

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM YORK COUNTY
Court of Common Pleas
Case No. 2017-CP-46-01617

RECEIVED
Jan 22 2021
SC Court of Appeals

John C. Hayes, III, Special Circuit Court Judge

Appellate Case No. 2017-002616

City of Rock Hill, Appellant,

v.

Andrew R. Maupin, Respondent

MOTION TO RENEW REQUEST FOR APPROVAL OF SETTLEMENT AGREEMENT

The appellant and Respondent consent and agree to the following:


1. Respondent was convicted of Driving Under the Influence 1st offense following a bench trial in the City of Rock Hill Municipal Court on May 19, 2017.
2. Respondent filed an appeal from his conviction with the York County Court of Common Pleas on June 1, 2017.
3. Respondent's appeal was heard by the Honorable John C. Hayes, III, on November 7, 2017. By order dated November 17, 2017, and filed November 20, 2017, Judge Hayes reversed the ruling of the trial court and ordered a new trial in this matter.

4. Appellant filed a motion to alter or amend judgment pursuant to Rule 59(e), SCR on December 4, 2017. Judge Hayes subsequently issued an order altering his prior ruling and holding that Respondent's conviction should be dismissed on December 7, 2017, and the order was filed on December 7, 2017.
5. On December 19, 2017, Appellant filed a timely Notice of Appeal from the rulings of the circuit court.
6. That Respondent's conviction for Driving Under the Influence 1st offense (citation number 201622800054195) is reinstated and the opinion of the circuit court in this matter is vacated.
7. That the appeal in this matter (Appellate Case No. 2017-002616) is dismissed upon the reinstatement of the Respondent's conviction for Driving Under the Influence 1st offense (citation number 201622800054195) and of the opinion of the circuit court in this matter is being vacated. That

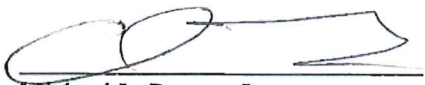
The following facts warrant parties' request of such extraordinary relief:

1. Respondent wishes to proceed with the suspension, rather than await a ruling.
2. Respondent does not wish to bear additional costs relating to litigating filed appeal.

WE SO MOVE and CONSENT.



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Respondent

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the Motion for Substitution of Counsel was served upon opposing counsel by mailing a copy via regular U.S. Mail on the 22nd of January 2021, to Michael L. Brown, Jr., Attorney for Respondent, Pose Office Box 1025, Rock Hill, South Carolina 29730.

I also certify that all parties required by Rule 203(b) SCACR to be served have been served.

CHISA J. PUTMAN
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