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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

The Honorable J. Cordell Maddox, Jr., Circuit Court Judge

Case No. 2019-CP-04-01118
Appellate Case No.: 2020-000003

Phillip Ashley, Kevin Craft and Jimmy Ouzts.....Respondents

v.

Anderson County School District two Board of TrusteesAppellants

RESPONDENTS' MOTION TO DISMISS

Respondents by and through their undersigned counsel, move the Court to dismiss the Appellant's appeal as the death of Stu Shirley, the individual Board member whom is the subject of this action and the appointment of his successor to fill the unexpired term effectively ends the controversy. Any further adjudication of the action by the appellate court would be purely academic and there is no relief to be granted.

Respectfully submitted,

S/Bruce Byrholdt
Bruce A. Byrholdt (S.C. Bar No. 1071)
BYRHOLDT DRAWDY
2315 N. Main Street, Ste. 117
Anderson, SC 29621
864-261-3977

Law Offices of Kurt Tavernier, P.A.

s/Kurt Tavernier

Kurt Tavernier (S.C. Bar No. 12991)

117 West Benson Street

Anderson, SC 29624

864-222-9142

ATTORNEYS FOR RESPONDENTS

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PROOF OF SERVICE

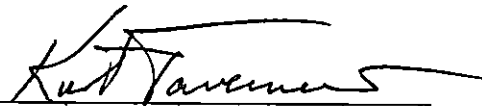
I hereby certify that on July 31, 2020, I served the Respondents' Motion to Dismiss on the Appellant, by mailing copies to via U.S. mail, with proper postage attached and addressed to the following:

Mr. David N. Lyon, Esquire
Duff, Freeman, Lyon, LLC
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Telephone 864-222-9142 sebuck1030@yahoo.com
Certified Circuit Court Mediator Certified Family Court Mediator

July 29, 2020

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
P.O. Box 11629 (2911-1629)
Columbia, South Carolina 29201

RE: Phillip Ashley, Kevin Craft and Jimmy Ouzts, Respondents v. Anderson County
School District Two Board of Trustees, Appellant
Appellate Case No. 2020-000003

Dear Ms. Kitchings:

Enclosed herewith for filing is an original copy of the following documents:

1. Respondents' Motion To Dismiss, the original and six copies;
2. Proof of Service upon Appellate counsel;
3. Filing fee;

I would appreciate you clocking a copy and returning to my office in the SASE I
have enclosed.

I am serving Appellant's counsel of record by copy of this letter.

Thank you in advance for your consideration. Should you need anything further,
please do not hesitate to call.

Very truly yours,

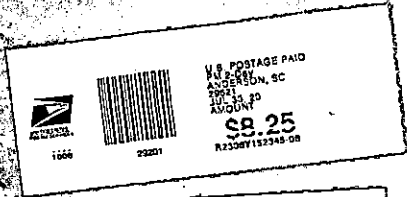
Law Offices of Kurt Tavernier, PA


Kurt Tavernier

Enclosures

cc: Mr. Bruce A. Byrholdt, Esq.
Mr. David N. Lyon, Esq.
Mr. David T. Duff, Esq.
Mr. Kenneth L. Childs, Esq.

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EXPECTED DELIVERY DAY: 08/03/20

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Clerk, South Carolina Court of Appeals
1220 Senate Street
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