

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM LEXINGTON COUNTY
IN THE COURT OF COMMON PLEAS
THE HONORABLE WALTON J. MCLEOD, IV
CIRCUIT COURT JUDGE

CASE NO. 2018-CP-32-00315

IN RE: The Estate of Leroy Fulmer

Mattie Lou Fulmer, Respondent

v.

Elizabeth S. Gainey as Personal
Representative; Elizabeth S. Gainey,
individually; and Dennis C. Gainey,

Of Which Elizabeth S. Gainey as Personal
Representative is the Appellant.

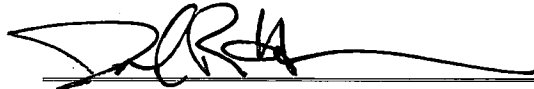
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SC Court of Appeals

MOTION TO WITHDRAW APPEAL

Elizabeth S. Gainey, as Personal Representative of the Estate of Leroy Fulmer, hereby withdraws her appeal. On January 8, 2019, the Honorable Walton J. McLeod, IV issued an order granting in part and denying in party the Personal Representative's motion pursuant to Rule 59(e), which moots this issue. Accordingly, the Personal Representative requests this court dismiss the appeal.

[SIGNATURE PAGE TO FOLLOW]

January 8, 2019



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*Attorneys for Defendant Elizabeth S. Gainey as
Personal Representative of the Estate of Leroy
Fulmer*

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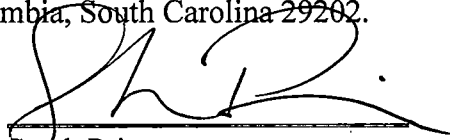
Of Which Elizabeth S. Gainey as Personal
Representative is the Appellant.

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PROOF OF SERVICE

I certify that I have served the Motion to Withdraw Appeal by depositing a copy of it in the United States Mail, postage prepaid, on January 08, 2019, addressed to her attorney of record, Amy Hill, Esq., P.O Box 7368, Columbia, South Carolina 29202.

January 08, 2019


Sarah Prince
Paralegal to Robert P. Wood

cc:
Carrie A. Warner, Esquire
Amy L.B. Hill, Esquire
Jonathan E. Spitz, Esquire
Carlos W. Gibbons, Jr., Esquire

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January 08, 2019

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SC Court of Appeals

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

RE: *Mattie Lou Fulmer v. Elizabeth S. Gainey as Personal Representative, et al.*

Dear Ms. Kitchings,

Enclosed for filing is the Motion to Withdraw Appeal in the above case. Also enclosed is the following:

1. Proof of Service of the Motion to Withdraw Appeal on the respondent's.
2. A check for \$25.00 to cover Motion Fee

Please let me know if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Robert P. Wood" with a flourish at the end.

Robert P. Wood

Cc: Hon. Walton J. McLeod, IV
Amy Hill, Esq.
Jonathan Spitz, Esq.
Carlos Gibbons, Jr. Esq.
Carrie A. Warner, Esq.