

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BAMBERG COUNTY
In the Court of Common Pleas for the Fifth Circuit

Maite D. Murphy, Circuit Court Judge

Appellate Case No. 2018-001259

Willie Clay Banks as Personal
Representative of the Estate of
Willie Banks, deceased,

Respondent.

v.

PruittHealth – Bamberg, LLC,

Appellant.

MOTION TO WITHDRAW APPEAL

Defendant/Appellant PruittHealth – Bamberg, LLC, pursuant to Rule 260(c), respectfully withdraws the above captioned appeal pursuant to Rule 260(c) of the South Carolina Appellate Court Rules. The parties have reached a settlement in this case and therefore, this appeal is moot.

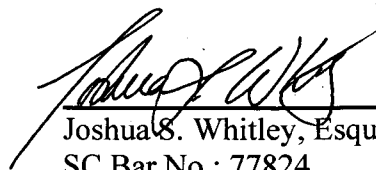
[SIGNATURE PAGE TO FOLLOW]

RECEIVED

OCT 12 2018

SC Court of Appeals

October 8, 2018



Joshua S. Whitley, Esquire
SC Bar No.: 77824
Kevin R. Horton, Esquire
SC Bar No.: 101250
126 Seven Farms Drive
First Citizens Plaza, Suite 150
Charleston, South Carolina 29492
Tel.: (843) 606-5635
Fax: (843) 654-4095
Attorneys for Appellant

Other Counsel of Record:

Kenneth M. Suggs, Esquire
Gerald D. Jowers, Jr., Esquire
Janet Jenner & Suggs, LLC
500 Taylor Street, Suite 301
Columbia, SC 29201

Attorneys for Respondent

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BAMBERG COUNTY
Court of Common Pleas

MAITE D. MURPHY, Circuit Court Judge

Case No. 2015-NI-40-00044

Willie Clay Banks as Personal
Representative of the Estate of
Willie Banks, deceased,

Plaintiff,

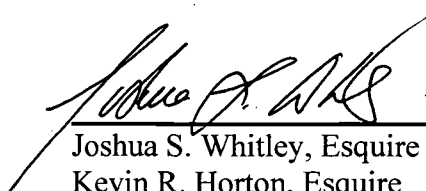
v.

PruittHealth – Bamberg, LLC,

Appellant.

PROOF OF SERVICE

I certify that I have served the Motion to Withdraw Appeal on Willie Clay Banks as Personal Representative of the Estate of Willie Banks, deceased, by depositing a copy of it in the United States Mail, postage prepaid, on October 8, 2018, addressed to his attorneys of record, Kenneth M. Suggs, Esquire, and Gerald D. Jowers, Jr., Esquire, of the law firm of Janet Jenner & Suggs, LLC, 500 Taylor Street, Suite 301, Columbia, SC 29201.


Joshua S. Whitley, Esquire
Kevin R. Horton, Esquire
126 Seven Farms Drive
First Citizens Plaza, Suite 150
Charleston, South Carolina 29492
Tel.: (843) 606-5635
Fax: (843) 654-4095

RECEIVED
OCT 12 2018
SC Court of Appeals



SMYTH WHITLEY, LLC
ATTORNEYS AT LAW

RECEIVED

October 8, 2018

OCT 12 2018

SC Court of Appeals

VIA U.S. MAIL

V. Claire Allen, Deputy Clerk
The South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

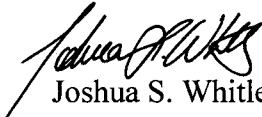
Re: Willie Clay Banks v. PruittHealth-Bamberg, LLC
Appellate Case No.: 2018-001259

Dear Claire:

I am in receipt of your letter dated October 1, 2018, regarding the status of the above captioned matter. The parties reached a settlement in this matter and therefore, Appellant PruittHealth – Bamberg, LLC would respectfully withdraw its appeal at this time. Enclosed is a copy of Appellant's Motion to Withdraw Appeal for your reference. Please let me know if you need anything further from me as it relates to this matter:

If you have any further questions, please do not hesitate to contact me.

Sincerely,


Joshua S. Whitley

JSW:tmm
Enclosures

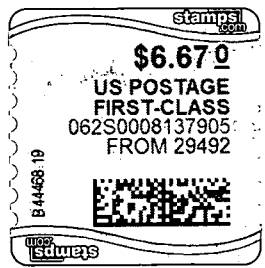
cc: Gerald Jowers, Esq.
Ken Suggs, Esq.



SMYTH WHITLEY, LLC
ATTORNEYS AT LAW

126 Seven Farms Drive, First Citizens Plaza, Suite 150
Charleston, South Carolina 29492

CHARLESTON
SOUTH CAROLINA
OCT 12 2018
PM 11



RECEIVED

OCT 12 2018

SC Court of Appeals

The Honorable Jenny Kitchings
South Carolina Court of Appeals
P.O. Box 11629
Columbia, South Carolina 29211

29211-162929

