

87690

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

APPEAL FROM GREENWOOD COUNTY
Court Of Common Pleas

The Honorable Curtis G. Clark, Master-in-Equity

Case No.: 2009-CP-24-01019

Appellate Case No.: 2016-001974

RECEIVED
AUG 27 2018
SC Court of Appeals

First Citizens Bank and Trust Company, Inc.....Appellant,

vs.

KSD, Inc. and Kevin Dempsey.....Respondents.

JOINT MOTION FOR VOLUNTARY DISMISSAL

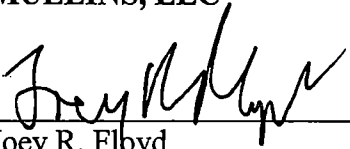
PLEASE TAKE NOTICE that the Parties hereto jointly move for the Court of Appeals to enter an Order dismissing this appeal Pursuant to SCACR, Rule 260(c). The parties hereto have reached an agreement for this appeal to be dismissed. The parties hereto have also agreed that it/they shall all bear its/their own attorneys' fees, costs and expenses associated with this appeal and that the parties hereto shall not file a Motion seeking attorneys' fees, costs and expenses pursuant to SCACR, Rule 222.

Wherefore, the parties jointly request that the Court of Appeals enter an Order Dismissing this Appeal.

First Citizens Bank and Trust Company, Inc. v. KSD, Inc. and Kevin Dempsey
Joint Motion for Voluntary Dismissal
Appellate Case No.: 2016-001974


We So Consent:

**BRUNER, POWELL, WALL &
MULLINS, LLC**

 8/24/18

Joey R. Flbyd
1735 St. Julian Place, Suite 200
P.O. Box 61110
Columbia, SC 29260-1110
Attorneys for Appellant
First Citizens Bank and Trust Company

MCANGUS GOUDELOCK & COURIE, LLC

 Date: 8/24/18

Thomas E. Lydon, Esquire
1320 Main Street, 10th Floor
Columbia, SC 29201
Attorneys for Respondents
KSD, Inc. and Kevin Dempsey

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PROOF OF SERVICE

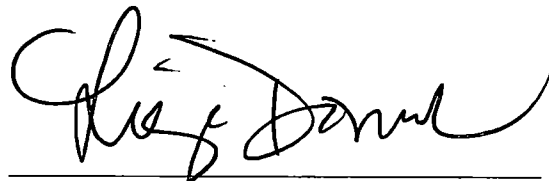
I, Leigh Dominick, with Bruner, Powell, Wall & Mullins, LLC, attorneys for First Citizens Bank and Trust Company, Inc., do hereby certify that on this 27th day of August, 2018, I served a copy of the documents listed below on counsel of record by depositing a copy of same in the U.S. Mail, first-class, postage prepaid and addressed as follows:

Documents served:

Joint Motion for Voluntary Dismissal

Counsel served:

Thomas E. Lydon, Esquire
McAngus Goudelock & Courie, LLC
1320 Main Street, 10th Floor
Columbia, SC 29201
Attorneys for Respondents
Dorn Properties, Inc. and Henry A. Dorn



Leigh Dominick

BRUNER, POWELL, WALL & MULLINS, LLC

ATTORNEYS AND COUNSELORS AT LAW
1735 ST. JULIAN PLACE, SUITE 200
POST OFFICE BOX 61110
COLUMBIA, SOUTH CAROLINA 29260-1110
TELEPHONE 803-252-7693
FAX 803-254-5719
WWW.BRUNERPOWELL.COM

WARREN C. POWELL, JR., P.A.*
HENRY P. WALL
E. WADE MULLINS III, P.A.
WESLEY D. PEEL, P.A.
JOEY R. FLOYD, P.A.
BENJAMIN C. BRUNER, P.A.

JAMES L. BRUNER, P.A. (RETIRED)
BRIAN P. ROBINSON, P.A.**

ANN F. ALLISON
CAITLIN C. HEYWARD
CHELSEA J. CLARK
STEVEN R. SPREEUWERS

* ALSO ADMITTED IN DISTRICT OF COLUMBIA
** OF COUNSEL

AUTHOR'S E-MAIL: jfloyd@brunerpowell.com

August 27, 2018

VIA HAND DELIVERY


The Honorable Jenny Abbott Kitchings
Clerk of Court
The South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

**Re: First Citizens Bank and Trust Company, Inc. v. KSD, Inc. and Kevin
Dempsey
Appellate Case No. 2016-001974
Our File No.: 8-2545.160**

Dear Ms. Kitchings:

Enclosed herewith you will find an original and seven copies of a Joint Motion for Voluntary Dismissal in the above-referenced matter. In addition, you will find a check in the amount of \$25.00 to cover the filing fee. I kindly ask that your staff file the originals in accordance with your procedures and that a "filed" copy be returned to me via my courier. Thank you for your assistance in this matter. Should you have any questions please do not hesitate to contact the undersigned.

With my kindest regards, I am

Sincerely,


Joey R. Floyd

jrf:hos

Enclosures

cc: Tommy Lydon, Esquire (Via U.S. Mail w/copy of Enclosure)

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AUG 27 2018

SC Court of Appeals

BRUNER, POWELL, WALL & MULLINS, LLC

A Professional Limited Liability Company

ATTORNEYS AND COUNSELORS AT LAW

1735 ST. JULIAN PLACE, SUITE 200

POST OFFICE BOX 61110

COLUMBIA, SOUTH CAROLINA 29260-1110

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