

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

J.C. Nicholson, Jr., Circuit Court Judge

RECEIVED

JUL 27 2016

SC Court of Appeals

Case No. 2014-001871

John Barra.....Appellant,
v.
City of North Charleston.....Respondent.

JOINT MOTION FOR APPROVAL OF SETTLEMENT

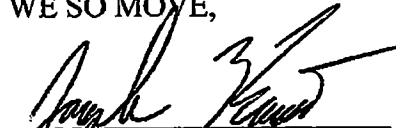
Appellant and Respondent, by and through their attorneys, move this Court for approval of a settlement and, before dismissing this appeal, returning jurisdiction to the Municipal Judge for further approval, all pursuant to Rule 261, SCACR. The grounds for this motion are that Appellant and Respondent wish to enter into an agreement where Appellant will withdraw this appeal in exchange for a modified sentence. Specifically, subject to approval by this Court and by the Municipal Judge, Respondent consents to modify Appellant's sentence from 15 days incarceration to a fine, including court costs, of \$1,022.00.

This settlement is contingent upon both this Court and the Municipal Judge approving the modified sentence.

Appellant and Respondent further move for this Court to stay the deadline for Respondent's Return to Appellant's Petition for Rehearing for 60 days so that Appellant and Respondent may present the terms of this settlement to the Municipal Judge for approval. Upon conclusion of the Municipal Judge's approval hearing, the parties will immediately report the results to this Court and request either final dismissal of this appeal or request a new deadline for Respondent's Return to Appellant's Petition for Rehearing.

July 25, 2016

WE SO MOYE,



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THE STATE OF SOUTH CAROLINA
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John BarraAppellant,


v.

City of North Charleston,.....Respondent,

PROOF OF SERVICE

I hereby certify that I have served the *Joint Motion for Approval of Settlement* on the following by Facsimile and United States Mail, postage prepaid, on July 27, 2016, addressed as follows:

Joseph Kaiser, Esquire
2500 City Hall Lane
North Charleston, South Carolina 29406
Attorney for Respondent


Shaunda Smith, Paralegal
Mt. Pleasant, South Carolina 29465-1385
Telephone (843) 284-5500
Facsimile (843) 284-5501
Email to: shaundasmith@charlestonlaw.net

Dated: July 27, 2016



Futeral & Nelson LLC

1004 Anna Knapp Boulevard
Mount Pleasant, South Carolina 29464

Mailing Address:

P.O. Box 1385
Mount Pleasant, South Carolina 29465
Tel: 843-284-5500 | Fax: 843-284-5501
charlestonlaw.net

July 27, 2016

VIA FACSIMILE: (803) 734-1839 and U.S. MAIL

The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1015 Sumter Street
Post Office Box 11629
Columbia, South Carolina 29211

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JUL 27 2016

SC Court of Appeals

Re: John Barra, Appellant v. City of North Charleston, Respondent
Case No.: 2014-001871

Dear Ms. Kitchings:

Please find enclosed an original and seven (7) copies each of *Joint Motion for Approval of Settlement along with Proof of Service* for the above-referenced matter. Please file the originals and return one clocked copy to this office in the envelope provided. Should you have any questions, please feel free to contact our office.

By copy of this letter, I am serving Joseph Kaiser, Esquire, Samantha Vaughn, Esquire, with the City of North Charleston. Thank you for your attention to this matter.

With kind regards, I am,

Sincerely,

Shaunda M. Smith
Paralegal

/sms

Enclosure(s): As stated

cc: Joseph Kaiser, Esquire (*via facsimile: (843) 745-1082 and U.S. MAIL*)



Futeral & Nelson LLC

1004 Anna Knapp Boulevard
Mount Pleasant, South Carolina 29464

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FACSIMILE

To: South Carolina Court of Appeals	From: Shaunda Smith, Paralegal
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Fax #: (803) 734-1839	# of Pages: 15	Date: July 27, 2016
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Subject: City of North Charleston v. John Barra; Case No: 2014-001871

Remarks: Urgent For your review Reply ASAP Please comment

Cc: Joseph Kaiser, Esquire (843) 745-1082

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