

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Supreme Court**

Mario Escalante, Petitioner,

v.

David L. Rodgers and Janice W. Rodgers, d/b/a
Whitehall Express Mart, Respondents.

Appellate Case No. 2020-000689

ON WRIT OF CERTIORARI TO THE COURT OF APPEALS

Appeal from Anderson County
R. Lawton McIntosh, Circuit Court Judge

Opinion No. 2021-MO-008
Heard May 5, 2021 – Filed May 12, 2021

**CERTIORARI DISMISSED AS IMPROVIDENTLY
GRANTED**

Donald Loren Smith, of Attorney Office of Donald Smith,
of Anderson, for Petitioner.

Phillip E. Reeves and Nicholas Andrew Farr, both of Gallivan, White & Boyd, PA, of Greenville, for Respondents.

PER CURIAM: We issued a writ of certiorari to review the court of appeals' decision in *Escalante v. Rodgers*, Op. No. 2020-UP-021 (S.C. Ct. App. filed Jan. 29, 2020). We now dismiss the writ as improvidently granted.

DISMISSED AS IMPROVIDENTLY GRANTED.

BEATTY, C.J., KITTREDGE, HEARN, FEW, and JAMES, JJ., concur.