

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

Daniel D. Hall,
Chief Administrative Judge

Appellate Case No. 2019-000806

LAUREL MEADOW HOME OWNERS ASSOCIATION, by and through
JEFF SOCHKO, member and owner, Plaintiff/Appellant

v.

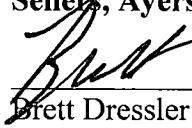
DEBBIE MCDONAGH and JIMMY MCDONAGH, acting as the board of directors
and ARC for Laurel Meadow non-profit HOA; THE LAUREL MEADOW
HOMEOWNERS ASSOCIATION, INC., Defendants/Appellees

NOTICE OF WITHDRAW OF APPEAL

Plaintiff, by and through counsel, hereby files this Notice of Withdraw of Appeal. Plaintiff's counsel was retained subsequent to entry of the Order Granting Defendants' Motion to Dismiss Pursuant to Rule 12(b)(6) by the Honorable Daniel D Hall. Plaintiff's counsel appealed Judge Hall's order prior to determining that Judge Hall indicated on Form 4 that his Order did not end the case. (See Exhibit A). It appears that counterclaims remain pending in the underlying matter. Accordingly, Plaintiff withdraws this appeal.

This the 30th day of July, 2019

Sellers, Ayers, Dortch & Lyons, P.A


Brett Dressler (SC 77650)

301 S. McDowell Street, Suite 410

Charlotte, NC 28204

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JUL 31 2019

SC Court of Appeals

STATE OF SOUTH CAROLINA
COUNTY OF York
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2018CP4602818

Laurel Meadows Home Owners Association et al
PLAINTIFF(S)

Debbie Mcdonagh et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

After much consideration, the Court grants Defendant's 12(b)(6) motion to dismiss. In light of this decision, the other pending motions before the Court do not need to be addressed. Attorney Pierce will prepare an order reflecting this ruling, it is so ordered.

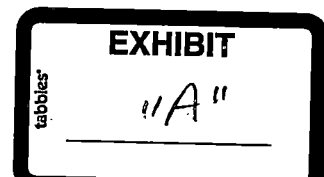
ORDER INFORMATION

This order ends does not end the case. See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 04/04/2019 .

NAMES OF TRADITIONAL FILERS SERVED BY MAIL



Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.



York Common Pleas

Case Caption: Laurel Meadows Home Owners Association , plaintiff, et al VS
Debbie McDonagh , defendant, et al
Case Number: 2018CP4602818
Type: Order/Electronic Form 4

So Ordered

s/Daniel D. Hall 2753

SELLERS, AYERS, DORTCH & LYONS, P.A.

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†† Also Admitted in Alabama
††† Also Admitted in Texas
‡ Certified Mediator
Our File No.: 40433.0000

CHARLES E. LYONS II * (1960-2016)

July 30, 2019

Via Federal Express Delivery
South Carolina Court of Appeals
Attention: Filings
1220 Senate Street
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JUL 31 2019

SC Court of Appeals

**Re: Laurel Meadows Homeowners Association, by and through Jeff Sochko
v. Debbie McDonagh, et al.
Appeal from York County Case No.: 2018-CP-46-02818**

Dear Sir or Madam:

Enclosed please find an original and six (6) copies of **Plaintiff's Notice of Withdraw of Appeal** for filing in connection with the referenced action. Please return a file-stamped copy to us in the enclosed envelope.

Thank you in advance for your assistance.

Sincerely,



Lisa H. Hite, NCCP
Paralegal to Brett Dressler

LH/lh

Enclosures

Cc: Mr. Nate Pierce (Via U.S. Mail Delivery)
Mr. Cam Haldford (Via U.S. Mail Delivery)

PROOF OF SERVICE

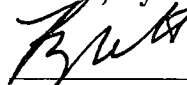
Counsel for Appellants here certify a copy of the Notice of Withdraw of Appeal is in full compliance with Rule 21(b), SCARCR and was served on the below listed counsel by the means indicated on July 30, 2019:

Mr. Nate Pierce
Morton & Gettys
Fountain Park Place
331 E Main St Suite 300
Rock Hill, SC 29730

Mr. Cam Haldford
238 Rockmont Dr,
Fort Mill, SC 29708

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SC Court of Appeals

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CHARLOTTE, NC 28204
UNITED STATES US

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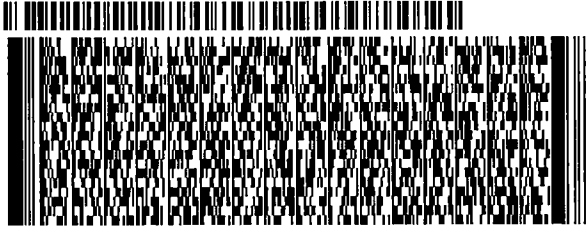
SC Court of Appeals

(803) 734-1890

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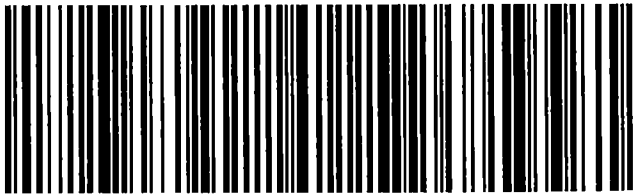
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