

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

Case No. 2014-001871

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SEP 01 2016

SC Court of Appeals

City of North CharlestonRespondent,

v.

John Barra,Appellant,

JOINT MOTION TO DISMISS APPEAL

Appellant and Respondent jointly move this Court for an Order dismissing this Appeal, pursuant to Rules 260 and 261, SCACR. The grounds for this motion are that Appellant and Respondent have reached an agreement in this case and do not believe further review by this Court is necessary.

By Order filed August 22, 2016, this Court remanded this case "in part to the municipal court for consideration of the parties' settlement agreement." On August 30, 2016, counsel for Appellant and Respondent submitted the agreement to the municipal judge who presided over the trial of this case in open court for consideration, and the municipal judge accepted the agreement and entered the agreement into the municipal court's record.

Now, Appellant and Respondent believe that any remaining issues before this Court are moot, and Appellant and Respondent request that this Court dismiss this appeal. Both parties waive any claim for costs that either may have under Rule 222, SCACR.

WE SO MOVE:

FUTERAL & NELSON, LLC



Thomas C. Nelson, Esquire

S.C. Bar ID 71178

Post Office Box 1385

Mt. Pleasant, South Carolina 29465

Telephone (843) 284-5500 ext. 226

Facsimile (843) 284-5501

email to: nelson@charlestonlaw.net

Dated: 9/1/16

Attorney for Appellant

CITY OF NORTH CHARLESTON



Samantha Jean Vaughn, Esquire

S.C. Bar ID 100617

City of North Charleston

2500 City Hall Lane

North Charleston, SC 29406

Telephone (843) 740-2556

Email to: svaughn@northcharleston.org

Dated: 9/1/2016

Attorney for Respondent

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PROOF OF SERVICE

I hereby certify that I have served the *Joint Motion to Dismiss Appeal* on the following
by Facsimile and United States Mail, postage prepaid, on September 1, 2016, addressed as
follows:

Samantha Jean Vaughn, Esquire
City of North Charleston
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: September 1, 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

September 1, 2016

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SC Court of Appeals

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

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

Dear Ms. Kitchings:

Please find enclosed an original and seven (7) copies of *Joint Motion to Dismiss* along with an original and one copy of a *Proof of Service* for the above-referenced matter. Please file the originals and return a 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 all counsel of record. Thank you for your attention to this matter.

With kind regards, I am,

Sincerely,

Shaunda M. Smith
Paralegal

/sms

Enclosure(s): As stated

cc: Samantha Vaughn, Esquire (*VIA FACSMILE: (843) 745-1082 and U.S. MAIL*)



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

FACSIMILE

To: South Carolina Court of Appeals	From: Shaunda Smith, Paralegal	
Fax #: (803) 734-1839	# of Pages: 4	Date: September 1, 2016

Subject: City of North Charleston v. John Barra; Case No: 2014-001871

Remarks: Urgent For your review Reply ASAP Please comment

cc: Samantha Vaughn, Esquire (843) 745-1082

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SC Court of Appeals

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