



The South Carolina Court of Appeals

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June 30, 2021

The Honorable Julie J. Armstrong
100 Broad St Ste 106
Charleston SC 29401-2210

REMITTITUR

Re: William Sean Irvin v. City of Folly Beach (Rabon)
Lower Court Case No. 2015CP1005379
Appellate Case No. 2017-002317

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,


CLERK

Enclosure

cc: Thomas R. Goldstein, Esquire
David Starr Cobb, Esquire
Brooklyn Ansley O'Shea, Esquire
Ian Richard O'Shea, Esquire

The South Carolina Court of Appeals

William Sean Irvin, Jr., as Personal Representative for
the Estate of Jonathan Edward Irvin, deceased,
Appellant,

v.

City of Folly Beach, South Carolina Department of
Transportation, Daniel Wilcutt, and Mitchell Dewitt
Rabon, Jr., Defendants,

Of whom Mitchell Dewitt Rabon, Jr. is the Respondent.

Appellate Case No. 2017-002317

ORDER

On January 13, 2021, this Court filed its opinion affirming the circuit court's grant of summary judgment to Respondent. *See Irvin v. City of Folly Beach*, Op. No. 5789 (S.C. Ct. App. filed Jan. 13, 2021) (Shearouse Adv. Sh. No. 1 at 27). While Appellant's petition for rehearing was pending, the parties filed a joint motion indicating they have reached a settlement contingent upon the dismissal of the appeal and the vacating of this Court's opinion.

The motion is granted. Opinion Number 5789 is hereby withdrawn and vacated. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.


_____ J.


_____ J.

D. Martin

J.

Columbia, South Carolina

cc:

Thomas R. Goldstein, Esquire
David Starr Cobb, Esquire
Brooklyn Ansley O'Shea, Esquire
Ian Richard O'Shea, Esquire

FILED
Mar 12 2021