

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Marvin H. Dukes, III, Master-In-Equity and Special Circuit Court Judge

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MAR 17 2017

SC Court of Appeals

Appellate Case No. 2017-000242

Robert E. Feldman and Lois J. Feldman. Appellants,

vs.

Gary P. Coggin, Respondent.

**APPELLANTS' WITHDRAWAL OF MOTION TO REMAND
TO THE COURT OF COMMON PLEAS**

Thomas A. Pendarvis (SC Bar # 064918)
Christopher W. Lempesis, Jr. (SC Bar #77012)
710 Boundary Street, Suite 1-A
Beaufort, SC 29902
843.524.9500 Tel.
Thomas@PendarvisLaw.com
Chris@PendarvisLaw.com

Counsel for Appellants, Robert E. Feldman and
Lois J. Feldman

WITHDRAWAL OF MOTION

Pursuant to Rules 220 and 240, SCACR, Appellants, Robert E. Feldman and Lois J. Feldman, respectfully withdraw their Motion to Remand to Court of Common Pleas that was filed with this Court and served on Respondents on February 8, 2017, seeking to remand this appeal to allow a trial court to issue another Order related to the matters on appeal. Appellants' Notice of Appeal included an appeal of an "Order declining to issue Order on Motion to Amend Complaint, issued on behalf of the Honorable Carmen T. Mullen via email dated September 22, 2016." The motion sought to have the appeal remanded to allow the trial court to enter a formal Order on the motion to amend the Complaint.

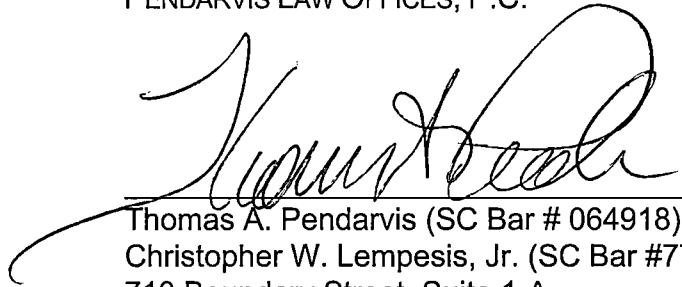
Respondents filed a Return asking this Court to deny the motion. No Order has been issued by this Court on the motion.

Appellants have filed an Amended Notice of Appeal that does not seek appeal of an "Order declining to issue Order on Motion to Amend Complaint," which renders moot the Motion to Remand.

WHEREFORE, Appellants, Robert E. Feldman and Lois J. Feldman, respectfully withdraw their Motion for an Order remanding this case to the Beaufort County Court of Common Pleas.

Respectfully submitted,

PENDARVIS LAW OFFICES, P.C.

A handwritten signature in black ink, appearing to read "Thomas A. Pendarvis", written over a horizontal line.

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Christopher W. Lempesis, Jr. (SC Bar #77012)
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843.524.9500 Tel.
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Chris@PendarvisLaw.com

Counsel for Appellants, Robert E. Feldman and
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Beaufort, South Carolina

March 14, 2017

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PROOF OF SERVICE

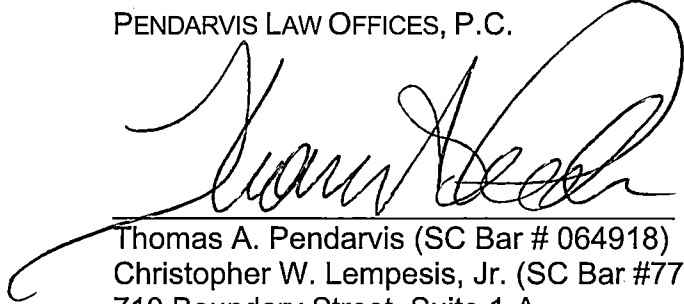
I, Thomas A. Pendarvis, a lawyer with PENDARVIS LAW OFFICES, P.C., certify that I have served one (1) copy of the AMENDED NOTICE OF APPEAL and one (1) copy of APPELLANTS' WITHDRAWAL OF MOTION TO REMAND on counsel for Respondent, by depositing a copy of the same in the United States Mail, postage prepaid, on the 14th day of March, 2017 addressed to:

M. Dawes Cooke, Jr., J.D.
Jeffery M. Bogdan, J.D.
BARNWELL, WHALEY, PATTERSON & HELMS, LLC
PO. Drawer H
Charleston, SC 29402
mdc@barnwell-whaley.com
jbogdan@barnwell-whaley.com

Counsel for Respondent, Gary P. Coggin

Respectfully submitted,

PENDARVIS LAW OFFICES, P.C.

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March 14, 2017