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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

Appeal from Anderson County
In the Court of Common Pleas
Hon. Roy R. Hemphill, Master-in-Equity presiding

2021-000861

James E. Allen and Diane F. Allen.....Respondents,

Versus

Bry Tye Moats Construction Co., LLC and Russell T. Moats.....Appellants.

MOTION TO DISMISS

Scarlet B. Moore, #72534
Attorney for Appellants
P.O. Box 17615
Greenville, S.C. 29606
(864) 214-5805
(864) 752-0930 (FAX)

April 4, 2022

NOW INTO COURT, come the Appellants, who move this Honorable Court for an Order dismissing this appeal. The Appellants and Respondents have resolved all issues regarding this appeal, and agree that this matter should be dismissed. To be clear, undersigned counsel has consulted with counsel for the Respondents, and the Respondents consent to the dismissal of this matter.

WHEREFORE, the Appellants pray that this Honorable Court will dismiss this pending appeal, given the fact that the Appellants and Respondents have resolved the issues regarding this pending appeal.

Respectfully Submitted,

s/Scarlet B. Moore

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Attorney for Appellants
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CERTIFICATE OF SERVICE

I certify that on this date, April 4, 2022, I served a copy of the **Appellants' Motion to Dismiss** on opposing counsel to their respective **E-MAIL** addresses, pursuant to the Order of the Supreme Court Appellate Case No. 2020-000447(g)(3).

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s/Scarlet B. Moore

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April 4, 2022
Greenville, South Carolina

SCARLET B. MOORE, ESQ.

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Jenny Abbott Kitchings
Clerk, The South Carolina Court of Appeals
P.O. Box 11629
Columbia, S.C. 29211

**RE: James E. Allen and Diane F. Allen v. Bry Tye Moats Construction Co., LLC
and Russell T. Moats, 2021-000861**

Dear Madam Clerk,

Enclosed please find the Appellants' Motion to Dismiss and a Certificate of Service in the above titled matter. As I am filing this motion electronically, I will forward the filing costs of \$50.00 to the Court of Appeals by mail.

Please let me know if you have questions regarding the enclosed. With kind regards, I remain

Very Truly Yours,

s/Scarlet B. Moore

Scarlet B. Moore, Esq.
Counsel for Appellant

SBM/s

Cc: David J. Brousseau, Esq.
Marshall P. Sherard, Jr., Esq.