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Jul 29 2021

SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY

Bentley D. Price, Circuit Court Judge for Charleston County

Appellate Case No. 2020-000594

Melissa Combs a/k/a Melissa Cleary.....Appellant,

v.

Carlie Elvin Cleary, Individually and as Personal Representative of the Estate of Scott B. Cleary & Ditech Financial, LLC

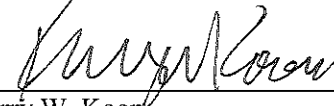
Of whom Carlie Elvin Cleary, Individually and as Personal Representative of the Estate of Scott B. Cleary .....Respondent,

AGREEMENT TO DISMISS APPEAL & REMAND

This is an appeal of an Order from the Charleston County Court of Common Pleas remanding the underlying case to the Charleston County Probate Court.

In order to facilitate a settlement of the underlying action, and pursuant to Rule 261, S.C.A.C.P., the parties do hereby agree that the appeal shall be dismissed and further request that the action be remanded to the Probate Court for Charleston County, consistent with the Order of the circuit court from which this appeal was taken.

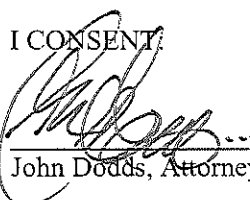
I SO MOVE:



Kerry W. Koon  
147 Wappoo Creek Drive, Ste. 203  
Charleston, SC 29412  
(843) 795-7000  
Attorney for Appellant

July 26, 2021

I CONSENT:

  
John Dodds, Attorney for Respondent

Telephone: Bus: (843) 795-7000  
Fax: (843) 762-5276

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**SC Court of Appeals**

***KERRY W. KOON***  
*Attorney at Law*

*147 Wappoo Creek Drive  
Wappoo Centre, Suite 203  
Charleston, South Carolina 29412*

July 27, 2021

**VIA EMAIL [ctappfiling@sccourts.org](mailto:ctappfiling@sccourts.org) & U.S. MAIL**

Jenny Kitchings, Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
PO Box 11629 (29211)  
Columbia, SC 29201

**RE: *Melissa Combs a/k/a Melissa Cleary v. Carlie Elvin Cleary, Individually & as Personal Representative of the Estate of Scott B. Cleary & Ditech Financial, LLC***  
**Appellate case #: 2020-000594**

Dear Madam Clerk,

Please find herewith an agreement to dismiss the above referenced appeal and remand the action to the Charleston County Probate Court in accordance with the Order of the Honorable Bentley Price from which this appeal is taken. If you find the same appropriate, I would appreciate it if you would file the agreement and dismiss and remand. Please advise if anything else needs to be done in order to carry out this agreement.

With kindest personal regards, I am

Very truly yours,

Kerry W. Koon

KWK:mm  
Enclosures

cc: John Dodds, Esq. (Via email: [john@cisadodds.com](mailto:john@cisadodds.com))