



# The South Carolina Court of Appeals

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October 24, 2012

The Honorable David Hamilton  
PO Box 649  
York SC 29745-0649

## REMITTITUR

Re: Funderburk, Shane v. Ross, Rob  
Lower Court Case No. 2010CP4602508  
Appellate Case No. 2011-201667

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

A handwritten signature in cursive script that reads "Jenny A. Kitchings". Below the signature, the word "CLERK" is printed in a simple, sans-serif font.

CLERK

Enclosure

cc: William Thomas Moody  
John Martin Foster

# The South Carolina Court of Appeals

Shane Funderburk, Respondent,

v.

Rob Ross and Carolina Bistro, LLC, Appellants.

Appellate Case No. 2011-201667

The Honorable S. Jackson Kimball, III  
York County  
Trial Court Case No. 2010CP4602508

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## ORDER

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Appellant has failed to provide proof that the record on appeal was served on the opposing party, as required by Rule 210 of the South Carolina Appellate Court Rules. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT

BY *V. Claire Allen, Deputy*  
CLERK

Columbia, South Carolina

cc:  
William Thomas Moody  
John Martin Foster

**FILED**

10-4-12 LAT