

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

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MAY 30 2018

APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

S.C. SUPREME COURT

The Honorable Doyet A. Early, III, Circuit Court Judge

Appellate Case No. 2016-002542

Coves Darden, LLC, ..... Petitioner,

v.

Francisco Jose Garcia Ibanez, Dori Derr and  
Half Moon Stables, LLC, ..... Respondents.

**MOTION TO WITHDRAW AS  
COUNSEL PRO HAC VICE**

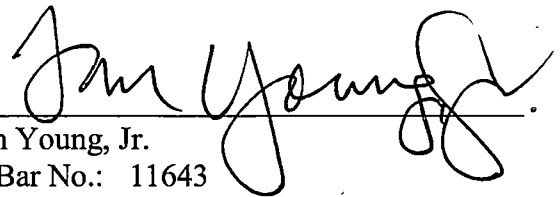
Undersigned counsel, TOM YOUNG, JR., respectfully moves the Court for leave for JAMES M. DERR to withdraw as counsel of record *pro hac vice* on behalf of Respondents HALF MOON STABLES, LLC, DORI DERR and FRANCISCO GARCIA IBAÑEZ. This Motion is brought pursuant to Rule 404(h) SCACR on the grounds that good cause exists to support said withdrawal. In support thereof, counsel respectfully states as follows:

At the time of filing of the original application for Mr. Derr to appear *pro hac vice* in this matter, Mr. Derr was an active member of the bar of the Supreme Court of the Virgin Islands. Subsequently, Mr. Derr retired from the practice of law and was permitted to take inactive status with the Virgin Islands bar. Pursuant to Virgin Islands law, an attorney not on active status is not permitted to engage in the practice of law without reapplying for active status and completing the

required number of hours of CEB training.

Because Mr. Derr is no longer permitted to practice law in the Virgin Islands, he does not meet the requirements of Rule 404(a) SCACR. For the foregoing reason, good cause exists for allowing Mr. Derr his withdrawal as counsel *pro hac vice*. As of today, I will remain as counsel of record for each of the Defendants in this matter.

In view of the above, undersigned counsel respectfully requests that the instant Motion be granted.



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ATTORNEYS FOR RESPONDENTS

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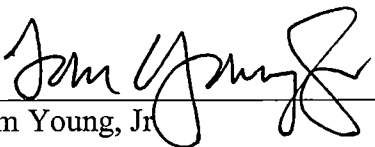
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CERTIFICATE OF SERVICE

I, Tom Young, Jr., do hereby certify that I have, on May 24, 2018, served the foregoing **Motion to Withdraw as Counsel Pro Hac Vice** upon Petitioner or attorney(s) for the Petitioner by causing a copy thereof to be mailed with proper postage to the address indicated below and do further certify that the brief complies with Rule 240(d):

M. Baron Stanton, Esquire  
Attorney for Appellant  
P.O. Box 245  
Columbia, SC 29202

  
Tom Young, Jr.