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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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OCT 15 2019
SC Court of Appeals

Appellate Case No. 2019-001324

Russell GoodwinAppellant,

v.

Russell Powell, et Al.....Respondent.

Motion to Dismiss Appeal

The Respondent, via its attorney moves to dismiss the Appeal in this instance.

Grounds

The Appellant has failed to comply with the rules of this Court in the following particulars:

He failed to make any motions to the lower court, he failed to appear when the case was called in to the lower Court and he failed to comply with the undertaking requirements as required by statute. He failed to pay his filing fee, or he failed to notify the Respondent that the filing fee has been paid.

He has taken advantage of the existence of the alleged appeal by failing to pay rent and preventing the Respondent to move in the lower Court for eviction.

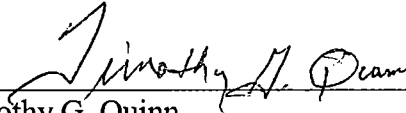
The Appellant has not only failed to comply with the rules of Court as set forth above, he has failed to comply with any time or service requirements.

The Respondent relies on the Rules of this Court and the matters set forth in the series of cases beginning with *Vaughn -v- Morgan, et al* 31SC602, 9 SE 743, (S.Ct. 1889) and continuing to *Wilkerson-v-Roper Community Hospital, Inc. et al* 410 SC 163, 763 SE2d 426 (S. Ct.2014)

The Respondent believes that he is entitled to an award of attorneys fees for defending this frivolous attempt to appeal.

WHEREFORE the Respondent respectfully moves that the Appellant's Appeal be dismissed and that the Respondent be awarded costs and fees.

1 of 2
ADD



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October 11, 2019

Timothy G. Quinn, Esq.

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October 11-2019

V. Claire Allen
Deputy Clerk
S.C. Court of Appeals

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Re: Russell Goodwin

v

Russell Powell

Case no. 2019-001324

Dear Madam Clerk;

Enclosed is the motion to dismiss the appeal which has been filed in the referenced matter, including six copies thereof and our office check in the amount of \$50.00.

By copy of this letter, I am serving Mr. Goodwin, the Appellant with the same.

Very truly yours,

c.
R. Powell
R. Goodwin



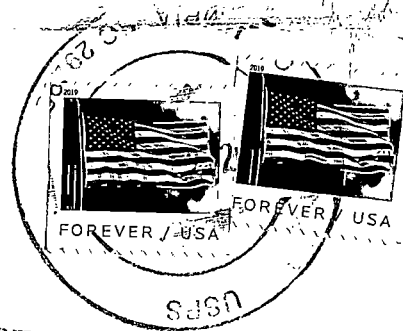
Timothy G. Quinn

QUINN & HARDY

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V, CLAIRE ALLEN
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COLUMBIA, S.C. 29211



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