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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM MARLBORO COUNTY  
Court of Common Pleas

Roger E. Henderson, Circuit Judge

Case No. 2017-CP-34-00023

Appellate Case No. 2018-001539

**RECEIVED**  
DEC 14 2018  
SC Court of Appeals

Reinaldo Enrique Alfonso.....Appellant,

v.

Martha C. Rankin..... Respondent.

**JOINT MOTION TO REMAND JURISDICTION TO CIRCUIT COURT**

Appellant Reinaldo Enrique Alfonso ("Alfonso") and Respondent Martha C. Rankin ("Rankin"), by and through undersigned counsel, hereby respectfully move for an Order of this Court remanding jurisdiction in this case to the Circuit Court for the Fourth Judicial Circuit for the purpose of that Court considering certain terms related to the settlement of this case and holding all deadlines in this court in abeyance for 60 days after remand. The grounds for this Motion are as follows:

1. This is an appeal from the default judgement of the Hon. Roger E. Henderson dated October 17, 2017; the order of the Hon. Roger E. Henderson denying Alfonso's motion to set aside default judgment dated June 14, 2018; and the order of the Hon. Roger E. Henderson denying Alfonso's motion to reconsider dated July 20, 2018.

2. The Notice of Appeal was filed on August 24, 2018. Initial briefs have not yet

been filed. The time for serving and filing the Appellant's initial brief and designation of matter was extended to January 2, 2019, by order of this Court dated November 30, 2018.

3. The parties have reached a compromise settlement agreement to resolve the appeal. The settlement agreement involves a consent motion of the parties vacating the default judgement of the Hon. Roger E. Henderson dated October 17, 2017.

4. In order to effectuate the settlement agreement, the parties are informed and believe that this Court should remand jurisdiction to the Circuit Court for the Fourth Judicial Circuit for the limited purpose of that Court considering the parties' joint motion.

5. Pursuant to the provisions of Rules 205 and 241, SCACR, this Court has exclusive jurisdiction during the pendency of an appeal, subject to certain enumerated exceptions set forth in Rule 241, SCACR and elsewhere, and any proceedings in the Circuit Court on matters affected by the appeal are automatically stayed during the pendency of an appeal absent an Order of this Court expressly remanding jurisdiction to the Circuit Court to act on such matters.

6. The parties request that that this Court remand the action to the Circuit Court for the Fourth Judicial Circuit and hold all deadlines in this court in abeyance for 60 days after remand.

## CONCLUSION

Based on the foregoing, Appellant and Respondent respectfully request that this Court issue an Order remanding jurisdiction in this case to the Circuit Court for the Fourth Judicial Circuit for the limited purpose of that Court considering the parties' joint motion and to hold all deadlines in abeyance for 60 days.

December 14, 2018

Respectfully submitted,

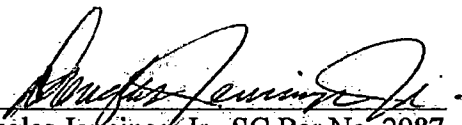


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December 14, 2018

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

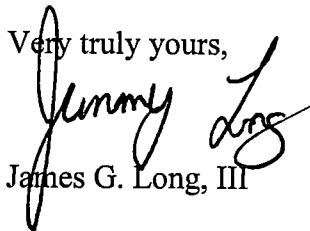
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Re: *Martha C. Rankin v. Reinaldo Enrique Alfonso*  
Appellate Case No. 2018-001539

Dear Ms. Kitchings:

Enclosed for filing please find the original and seven (7) copies of a Joint Motion to Remand Jurisdiction to Circuit Court in the above-referenced case. Please file the original, and return a clocked copy to me via our courier. By copy of this letter, I am serving a copy of same on opposing counsel.

Very truly yours,

  
James G. Long, III

JGL/ect

Enclosures

cc: *E. Wayne Ridgeway, Jr. (via U. S. Mail and via email)*  
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