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**Dec 29 2021**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

The Honorable Roger M. Young  
Circuit Court Judge

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Case No. 2021-CP-10-03024

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The City of Isle of Palms,

Appellant,

v.

Watertoys, LLC d/b/a Tidalwave  
Watersports,

Respondent.

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**APPELLANT'S MOTION TO WITHDRAW APPEAL**

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Pursuant to Rule 240 of the South Carolina Appellate Court Rules, Appellant hereby respectfully moves to withdraw its appeal, currently pending before the South Carolina Court of Appeals. The grounds for this motion are as follows:

1. The parties have resolved the issues currently on appeal.
2. The parties have agreed to pay their respective attorneys' fees with regard to this appeal.
3. Respondent consents to the withdrawal.

**CONCLUSION**

For the reasons stated hereinabove, Appellant respectfully requests that the Court grant

Appellant's Motion to Withdraw Appeal.

Respectfully submitted,

/s/Jesse Sanchez

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ATTORNEYS FOR APPELLANT

I consent,

/s/Thomas R. Goldstein

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ATTORNEY FOR RESPONDENT

December 29, 2021  
Charleston, South Carolina

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The City of Isle of Palms,

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v.

Watertoys, LLC d/b/a Tidalwave  
Watersports,

Respondent.

**PROOF OF SERVICE**

I, the undersigned, certify that I have served *Appellant's Motion to Withdraw Appeal* on behalf of The City of Isle of Palms this 29<sup>th</sup> day of December 2021 on all counsel of record via their AIS-designated email at the below email addresses. Pursuant to Rule 262(C)(3), SCACR, and the Order of The Supreme Court of South Carolina, RE: Methods of Electronic Filing Under Rule 262 of the South Carolina Appellate Court Rules, entered August 25, 2021, a copy of the email to counsel is attached.

[Signature on following page]

s/Jesse Sanchez

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ATTORNEYS FOR APPELLANT

December 29, 2021  
Charleston, South Carolina

Other Counsel of Record:

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**From:** Jesse Sanchez [jesse@jessesanchezlaw.com](mailto:jesse@jessesanchezlaw.com) 

**Subject:** Re: The City of Isle of Palms, Appellant v. Watertoys, LLC d/b/a Tidalwave Watersports, Respondent, Case No. 2021-CP-10-03024

**Date:** December 29, 2021 at 11:14 AM

**To:** [tgoldstein@cobblaw.net](mailto:tgoldstein@cobblaw.net), Brent Halversen [Brent@halversenlaw.com](mailto:Brent@halversenlaw.com), Andrew Lindemann [Andrew@ldlawsc.com](mailto:Andrew@ldlawsc.com)



Mr. Goldstein,

Thank you for consenting to the Motion. For service, please find Appellant's Motion to Withdraw Appeal and the corresponding Cover Letter, which are being filed with the South Carolina Court of Appeals momentarily via OneDrive Electronic Submission.

Regards,

Jesse

On Tue, Dec 28, 2021 at 9:15 AM <[tgoldstein@cobblaw.net](mailto:tgoldstein@cobblaw.net)> wrote:

Feel free to include my e-file signature "/s/ Thomas R. Goldstein" and e-file.

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**From:** Jesse Sanchez <[jesse@jessesanchezlaw.com](mailto:jesse@jessesanchezlaw.com)>

**Sent:** Monday, December 27, 2021 2:32 PM

**To:** [tgoldstein@cobblaw.net](mailto:tgoldstein@cobblaw.net)

**Cc:** Brent Halversen <[Brent@halversenlaw.com](mailto:Brent@halversenlaw.com)>; Andrew Lindemann <[andrew@ldlawsc.com](mailto:andrew@ldlawsc.com)>

**Subject:** Re: The City of Isle of Palms, Appellant v. Watertoys, LLC d/b/a Tidalwave Watersports, Respondent, Case No. 2021-CP-10-03024

Mr. Goldstein,

Please find the attached Motion to Withdraw Appeal in the above matter. If you would kindly sign and email it back to me today, I will file it with the Court of Appeals.

Thank you,

Jesse

On Wed, Dec 15, 2021 at 2:52 PM Jesse Sanchez <[jesse@jessesanchezlaw.com](mailto:jesse@jessesanchezlaw.com)> wrote:

Counsel,

For service, please find the attached Cover Letter and Notice of Appeal, which are being filed momentarily with the Circuit Court and the South Carolina Court of Appeals via OneDrive electronic submission.

Regards,

Jesse

--

Jesse Sanchez

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IOP v Watertoys  
LLC -...21.pdf



IOP v Watertoys  
Letter t...21.pdf

December 29, 2021

VIA ONE DRIVE ELECTRONIC SUBMISSION

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201



RE: The City of Isle of Palms, Appellant v. Watertoys, LLC d/b/a Tidalwave  
Watersports, Respondent, Case No. 2021-CP-10-03024

Dear Ms. Kitchings:

Enclosed for filing, please find *Appellant's Motion to Withdraw Appeal*.

Pursuant to the August 25, 2021 *Order Re: Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules*, a check for the Fifty dollar (\$50.00) filing fee has been deposited in today's outgoing mail.

Thank you for your attention to this matter. Should you have any questions regarding this submission, please do not hesitate to contact me directly at (843) 814-8181.

Sincerely,

s/Jesse Sanchez  
Jesse Sanchez (S.C. Bar No. 101906)

Enclosures (as stated)

Cc: Thomas R. Goldstein, Esquire (Via AIS Email)  
Brent S. Halversen, Esquire (VIA AIS Email)  
Andrew F. Lindemann, Esquire (VIA AIS Email)