

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL RICHLAND COUNTY  
Court of Common Pleas

Jean H. Toal, Senior Circuit Court Judge

**RECEIVED**  
OCT 26 2017  
SC Court of Appeals

Case No. 2016-CP-40-06177  
Appellate Case No. 2017-001394

ALEXANDER N. GEE, JR., aka  
Sandy Gee and KAREN B. GEE,  
a/k/a KAREN  
GEE,.....Respondents,

vs.

ERNEST E. YARBOROUGH,  
a/k/a Ernest  
Yarborough.....Appellant.

**PETITION FOR DISMISSAL**

NOW COMES APPELLANT, ERNEST E. YARBOROUGH (hereinafter sometimes referred to as "Yarborough", "Petitioner", or "Appellant"), in a self-represented capacity, petitioning the Court for an Order of Voluntary Dismissal in the above-referenced matter.

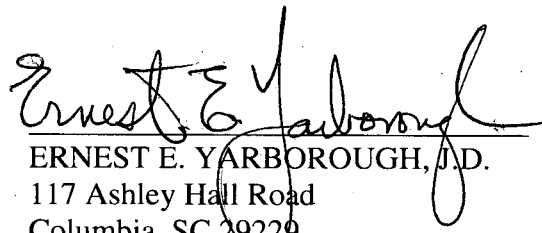
In support of this filing, Yarborough shows the Court the following:

1. By order of the Court, dated June 23, 2017, the Court temporarily granted Appellant's Petition for Writ of Supersedeas and ordered that he serve and file

- proof that Appellant signed an undertaking pursuant to Section 27-40-800 (the “Undertaking”)
2. On June 23, 2017, Appellant filed and served the Undertaking pursuant to S.C. 27-40-800 with the Clerk of Circuit Court, for the County of Richland, State of South Carolina. The Undertaking was in the form provided by S.C. Code 27-40-800, except it was slightly modified to fit the factual scenario of the appeal now before the Court.
  3. The matter at the lower court has been stayed pending appeal.
  4. On October 23, 2017, the Appellant and Respondents settled all issues between them, and they jointly desire that this appeal be dismissed with an order remanding the matter to the trial court with instructions to dismiss the full case with prejudice. In event that the case cannot be remanded with instructions for dismissal with prejudice, the parties request that the matter be dismissed and the remitter sent to the trial court as required by the Court’s rule.
  5. Respondents, through their attorney, consent to this dismissal request, with the understanding that all parties pay their own expenses at appellate and trial court levels.

At Columbia, SC

Dated: October 25, 2017



ERNEST E. YARBOROUGH, J.D.

117 Ashley Hall Road

Columbia, SC 29229

(803) 633-5983

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Appellant, Self-Represented

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ERNEST E. YARBOROUGH,  
a/k/a Ernest  
Yarborough..... Appellant.

PROOF OF SERVICE

I, Ernest E. Yarborough, the above-named Appellant, certify that I have served a copy of the foregoing Petition for Dismissal on the individual listed below on October 25, 2017, by hand-delivery to the following address:

Leonard R. Jordan, Jr., Esquire  
JORDAN LAW FIRM  
211 Veterans Road, Suite D  
Columbia, SC 29209

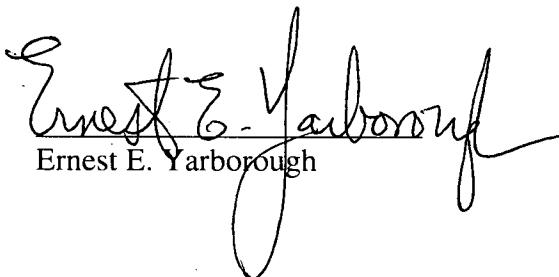
(Attorney for Respondents)

26<sup>th</sup>  
EEG

At Columbia, SC

October 25, 2017

26<sup>th</sup> EEG

  
Ernest E. Yarborough