

87689

**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-24-01272

Appellate Case No.: 2016-001972

RECEIVED
AUG 27 2018
SC Court of Appeals

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

vs.

Dorn Properties, Inc. and Henry A. Dorn.....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.

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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

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JAMES L. BRUNER, P.A. (RETIRED)

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** 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

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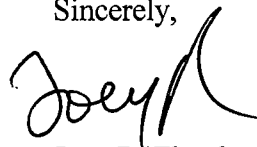
**Re: First Citizens Bank and Trust Company, Inc. v. Dorn Properties, Inc. and
Henry A. Dorn
Appellate Case No. 2016-001972
Our File No.: 8-2545.138**

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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