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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM AIKEN COUNTY  
COURT OF COMMON PLEAS

Doyet A. Early, III, Circuit Court Judge

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Appellate Case Number 2018-001566

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Mark White, Appellant

vs.

G.L. Williams, Respondent.

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SC Court of Appeals

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MOTION TO DISMISS

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COMES NOW G.L. Williams, by and through his undersigned Counsel, and respectfully moves before this Court for an Order dismissing the Appeal of Mark White in the above-captioned matter pursuant to Rule 203, SCACR, including its subparts.

This motion is based upon the grounds that Mr. White failed to comply with Rule 203(d)(1)(B), SCACR, in that he failed to file the Notice of Appeal for this matter with this Court within ten (10) days of its service upon Counsel for Mr. Williams. Mr. White filed a Notice of Appeal with the Aiken County Clerk of Court on July 13, 2018, and served the Notice of Appeal upon the undersigned on July 13, 2018. This Court received the Notice of Appeal along with several attachments on August 29, 2018. Clearly, this is more than 10 days from the date of service of the

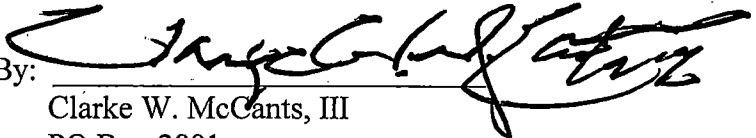
Notice of Appeal upon the undersigned. As such, Mr. White's Appeal in this matter should be dismissed as a matter of law.

To the extent that Mr. White relies upon "Exhibit A", attached hereto, to serve as some type of agreement between the parties in this case with respect to the possession of the real property identified in the letter, Mr. Williams would respectfully submit to the Court that no such agreement exists and according to the plain terms of "Exhibit A".

Mr. Williams further respectfully submits that Mr. White's actions in this matter are simply dilatory in nature and made in an effort to delay the enforcement of Judge Early's Order which was lawfully issued in this case.

Based on the foregoing, Mr. Williams respectfully requests that Mr. White's Appeal be dismissed immediately with prejudice.

NANCE, MCCANTS & MASSEY

By: 

Clarke W. McCants, III  
PO Box 2881  
Aiken, S.C. 29802  
(803) 649-6200 Ext. 104  
Counsel for Respondent

Dated: August 31, 2018

G.L. Willia

501 Rainbow Falls Rd Gra

July 24, 2018

Mark White  
118 McKeown Road  
Graniteville, SC 29829

Via: Hand Delivery and Certified Mail

Reference: Appeal concerning outdated previous lease for property located at 118 McKeown Road.

Dear Mr. White,

In an effort to further clarify what we thought was obvious, we are informing you that you do not have a current legal lease with us. You have not had a lease with us since we purchased the property at 118 McKeown Road. Your efforts to continue to appeal even after two judges have found in our favor are simply a waste of time and resources for all parties involved. Also, we are not sure how you were able to dictate your own rent at \$50.00 per month, but we will let the court sort that out later.

That being said, we wanted to be sure to let you know that the lease you had with John R. White prior to our purchase of the property provides that it ends on September 30, 2018. We are referring to section 3 on the first page of that lease. Since you do not have a legal lease with us and maintain this lease is the one you are adhering to, we just want to make sure you understand we do not wish to maintain any lease of any kind with you. So, in short, regardless of any appeal or any court date, your illegal, outdated lease still ends on September 30, 2018. Please make plans to vacate the property by that date.

Further, our attorney advises us that if we are successful with respect to your appeal of Judge Early's Order in our favor, we may apply to the Court of Appeals to recover attorney's fees, costs and expenses. Please be advised that if you continue to pursue your appeal, and we are successful, we do intend to ask the Court to award us our attorney's fees, costs and expenses. This is also covered in your lease with John R. White on the last page in section 41.

Thank you,

G.L. Williams  
Cc: Lisa W. Wilson

U.S. Postal Service  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)  
 For delivery information visit our website at www.usps.com

GRANITEVILLE, SC 29829

**OFFICIAL USE**

Postage	\$3.45	0672
Certified Fee	\$2.75	11
Return Receipt Fee (Endorsement Required)	\$0.00	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
	\$0.50	
Total Postage & Fees	\$6.70	07/25/2018

Sent To: Mark White  
 Street, Apt. No., or PO Box No.: 118 McKeown Road  
 City, State, ZIP+4: Graniteville SC 29829

US Form 3800, August 2006 See Reverse for Instructions

trucking.com

EXHIBIT A

THE STATE OF SOUTH CAROLINA  
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COURT OF COMMON PLEAS

Doyet A. Early, III, Circuit Court Judge

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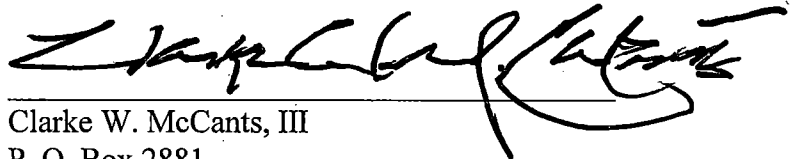
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PROOF OF SERVICE

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I certify that I have served a copy of the Motion to Dismiss upon Mark White, by depositing a copy of it in the United States Mail, postage prepaid, on August 31, 2018, addressed to Mark White, P.O. Box 252, Graniteville, SC 29829

August 31, 2018



Clarke W. McCants, III  
P. O. Box 2881  
Aiken, SC 29802-2881  
(803) 649-6200  
Attorney for Respondent

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**Nance, McCants & Massey**  
**Attorneys & Counselors at Law**  
**218 Newberry Street SW**  
**Aiken, South Carolina 29801**  
**Telephone (803) 649-6200**

James D. Nance, LLC  
Clarke W. McCants, III, P.C.  
A. Shane Massey, LLC  
Amy Patterson Shumpert

Post Office Box 2881  
Aiken, SC 29802-2881  
Fax: (803) 649-5566  
mccants3rd@aol.com

August 31, 2018

The Honorable Jenny Abbott Kitchings  
Court of Appeals Clerk of Court  
P. O. Box 11629  
Columbia, S.C. 29211

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SC Court of Appeals

IN RE: Mark White, Appellant, v G.L. Williams, Respondent  
File No. 2018-001566  
Our File No. M18-970

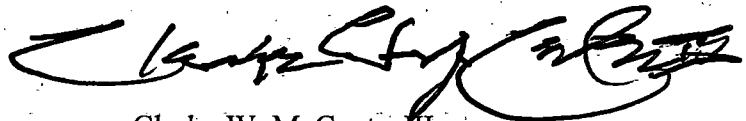
Dear Ms. Kitchings:

Please file in the above-referenced matter the enclosed Motion to Dismiss and proof of service thereof upon Mark White. Also enclosed is this firm's check in the amount of \$25.00 for the filing fee.

I appreciate in advance the Court's consideration of this Motion.

With best regards, I remain

Very truly yours,



Clarke W. McCants, III

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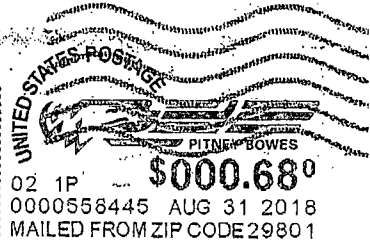
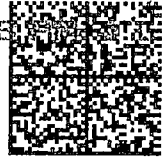
Enclosures

cc: Mark White (w/ enc)  
G.L. Williams (w/ enc)

Clarke W. McCants, III  
Nance, McCants & Massey  
PO Box 2881  
Aiken, SC 29802-2881

AUGUSTA GA 30901

31 AUG 2018



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The Honorable Jenny Abbott Kitchings  
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