

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM YORK COUNTY  
Court of Common Pleas  
Case No. 2017-CP-46-01617

**RECEIVED**

OCT 05 2018  
SC Court of Appeals

John C. Hayes, III, Special Circuit Court Judge

Appellate Case No. 2017-002616

City of Rock Hill,

Appellant,

v.

Andrew R. Maupin,

Respondent.

**SETTLEMENT AGREEMENT**

The Appellant and Respondent consent and agree to the following:

1. Respondent was convicted of Driving Under the Influence 1<sup>st</sup> offense following a bench trial in the City of Rock Hill Municipal Court on May 19, 2017.
2. Respondent filed an appeal from his conviction with the York County Court of Common Pleas on June 1, 2017.
3. Respondent's appeal was heard by the Honorable John C. Hayes, III, on November 7, 2017. By order dated November 17, 2017 and filed November 20, 2017, Judge Hayes reversed the ruling of the trial court and ordered a new trial in the matter.
4. Appellant filed a motion to alter or amend judgment pursuant to Rule 59(e), SCRPC on December 4, 2017. Judge Hayes subsequently issued an order altering his prior

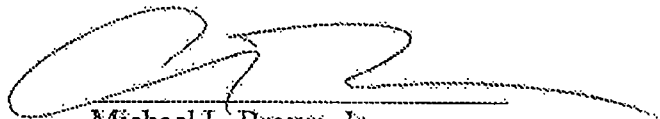
ruling and holding that Respondent's conviction should be dismissed on December 7, 2017 and the order was filed on December 7, 2017.

5. On December 19, 2017, Appellant filed a timely Notice of Appeal from the rulings of the circuit court.
6. That Respondent's conviction for Driving Under the Influence 1<sup>st</sup> offense (citation number 201622800054195) is reinstated and the opinion of the circuit court in this matter is vacated.
7. That the appeal in this matter (Appellate Case No. 2017-002616) is dismissed upon the reinstatement of the Respondent's conviction for Driving Under the Influence 1<sup>st</sup> offense (citation number 201622800054195) and of the opinion of the circuit court in this matter being vacated. That the South Carolina Court of Appeals issue an order approving this agreement.

We so move and consent.



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Attorney for Respondent

This 4<sup>th</sup> day of October, 2018.  
Rock Hill, South Carolina

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Case No. 2017-CP-46-01617

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OCT 05 2018

JOHN C. HAYES, III, Circuit Court Judge

SC Court of Appeals

Appellate Case No. 2017-002611

The City of Rock Hill,

Appellant,

v.

Andrew R. Maupin,

Respondent.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the Motion for Approval of Settlement and Settlement Agreement was been served upon opposing counsel by mailing a copy via regular U.S. Mail on the 4<sup>th</sup> day of October, 2018, to Michael L. Brown, Jr., Attorney for Respondent Post Office Box 1025 Rock Hill, South Carolina 29730.

I also certify that all parties required by Rule 203(b) SCACR to be served have been served.



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