



# The South Carolina Court of Appeals

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April 23, 2018

The Honorable Paul B. Wickensimer  
Courthouse  
305 E North St  
Greenville SC 29601-2121

## REMITTITUR

Re: William Tomz v. Capital Investment (3)  
Lower Court Case No. 2008CP2303665  
Appellate Case No. 2018-000219

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

Enclosure

cc: Rodney F. Pillsbury, Esquire  
George Brandt, III, Esquire  
Micajah Pickett Caskey, IV, Esquire  
Bradford Neal Martin, Esquire  
Stanley T. Case, Esquire  
Gene McCain Connell, Jr., Esquire

# The South Carolina Court of Appeals

William F. Tomz and Francis W. Tomz, Individually and  
as Class Representatives, Respondents,

v.

Capital Investment Funding, LLC, and Arthur M. Field,  
Defendants,

Of which Capital Investment Funding, LLC, is a  
Respondent,

And of whom Arthur M. Field is the Appellant.

Appellate Case No. 2018-000219

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## ORDER

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After careful consideration, the motion to dismiss is granted. *See* S.C. Code Ann. § 14-3-330 (2017); *Mid-State Distributors, Inc. v. Century Importers, Inc.*, 310 S.C. 330, 426 S.E.2d 777 (1993) (holding that any judgment or decree, leaving some further act to be done by the court is interlocutory; but if it so completely fixes the rights of the parties that the court has nothing further to do in the action, then it is final); *Hooper v. Rockwell*, 334 S.C. 281, 513 S.E.2d 358 (1999) (holding an appeal will not be entertained from an order issued with the consent of the parties). The remittitur will be sent as required by Rule 221(b), SCACR.

  
FOR THE COURT

Columbia, South Carolina

**FILED**  
Apr. 15, 2018

cc:

Rodney F. Pillsbury, Esquire

George Brandt, III, Esquire

Micajah Pickett Caskey, IV, Esquire

Bradford Neal Martin, Esquire

Stanley T. Case, Esquire

Gene McCain Connell, Jr., Esquire