

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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SEP 06 2016  
SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

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

Case No. 2014-001871

City of North Charleston .....Respondent,

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.

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v.

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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

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

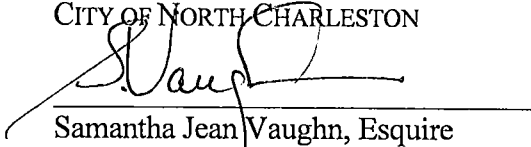
Facsimile (843) 284-5501

email to: [tnelson@charlestonlaw.net](mailto:tnelson@charlestonlaw.net)

Dated: 9/1/16

Attorney for Appellant

CITY OF NORTH CHARLESTON



Samantha Jean Vaughn, Esquire

S.C. Bar ID 100617

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2500 City Hall Lane

North Charleston, SC 29406

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Dated: 9/1/2016

Attorney for Respondent



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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,

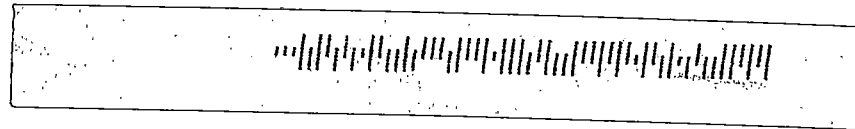
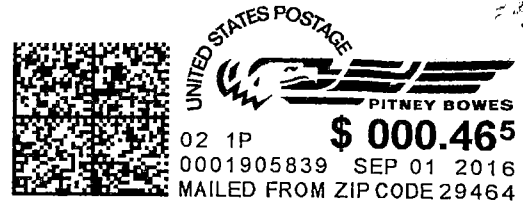
Shaunda M. Smith  
Paralegal

/sms

Enclosure(s): As stated

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

Futeral & Nelson, LLC  
Post Office Box 1385  
Mount Pleasant, SC 29465



The Honorable Jenny Abbott Kitchings  
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