

**THE STATE OF SOUTH CAROLINA  
In the Court of Appeals**

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**APPEAL FROM CHARLESTON COUNTY**  
The Honorable Mikell R. Scarborough, Master in Equity

**OCT 04 2019**  
**SC Court of Appeals**

Appellate Case No. 2018-001971

RS Custom Homes, n/k/a RS General Contracting, LLC,.....Respondent

v.

Matthew David DeNapoli, Lindsay Ann DeNapoli, Branch Banking & Trust, and Mortgage  
Electronic Registration Systems, Inc..... Defendants

Of whom, Matthew David DeNapoli, Lindsay Ann DeNapoli are ..... Appellants

**NOTICE OF SETTLEMENT IN PRINCIPLE**  
**&**  
**CONSENT MOTION AND REQUEST TO CONTINUE ABEYANCE**  
**UNTIL NOV. 4, 2019 TO FINALIZE SETTLEMENT**  
**RULE 261, SCACR**


COME JOINTLY the above-named Appellants and Respondent (the Parties) pursuant to Rules 261 and 240 of the South Carolina Appellate Court Rules and who herein notify the Court they have reached a settlement in principle and request the Court's Order of Abeyance be continued until November 4, 2019, to finalize the terms of their settlement in writing.

THEREFORE, for good cause shown and to finalize and execute their settlement, the Parties jointly request this Court hold the instant matter in abeyance until November 4, 2019, unless sooner voluntarily dismissed by the Appellant.

[Signature Pages to Follow]

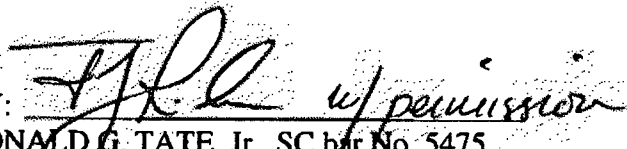
FOR APPELLANTS, WE SO MOVE AND CONSENT:

THURMOND KIRCHNER & TIMBES, P.A.

BY:   
THOMAS J. RODE, SC bar No. 77480  
Thurmond Kirchner and Timbes, P.A.  
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*Attorney for the Appellants*

FOR RESPONDENT, WE SO MOVE AND CONSENT:

GALLIVAN, WHITE & BOYD, P.A.

BY:   
RONALD G. TATE, Jr., SC bar No. 5475  
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*Attorney for the Respondent*

**THURMOND KIRCHNER  
& TIMBES, P.A.**  
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October 4, 2019

**VIA US MAIL & FAX**

The Hon. Jenny A. Kitchings  
SC Court of Appeals  
PO Box 11629  
Columbia, SC 29211

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OCT 04 2019

SC Court of Appeals

**Re: *RS Custom Homes v. DeNapoli et al.***  
***Appellate Case No. 2018-001971***

Dear Mrs. Kitchings,

Please find enclosed for filing the original and six (6) copies of the Consent Motion and Request to Continue Abeyance until November 4, 2019.

By copy of this letter I am serving all counsel of record with the same. Should you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

THURMOND KIRCHNER & TIMBES, P.A.



Caroline Boyce  
Paralegal to Thomas J. Rode

/ceb

# Fax

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OCT 04 2019  
SC Court of Appeals

**Date:** 10/4/2019  
**To:** 8037341839  
**From:** Caroline Boyce  
**Subject:** Attn Mrs Kitchings

Caroline Boyce  
Paralegal  
Thurmond Kirchner & Timbes, P.A.  
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