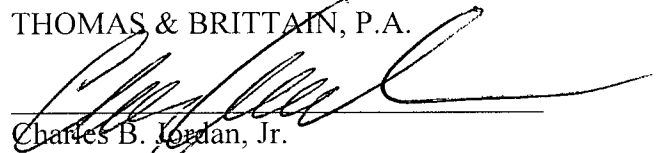
This case concerns the dismissal of an appeal from a decision of the Municipal Election Commission of the Town of Atlantic Beach. The hearing appealed from was held on March 5, 2014. The order dismissing the appeal was filed on April 21, 2014. The undersigned, on behalf of the Appellant, noticed the appeal on May 21, 2014. The undersigned received the transcript of the hearing on August 15, 2014.

Since the filing of the appeal, Appellant has requested the undersigned withdraw from any further representation. Further, Appellant has failed to substantially fulfill her financial obligation to the undersigned regarding this appeal. Therefore, the undersigned is informed and believes that his representation should be terminated pursuant to Rule 1.16(a)(3) and (b)(5) of the Rules of Professional Conduct, Rule 407, SCACR. The undersigned believes that the withdrawal can be accomplished without material adverse effect on the interest of the Appellant.

Appellant consents to this motion.

Further, pursuant to Rule 240(b), SCACR, the undersigned and Appellant request that all time limits be stayed pending the disposition of this motion and that, should the Court grant this motion, that Appellant's initial brief be due 30 days thereafter.

THOMAS & BRITTAIN, P.A.



Charles B. Jordan, Jr.

S.C. Bar #11708

P.O. Box 1290

Myrtle Beach, South Carolina 29578

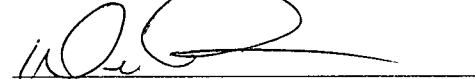
Phone: 843-692-2628

Facsimile: 843-692-0928

September 4, 2014

Myrtle Beach, South Carolina

I CONSENT:



Windy Price

THOMAS & BRITAIN, P.A.

ATTORNEYS AT LAW

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CHARLES B. JORDAN, JR.
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September 4, 2014

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

Re: Windy Price vs. The Town of Atlantic Beach, et al.
Appellate Case No: 2014-001105

Dear Ms. Kitchings:

Please find enclosed for filing original and seven (7) copies of a Motion to Withdraw as Counsel for Appellant in the above-referenced matter. Please return a filed copy in the enclosed self-addressed, stamped envelope. By copy of this letter and enclosed Proof of Service, I am serving opposing counsel with the motion. Our firm's check in the amount of \$25.00 is enclosed for the motion fee.

I appreciate your consideration of this request.

Very truly yours,

THOMAS & BRITAIN, P.A.



Charles B. Jordan, Jr.

CBJjr/tmm

Enclosures

cc: Amanda A. Bailey, Esquire
Leah B. Moody, Esquire
Lenearl Evans
Kenneth McLaurin
Samuel W. Howell, IV, Esquire

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PROOF OF SERVICE

I certify that I have served a copy of the Motion of Thomas & Brittain, P.A. to Withdraw as Counsel for Appellant upon Respondents, by depositing copies of same in the United States Mail, postage prepaid, on September 4, 2014, to the following addressee(s):

Amanda A. Bailey, Esquire
McNair Law Firm, P.A.
P.O. Box 336
Myrtle Beach, SC 29577

Leah B. Moody, Esquire
Law Office of Leah B. Moody, LLC
235 E. Main Street, Suite 115
Rock Hill, SC 29730

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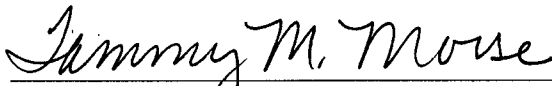
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SC Court of Appeals

Lenearl Evans
607-C 31st Avenue S.
Atlantic Beach, SC 29582

Kenneth McLaurin
709 29th Avenue S.
Atlantic Beach, SC 29582

September 4, 2014



Tammy M. Morse
Assistant to Charles B. Jordan, Jr.
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