

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

S. Jackson Kimball, Special Circuit Court Judge

RECEIVED
FEB 12 2018
SC Court of Appeals

Appellate Case No. 2016-002317

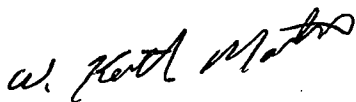
Lloyd C. (Chad) Whitmire Respondent,

v.

Johnny C. (Carl) Hawkensen and
The Commons at Fort Mill, LLC, Appellants.

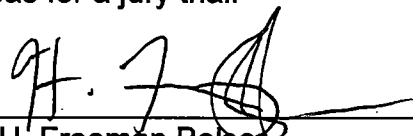
AGREEMENT TO DISMISS APPEAL

Pursuant to Rule 260(b), SCACR, counsel for Appellants and Respondent request that the Court of Appeals dismiss this appeal and remand the case back to the York County Court of Common Pleas for a jury trial.



W. Keith Martens
P.O. Box 10940
Rock Hill, S.C. 29731
(803) 329-7662
Attorney for Respondent

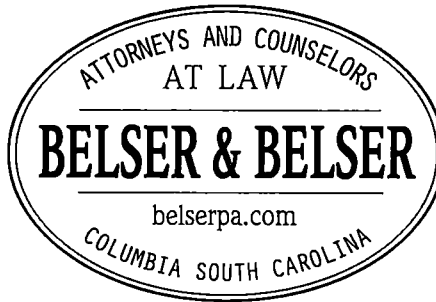
Date: 2/5/18



H. Freeman Belser
Post Office Box 96
Columbia, S.C. 29202
(803) 929-0096
Attorney for Appellants

Date: 2/12/18

C. HEYWARD BELSER, SR.
(1918-1994)
CLINCH H. BELSER, JR.
H. FREEMAN BELSER
MICHAEL J. POLK
WILLIAM C. DILLARD, JR.
CHARLES H. McDONALD
ROBERT YOUNG, P.A.
OF COUNSEL
CHARLES L. DIBBLE
OF COUNSEL



POST OFFICE BOX 96
COLUMBIA, SC 29202

TELEPHONE: 803-929-0096
FACSIMILE: 803-929-0196

OFFICE LOCATION:
BANK OF AMERICA PLAZA
1901 MAIN STREET
SUITE 1550
COLUMBIA, SC 29201

**PLEASE NOTE OUR NEW LOCATION:
1325 PARK STREET
COLUMBIA, SC 29201**

February 12, 2018

HAND DELIVERED

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

RE: Loyd C. (Chad) Whitmire v Johnny C. (Carl) Hawkensen, et al.
Civil Action No. 2016-CP-46-2458

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Dear Ms. Kitchings:

I am enclosing for filing the original and three copies of the following:

- 1.) Agreement to Dismiss Appeal.

Please file the original, date stamp the copies, and return the copies to our courier.

Sincerely,

Michael J. Polk

WCD/prd
Enclosures

Cc: W. Keith Martens, Esquire