

IN THE STATE OF SOUTH CAROLINA  
In The South Carolina Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

73624

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Appellate Case No.: 2013-001959

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David Pendarvis

Respondent,

v.

Wilson Miranda and Glendy M. Aguilar

Appellants.

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**APPELLANT'S MOTION TO DISMISS**

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September 23, 2014

Kelley Shull Cannon  
Albert R. Pierce, Jr.  
HOWSER, NEWMAN & BESLEY, L.L.C.  
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Attorneys for Appellants

Other Counsel of Record:  
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Attorney for Respondent  
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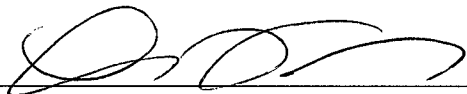
SEP 23 2014

**SC Court of Appeals**

**APPELLANT'S MOTION TO DISMISS**

The Appellants move to dismiss this appeal on the grounds that the claims and causes of actions of the Plaintiff/Respondent, David Pendarvis, against the Defendants/Appellants, Wilson Miranda and Glendy M. Aguilar, have been settled by way of compromise, and the Appellants hereby desire to dismiss this appeal. The parties agree to bear their own Attorney's fees and costs.

Therefore, the above-captioned action is hereby dismissed, with prejudice and is hereby res judicata.



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**SC Court of Appeals**

IN THE STATE OF SOUTH CAROLINA  
In The South Carolina Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Alison Renee Lee, Circuit Court Judge

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2012-CP-40-07125

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Wilson Miranda and Glendy M. Aguilar

Appellants,

v.

David Pendarvis

Respondent.

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**PROOF OF SERVICE**

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I certify that I have served the Appellants' Motion to Dismiss on David Pendarvis by depositing a copy of it in the United States Mail, postage prepaid on September 23, 2014, addressed to his attorneys of record as follows:

Barry B. George, Esquire  
Paige B. George, Esquire  
1419 Bull Street  
Columbia, South Carolina 29201

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SEP 23 2014

**SC Court of Appeals**

  
\_\_\_\_\_  
Legal Assistant, Howser, Newman & Besley, LLC



**HOWSER, NEWMAN  
& BESLEY, LLC**

*Attorneys and Counselors at Law*

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< Certified Circuit Court Mediator  
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† Certified Circuit Court Arbitrator  
\* Also Admitted in North Carolina

**Via Hand Delivery**

The Honorable Jenny Abbott Kitchings  
Clerk of Court, Court of Appeals  
1015 Sumter Street  
Columbia, South Carolina 29201

**RE: David Pendarvis, Respondent, v. Wilson Miranda and Glendy M. Aguilar,**  
**Appelants**

**Matter No.:** 479-342  
**C/A No.:** 2012-CP-40-07125  
**Appeal C/A No.:** 2013-001959  
**Claim No.:** 18-11336-001

Dear Ms. Kitchings:

Enclosed for filing please find the original and eight (8) copies of the *Appellant's Motion to Dismiss* in the above-referenced action. Please return two of the clocked-in copies to me via our courier. Also enclosed please find our firm's check in the amount of \$25.00 for the filing fee.

By copy of this letter to the attorneys of record, we are informing them of this filing and serving them with a copy of the same.

Respectfully submitted,

Albert R. Pierce, Jr.

ARP/dmc  
Enclosures

cc: Barry George, Esquire (via US Mail)  
Paige George, Esquire (via US Mail)

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**SC Court of Appeals**