

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
COURT OF COMMON PLEAS

Joseph M. Strickland, Master-in-Equity

Case No. 2006-CP-40-03713

RECEIVED

JUL 27 2016
SC Court of Appeals

LongCreek Plantation Property Owners'
Association, Inc. and Fairways Development General
PartnershipRespondent

RECEIVED

AUG 03 2016

SC Court of Appeals

v.

Charles Marshall.....Appellant

MOTION TO RELIEVE COUNSEL AS ATTORNEY FOR AND FROM
REPRESENTATION OF APPELLANT CHARLES MARSHALL
AND MEMORANDUM

Pursuant to Rules 240 and 264, SCRAP the undersigned hereby move the Court to
relieve Susan Batten Lipscomb, and Lipscomb Law Firm, P.A. as counsel for Appellant
Charles Marshall in this matter, and all other matters, and, to stay the time limits for
perfecting the Appeal until this motion is decided.

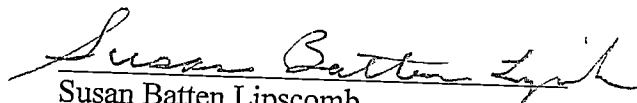
The grounds for this Motion to Relieve are as follows. The undersigned counsel
filed the Notice of Appeal on behalf of and at the request of Appellant to protect the
jurisdiction of the Court to hear his Appeal. Counsel for Appellant was engaged to
defend the Complaint, assert applicable Counterclaims, prepare and try the case in the
lower court. Although Appellant received a verdict in favor of Appellant as to the
Complaint, Appellant's Counterclaims were denied and that is the subject of the appeal.
Perfecting an appeal is outside the scope of the matters counsel and Appellant agreed
would be handled by this counsel. Withdrawal can be accomplished without material

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adverse effect on the interests of the Appellant. Furthermore, the representation of Appellant in this appeal will result in an unreasonable financial burden on counsel. Counsel has advised Appellant that counsel will move to withdraw from representation in this appeal and request the Court to allow him reasonable time to employ other counsel to perfect the Appeal. Appellant has voiced no objection.

Susan Batten Lipscomb, and Lipscomb Law Firm, P.A. hereby petition and move the Court for an Order relieving them as counsel for Appellant Charles Marshall in this matter and for an Order allowing Appellant reasonable time to employ other counsel to represent him in this matter.

Respectfully submitted,



Susan Batten Lipscomb
LIPSCOMB LAW FIRM, P.A.
1634 Main Street, Suite 200
Columbia, SC 29201
Telephone: (803) 233-6654
Fax: (803) 233-6663
Email: LipscombLaw@Gmail.com
Attorney for Appellant

July 27, 2016

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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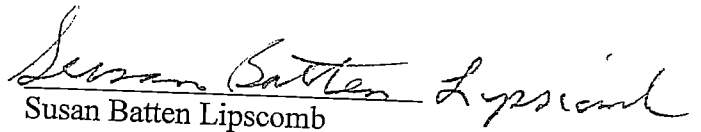
PROOF OF SERVICE

I, Susan Batten Lipscomb, attorney for Appellant, do hereby certify that on July 27, 2016, the **Motion to Relieve Counsel as Attorney for and from Representation of Charles Marshall** was served on counsel of record and by mailing a copy of the same to them by United States Mail, postage prepaid, addressed as set forth below:

Eugene C. Fulton, Jr., Esq.
1492-A Lake Murray Blvd.
Columbia, SC 29212

Alfred Johnston Cox, Esq.
Gallivan, White & Boyd.
PA
P.O. Box 7368
1201 Main Street, Ste. 1200
Columbia, SC 29202-7368

D. Ryan McCabe, Jr., Esq.
McCabe, Trotter & Beverly
140 Stoneridge Drive, Ste.
650
Columbia, SC 29210


Susan Batten Lipscomb

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Joseph M. Strickland, Master-in-Equity

Case No. 2006-CP-40-03713/ Appellate Case No. 2016-001559

RECEIVED
AUG 03 2016
SC Court of Appeals

LongCreek Plantation Property Owners' Association,
Inc. and Fairways Development General Partnership.....Respondent

v.

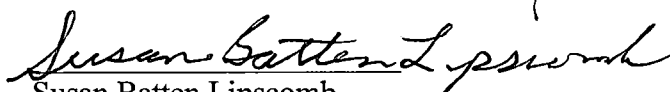
Charles Marshall.....Appellant

PROOF OF SERVICE

I, Susan Batten Lipscomb, attorney for Appellant, do hereby certify that on July 27, 2016, a copy of the **Notice of Appeal in a Civil Case** and a copy of the **Motion to Relieve Counsel as Attorney for and from Representation of Charles Marshall And Memorandum** was served on Appellant Charles Marshall by hand delivering to him personally a copy of each at the Richland County Public Library, located at 1431 Assembly Street, Columbia, SC 29201.

I, Susan Batten Lipscomb, attorney for Appellant, do hereby certify that on August 2, 2016, a copy of the **Motion to Relieve Counsel as Attorney for and from Representation of Charles Marshall and Memorandum** was also served on Appellant Charles Marshall by placing a copy in the United States Mail, postage prepaid, addressed to him at his residence, addressed as set forth below:

Charles Marshall
864 Longtown Road West
Blythewood, SC 29016


Susan Batten Lipscomb

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Joseph M. Strickland, Master-in-Equity

Case No. 2006-CP-40-03713/ Appellate Case No. 2016-001559

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AUG 03 2016
SC Court of Appeals

LongCreek Plantation Property Owners'
Association, Inc. and Fairways Development General
PartnershipRespondent

v.

Charles Marshall.....Appellant

PROOF OF SERVICE

I, Susan Batten Lipscomb, attorney for Appellant, do hereby also certify that on August 2, 2016, a copy of this Proof of Service has been served on counsel of record and Appellant Charles Marshall by placing a copy thereof in the United States Mail, postage prepaid, addressed to them as set forth below:

Eugene C. Fulton, Jr., Esq.
1492-A Lake Murray Blvd.
Columbia, SC 29212

Alfred Johnston Cox, Esq.
Gallivan, White & Boyd, PA
P.O. Box 7368
1201 Main Street, Ste. 1200
Columbia, SC 29202-7368

D. Ryan McCabe, Jr., Esq.
McCabe, Trotter & Beverly
140 Stoneridge Drive, Ste.
650
Columbia, SC 29210

Charles Marshall
864 Longtown Road West
Blythewood, SC 29016

August 2, 2016


Susan Batten Lipscomb

Susan Batten Lipscomb
P.O. Box 726
Chapin, SC 29036
Tel.: (803) 575-8481
Susan@LLFSC.com

LIPSCOMB LAW FIRM, PA
Attorneys at Law

John Richard Lipscomb
35 Broad Street
Charleston, SC 29401
Tel.: (843) 619-7553
John@LLFSC.com

August 2, 2016

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, S.C. Court of Appeals
1015 Sumter Street
P.O. Box 11629
Columbia, SC 29211

Re: LongCreek Plantation Property Owners' Association, Inc. and Fairways Development
General Partnership v. Charles Marshall
Appellate Case No. 2016-001559/ Civil Action #: 2006-CP-40-03713

Dear Ms. Kitchings:

Enclosed for filing is an original Proof of Service on Appellate Charles Marshall of the Motion to Relieve Counsel as Attorney for and from Representation of Charles Marshall and Memorandum and seven copies in the above referenced case. Please clock one copy and return it to me in the self-addressed, postage paid envelope enclosed.

By copy of this letter, we are serving counsel of record and Charles Marshall, Appellant, a copy of the documents sent for filing.

Thank you for your assistance in this matter.

Appellant's contact information is as follows:

Charles Marshall
864 Longtown Road West
Blythewood, SC 29016

Mr. Marshall's telephone number is 803-786-0871.

Yours very truly,


Susan Batten Lipscomb

Enclosures

cc: Charles Marshall, Appellant
Eugene Charles Fulton, Jr., Esquire
Alfred Johnston Cox, Esquire
D. Ryan McCabe, Jr., Esquire