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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

R. Markley Dennis, Circuit Court Judge

Case No. 2015-002186

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FEB 29 2016

SC Court of Appeals

Donnell Mazyck, Appellant

v.

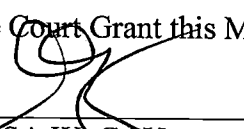
Alec Joseph Dales, Respondent

MOTION TO DISMISS APPEAL

COMES NOW APPELLANT and does ask this court to dismiss the Appeal in the above-referenced case based on the following:

1. Affidavit of Appellant Donnell Mazyck acknowledging that all legal issues in the case of Donnell Mazyck vs. Alec Joseph Dales, case # 2014-CP-10-2608 pending in Charleston Country Circuit Court have been resolved.

Appellant does respectfully request that the Court Grant this Motion to Dismiss Appeal.

  
 \_\_\_\_\_  
 MELISA W. GAY  
 ATTORNEY FOR APPELLANT  
 P.O. BOX 2144  
 MT. PLEASANT, SC 29465  
 ATTORNEY FOR APPELLANT  
 DONNELL MAZYCK

Dated 26<sup>th</sup> day February, 2016  
Charleston, South Carolina

Other counsel of record are:  
Trevor A. Cangelosi  
126 Seven Farms Dr. Ste. 200  
Charleston, SC 29492  
(843) 577-2026

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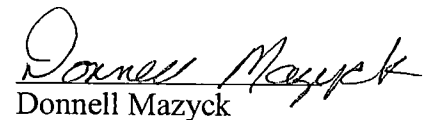
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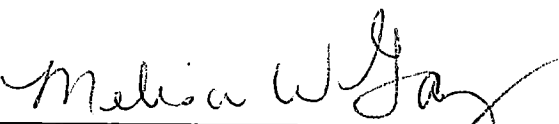
**SC Court of Appeals**

AFFIDAVIT TO DISMISS APPEAL

I, Donnell Mazyk, do hereby acknowledge that I have resolved all legal issues in the case of Donnell Mazyck vs. Alec Joseph Dales, case # 2014-CP-10-2608 pending in Charleston Country Circuit Court.

  
Donnell Mazyck

SWORN TO AND SUBSCRIBED  
Before me this 7<sup>th</sup> day of February, 2016

  
NOTARY STATE OF SOUTH CAROLINA  
My Commission Expires: June 11, 2017

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHARLESTON )  
 )  
DONNELL MAZYCK, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
ALEC JOSEPH DALES, )  
 )  
Defendants. )

IN THE COURT OF COMMON PLEAS  
FOR THE NINTH JUDICIAL CIRCUIT  
CASE NO.: 2014-CP-10-2608

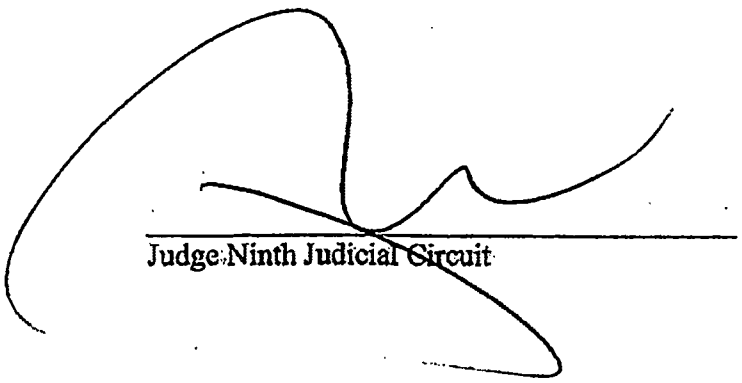
CONSENT  
ORDER FOR  
DISBURSEMENT

RECEIVED  
FEB 29 2016  
SC. Court of Appeals  
FILED  
JULIE J. ARMSTRONG  
CLERK OF COURT  
FEB 25 PM 4 00

Pursuant to an Order to Enforce Settlement by the Honorable R. Markley Dennis filed September 13, 2015, Defendant has deposited settlement funds in the amount of FOURTY THOUSAND DOLLARS AND 00/100TH CENTS (\$40,000.00) into the Clerk of Court's interest bearing Trust Account as fair and just settlement and compensation to the Plaintiff for his injuries in the subject accident.

ORDERED, ADJUDGED AND DECREED that this Order amends the Order For Disbursement of Funds by The Honorable R. Markley Dennis signed and filed on December 10, 2015. Disbursement in this case shall now be in accordance with Exhibit "A" herein attached reflecting the intentions of all parties in this case for a full and final settlement of this action.

IT IS SO ORDERED!



\_\_\_\_\_  
Judge Ninth Judicial Circuit

2/25/ 2016  
Charleston County, South Carolina


I CONSENT:

  
DONNELL MAZYCK


I CONSENT:

  
MELISSA W. GAY

I CONSENT:

  
ROBERT GAILLIARD

  
TREVOR CANGELOSI

  
JOHN PRICE

**DONNELL MAZYCK**  
**DISBURSEMENT OF SETTLEMENT**

Amount of Settlement	\$40,000.00
Attorney's fees (40%)	
Split equally between John Price And Robert L. Gailliard	\$12,500.00
John Price	\$6,250.00
Robert L. Gailliard	\$6,250.00
Litigation Cost John Law Firm LLC	\$2000.00
Xerox Recovery Service (Subrogation of Healthcare Lien)	\$7,093.19
IMAGINE PHYSICAL THERAPY	\$1,000.00
<b><u>Amount Due to Client</u></b>	<b>\$17,406.81</b>

I DONNELL MAZYCK BY SIGNING HERE ACKNOWLEDGE THAT  
I AGREE TO THE TERMS OF THE SETTLEMENT AGREEMENT

Donnell Mazyck  
DONNELL MAZYCK

1/21/16  
DATE

**FORM 7**  
**PROOF OF SERVICE OF A NOTICE OF APPEAL**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

R. Markley Dennis, Circuit Court Judge

Case No. 2015-002186

Donnell Mazyck, Appellant,

v.

Alec Joseph Dales, Respondent,

**PROOF OF SERVICE**

I certify that I have served the Motion to Dismiss Appeal on Attorney Trevor A. Cangelosi by placing a copy of this Notice in the United States Mail. The Notice of Intent to Appeal was sent on February 26, 2016 to:

Other Counsel of Record  
Trevor A. Cangelosi  
Clawson and Staubes, LLC  
126 Seven Farms Drive, Suite 200  
Charleston, SC 29492  
(843) 577-2026



MELISA W. GAY  
ATTORNEY FOR APPELLANT  
P.O. BOX 2144  
MT. PLEASANT, SC 29465  
ATTORNEY FOR DONNELL MAZYCK

February 26, 2016

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FEB 29 2016

SC Court of Appeals

Melisa W. Gay, LLC  
Attorney and Counselor at Law

Melisa W. Gay

Post Office Box 2144  
Mt. Pleasant, South Carolina 29465-2144

Office (843) 856-0580  
Facsimile (843) 856-0590

February 26, 2016

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**SC Court of Appeals**

**Via United States Mail**

Clerk of Court  
South Carolina Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

RE: Alec Joseph Dales v. Donnell Mazyck  
Case No: 2015-002186

Dear Madam Clerk:

Please find enclosed an original and copy of the Motion to Dismiss and Affidavit of Appellant Donnell Mazyck. I have also enclosed the \$25.00 filing fee.

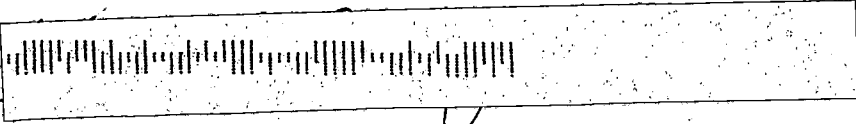
Upon filing, kindly return the certified copies to me in the self-addressed, stamped envelope that I have provided for your convenience. Should you have any questions or concerns, please do not hesitate to contact our office at your earliest convenience. Thank you for your attention to this matter.

Sincerely,

Melisa W. Gay

Enclosure

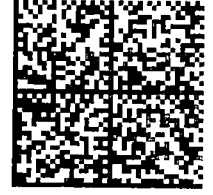
cc: Other Counsel of Record  
Trevor A. Cangelosi  
Clawson and Staubes, LLC  
126 Seven Farms Drive, Suite 200  
Charleston, SC 29492  
(843) 577-2026

Me 

PO Box 2144

Mt Pleasant SC 29465

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Clerk of Court  
 SC Court of Appeals  
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 Columbia SC 29211