



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

November 10, 2021

The Honorable James C. Campbell
Sumter County Judicial Center
215 North Harvin Street
Sumter SC 29150-4974

REMITTITUR

Re: Joshua Gallishaw v. First Acceptance Insurance
Lower Court Case No. 2019CP4300926
Appellate Case No. 2020-001097

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,

V. Claire Allen

CLERK

Enclosure

cc: Peter E. Farr, Esquire
Tyler A. Bathrick, Esquire

The South Carolina Court of Appeals

Joshua Gallishaw, Respondent,

v.

First Acceptance Insurance Company of Tennessee, Inc.,
Appellant.

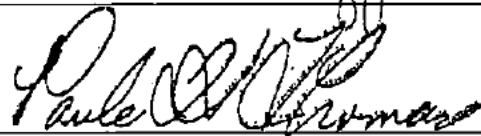
Appellate Case No. 2020-001097

ORDER

Appellant and Respondent have informed this Court that the issues presented by this appeal have been resolved by two recent decisions of our supreme court: *Nationwide Ins. Co. of America v. Knight*, Op. No. 28028 (S.C. Sup. Ct. filed May 12, 2021) and *United Services Automobile Association v. Belinda Pickens*, Op. No. 28050 (S.C. Sup. Ct. filed Aug. 11, 2021). The parties ask this Court to dismiss this appeal, vacate the circuit court's orders of June 18, 2020, and July 10, 2020, granting summary judgment in favor of Respondent and denying Appellant's motion for reconsideration, and remand to the circuit court to enter judgment in favor of Appellant. After careful consideration, the parties' request to dismiss this appeal is granted. The circuit court's orders are hereby vacated and the case is remanded to the circuit court for a determination consistent with the supreme court's recent decisions. *See* Rule 261(d), SCACR ("In the agreement [submitted to the appellate court for its consideration], the parties may request vacation of opinions, orders, decisions and judgments previously issued in the matter.").



J.



J.

John D. Beathem

J.

Columbia, South Carolina

cc:

Peter E. Farr, Esquire

Tyler A. Bathrick, Esquire