

# The Supreme Court of South Carolina

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September 8, 2017

The Honorable M. Hope Blackley  
P.O Box 3483  
Spartanburg, SC 29304-3483

## REMITTITUR

Re: Carolina C.S. v. City of Spartanburg  
Lower Court Case No. 2007-CP-42-03388  
Appellate Case No. 2012-212473

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,



CLERK

cc: Charles J. Hodge, Esquire  
Timothy Ryan Langley, Esquire  
David Leon Morrison, Esquire

# The Supreme Court of South Carolina

Carolina Convenience Stores, Inc., Harry Lancaster, Jr.,  
as Power of Attorney for Harry Lancaster, Sr. and  
Willard Oil Company, Petitioners,

v.

City of Spartanburg, Respondent.

Appellate Case No. 2012-212473  
Lower Court Case No. 2007CP4203388

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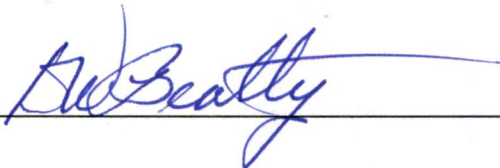
## ORDER

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This Court granted a writ of certiorari to review the South Carolina Court of Appeals' opinion in *Carolina Convenience Stores, Inc., v. City of Spartanburg*, 398 S.C. 27, 727 S.E.2d 28 (Ct. App. 2012). After the issuance of an opinion by this Court,<sup>1</sup> this Court granted a petition for rehearing.

Based on a settlement between the parties, the respondent moves to dismiss this matter, and to vacate the opinions of this Court and the Court of Appeals. The petitioners oppose the motion.

The motion to dismiss is granted, and the opinions of this Court and the Court of Appeals are vacated. The remittitur will be sent as provided by Rule 221 of the South Carolina Appellate Court Rules.

\_\_\_\_\_.C.J.

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<sup>1</sup> *Carolina Convenience Stores, Inc., v. City of Spartanburg*, Op. No. 27663 (S.C. Sup. Ct. filed August 31, 2016).

Columbia, South Carolina  
August 23, 2017

cc: Charles J. Hodge, Esquire  
Timothy Ryan Langley, Esquire  
David Leon Morrison, Esquire  
The Honorable M. Hope Blackley  
The Honorable Jenny Kitching

A faint circular seal of the Supreme Court of South Carolina is visible in the background on the left side of the page. It features a central figure and the words "SUPREME COURT OF SOUTH CAROLINA" around the perimeter.  
\_\_\_\_\_  
John Kitting J.  
\_\_\_\_\_  
Hope L. Blackley J.  
\_\_\_\_\_  
John Cannon Jr. J.  
Acting Justice Thomas Russo not participating.