



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
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November 14, 2016

The Honorable Melanie Huggins-Ward
PO Box 677
Conway SC 29528-0677

REMITTITUR

Re: Thomas Lyons v. Fidelity National
Lower Court Case No. 2012CP2605222
Appellate Case No. 2013-002137

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 black ink, appearing to read "Jay A. Kitchings".

CLERK

Enclosure

cc: Ray Coit Yarborough, Jr., Esquire
David K. Haller, Esquire

RECEIVED

OCT 27 2016

The Supreme Court of South Carolina SC Court of Appeals

Thomas P. and Desiree J. Lyons, Respondents,

v.

Fidelity National Title Insurance Company as successor
by merger to Lawyers Title Insurance Corporation,
Bobby Gene Martin, and The Security Title Guarantee
Corporation of Baltimore, Defendants,

Of Whom The Security Title Guarantee Corporation of
Baltimore is the Petitioner.

Appellate Case No. 2016-000304

ORDER

By order dated June 16, 2016, we remanded this matter to the Court of Appeals to rule on the parties' motion to vacate the Court of Appeals' opinion in the matter. The Court of Appeals subsequently granted the motion and directed the parties to effectuate the settlement and file proof of such within sixty days. The parties have submitted a Motion and Order Vacating Judgment and of Dismissal issued by the circuit court. That order states all prior orders of that court related to this matter are vacated and the matter is dismissed with prejudice. As a result, we hereby dismiss the petition for a writ of certiorari pending before this Court in the matter.



C.J.

FOR THE COURT

Columbia, South Carolina
October 26, 2016

cc:

The Honorable Jenny Abbott Kitchings
David K. Haller, Esquire
Ray Coit Yarborough, Jr., Esquire
Amanda A. Bailey, Esquire
Demetri K. Koutrakos, Esquire
Louis H. Lang, Esquire
The Honorable Melanie Huggins-Ward

The South Carolina Court of Appeals

Thomas P. and Desiree J. Lyons, Respondents,

v.

Fidelity National Title Insurance company as successor
by merger to Lawyers Title Insurance Corporation,
Bobby Gene Martin, and The Security Title Guarantee
Corporation of Baltimore, Defendants,

Of Whom The Security Title Guarantee Corporation of
Baltimore is the Petitioner/Appellant.

Appellate Case No. 2013-002137

ORDER

On December 2, 2015, the court of appeals filed its opinion affirming the circuit court's grant of partial summary judgment in favor of respondents Thomas P. and Desiree J. Lyons. *See Lyons v. Fidelity Nat'l Title Ins. Co.*, 415 S.C. 115, 781 S.E.2d 126 (Ct. App. 2015). While the petition for a writ of certiorari was pending, petitioner, The Security Title Guarantee Corporation of Baltimore, and respondents filed a joint motion indicating they have reached a settlement contingent upon the vacating of the court of appeals' opinion. Thus, the supreme court has remanded this matter for the court of appeals to consider the motion.

The motion is granted. Opinion Number 5365 is hereby withdrawn and vacated. The parties are directed to effectuate the settlement and file proof of such within 60 days of the date of this order.

H B W J.

John J. Bostrom J.

Stephen P. McDonald J.

Columbia, South Carolina

cc:

Ray Coit Yarborough, Jr., Esquire

David K. Haller, Esquire

Amanda A. Bailey, Esquire

Demetri K. Koutrakos, Esquire

Louis H. Lang, Esquire

Melanie Huggins-Ward

The Honorable Paul M. Burch

FILED

August 26, 2016 27

FILED

FILED

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF HORRY

CA# 2012-CP-26-5222

Appeal # 2013-002137

Thomas P. Lyons and Desiree J. Lyons,

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Plaintiffs,

OCT 18 2016

Vs.

MOTION AND ORDER OF DISMISSAL
SC Court of Appeals
VACATING JUDGMENT AND OF DISMISSAL

Lawyers Title Insurance Corporation, Bobby Gene
Martin, and The Security Title Guarantee Corporation of Baltimore,

Defendants.

FILED
HARRIS COUNTY
2016 OCT 18
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CLERK OF COURT
JUDICIAL - MARL

It appears that Thomas P. Lyons and Desiree J. Lyons and The Security Title Guarantee Corporation of Baltimore have resolved this matter to their mutual satisfaction. It is therefore

ORDERED;

That all prior orders of this court in this case related to matters between Thomas P. Lyons and Desiree J. Lyons and The Security Title Guarantee Corporation of Baltimore are vacated, and this matter is dismissed with prejudice.

September 28, 2016

Margaret Culbertson
Judge for the Fifteenth Judicial Circuit

Conway, South Carolina

WE MOVE:

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