

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

APPEAL FROM YORK COUNTY
Court of Common Pleas

John C. Hayes, III, Circuit Court Judge

Case No.: 2011-CP-46-3645

**THE CITY OF ROCK HILL,
Appellant,**

v.

**RONNIE PICKETT,
Respondent.**

APPELLANT'S MOTION TO DECIDE THE APPEAL

CHRISTOPHER E. A. BARTON
Senior City Solicitor
201 E. Main Street, Suite 300
Rock Hill, South Carolina 29730
(803) 329-5619
Attorney for Appellant

MICHAEL L. BROWN, JR.
Post Office Box 1025
Rock Hill, South Carolina 29731
(803) 981-6857
Attorney for Respondent

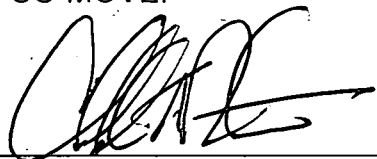
MEMORANDUM

I. RESPONDENT CONSENTS TO THE COURT OF APPEALS DECIDING THIS MATTER BASED ON THE COURT OF APPEALS RECENT RULING IN STATE V. HOYLE, S.C.Ct.App. Order dated April 4, 2102 (Shearouse Adv.Sh. No. 12).

The Respondent has not filed a brief in this matter and after reviewing the matter with Counsel for the Appellant, the Respondent consents to this Court deciding this matter based on this Court's recent decision in State v. Hoyle, S.C.Ct.App. Order dated April 4, 2102 (Shearouse Adv.Sh. No. 12) in which this Court was faced with an identical issue.


Appellant, The City of Rock Hill, agrees with the Respondent and moves this Court to decide this matter based on State v. Hoyle and the Record on Appeal.

I SO MOVE:



Christopher E. A. Barton
Senior City Solicitor
201 E. Main Street, Suite 300
Rock Hill, South Carolina 29730
(803) 329-5619
Attorney for Appellant

I SO CONSENT:



Michael L. Brown, Jr.
223 Main Street, Suite 550
Post Office Box 1025
Rock Hill, South Carolina 29731
(803) 328-8822
Attorney for Respondent

This 10th day of April, 2013
Rock Hill, South Carolina

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v.

**RONNIE PICKETT,
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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies pursuant to the South Carolina Appellate Court Rules that a true copy of Appellant's Motion to Dismiss the Appeal in the above captioned case has been served upon Respondent by hand delivery on the 17th day of April, 2013, to Michael L. Brown, Jr., Attorney for Respondent, 223 Main Street, Suite 550, Post Office Box 1025, Rock Hill, South Carolina 29731.



Christopher E. A. Barton
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201 E. Main Street, Suite 300
Rock Hill, South Carolina 29730
(803) 329-5619
Attorney for Appellant

THE STATE OF SOUTH CAROLINA



ROCK HILL
SOUTH CAROLINA

April 18, 2013

The Honorable Jeanette Barber
Clerk of the South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

RECEIVED

APR 22 2013

SC Court of Appeals

RE: The City of Rock Hill v. Ronnie Pickett
Case No. 2011-CP-46-03645

Dear Ms. Barber,

Enclosed please find the original unbound copy of the Record on Appeal and fifteen (15) bound copies for filing. A copy of the Record on Appeal was served on Michael L. Brown, Jr., attorney for the respondent. Also enclosed is one extra copy that I would ask to be returned to me in the enclosed self-addressed and metered envelope after it is clocked in.

Very truly yours,

Christopher E. A. Barton
Attorney for Appellant

Cc: Michael L. Brown, Jr.,

DELIVERED VIA FACSIMILE TRANSMITTAL TO 803-734-1839 AND VIA REGULAR U.S. MAIL



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CITY OF ROCK HILL SOLICITOR'S OFFICE

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