

RECEIVED

Jan 23 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas
G.D. Morgan, Jr., Circuit Court Judge

Civil Action No. 2023-CP-23-01039

Appellate Case No. 2023-001469

Desimber Rose Wattleton,

Appellant,

v.

A&K Auto Sales and Leasing, LLC, Ameen Aljaouni, Tim Yarger, Tony Scott,
Ryan Little, Atlantic Acceptance Corp., Westlake Financial Services,
Roy Owens and Roy Ownes Towing, Defendants,

Of Which A&K Auto Sales and Leasing, LLC and Westlake Financial
Services are the Respondents.

**MOTION TO ALLOW LATE FILING OF APPELLANT'S RETURN TO
WESTLAKE SERVICES, LLC dba WESTLAKE FINANCIAL SERVICES'
MOTION TO CLARIFY AND MOTION TO DISMISS**

Appellant Desimber Rose Wattleton, respectfully submits this Motion to Allow the Late Filing of the Return to Westlake Financial Services' Motion to Clarify November 27, 2023 Order and Motion to Dismiss Westlake Services, LLC dba Westlake Financial Services from Appeal filed on December 18, 2023.

Westlake Financial Services filed this Motion on December 18, 2023. On this day the Appellant was traveling to The Gambia, Africa for her wedding, which had been postponed from March 2023 due to the incident related to this case. In February 2023, Appellant's vehicle was unlawfully repossessed. During the repossession of Appellant's vehicle, she broke her foot in two places and severely sprained her ankle. As a result of this injury her wedding was delayed 9 months and rescheduled for December in order to allow time for adequate recovery from this injury enough to travel and walk without the stabilizing brace prescribed by her doctor.

The wedding was rescheduled for December 22, 2023, and the Appellant traveled from Greenville, South Carolina to The Gambia, Africa, departing on December 17, 2023, and returned to the United States on January 3rd, 2024. Upon returning to the United States, the Appellant reviewed the status of the case and responded to the Motion as expeditiously as possible on January 8th, 2024. Please find enclosed a copy of Appellant's flight tickets and travel itinerary confirming the dates of travel.

Due to the reasons stated, it was not feasible for the Appellant to respond within 10 days of Westlake's motion as required. In light of these circumstances, Appellant moves the Court to allow the Late Filing of the Return to Westlake Financial Services' Motion to Clarify November 27, 2023 Order and Motion to Dismiss Westlake Services, LLC dba Westlake Financial Services from Appeal filed on December 18, 2023.

RESPECTFULLY SUBMITTED,

January 23, 2024

s/Desimber R. Wattleton

Desimber Rose Wattleton, Pro Se

P.O. Box 1075

Taylors, SC 29687

(864) 373-8921

desimberrose@gmail.com



Desimber Rose <desimberrose@gmail.com>

eTicket Itinerary and Receipt for Confirmation FQPTW8

1 message

United Airlines <Receipts@united.com>
To: DESIMBERROSE@gmail.com

Mon, Oct 23, 2023 at 1:45 AM



Mon, Oct 23, 2023

Thank you for choosing United.

A receipt of your purchase is shown below. Please retain this email receipt for your records.

Get ready for your trip: [Visit the Travel-Ready Center](#), your one-stop digital assistant, to find out about important travel requirements specific to your trip.

Confirmation Number:

FQPTW8

Flight 1 of 5 UA9928

Class: Economy (V)

Sun, Dec 17, 2023

06:25 PM

New York, NY, US (JFK)

Mon, Dec 18, 2023

07:40 AM

Brussels, BE (BRU)

Flight Operated by Brussels Airlines.

If this is an originating flight on your itinerary, please check in at the BRUSSELS AIRLINES ticket counter.

Flight 2 of 5 SN203

Class: Economy (M)

Mon, Dec 18, 2023

12:10 PM

Brussels, BE (BRU)

Mon, Dec 18, 2023

07:10 PM

Banjul, GM (BJL)

Flight Operated by Brussels Airlines.

Flight 3 of 5 SN224

Class: Economy (U)

Tue, Jan 02, 2024

10:15 PM

Wed, Jan 03, 2024

05:10 AM

Banjul, GM (BJL)

Brussels, BE (BRU)

Flight Operated by Brussels Airlines.

Flight 4 of 5 SN2729

Class: Economy (U)

Wed, Jan 03, 2024

Wed, Jan 03, 2024

06:40 AM

07:55 AM

Brussels, BE (BRU)

Zürich, CH (ZRH)

Flight Operated by Brussels Airlines.

Flight 5 of 5 UA9718

Class: Economy (Q)

Wed, Jan 03, 2024

Wed, Jan 03, 2024

09:50 AM

01:00 PM

Zürich, CH (ZRH)

New York, NY, US (JFK)

Flight Operated by SWISS International Airlines.

If this is an originating flight on your itinerary, please check in at the SWISS INTERNATIONAL ticket counter.

Traveler Details

WATTLETON/DESIMBERROSE

eTicket number: **0162336607373**

Seats: **JFK-BRU -----**
BRU-BJL -----
BJL-BRU -----
BRU-ZRH -----
ZRH-JFK -----

Purchase Summary

Method of payment:

Date of purchase:

Miscellaneous Document

Mon, Oct 23, 2023

Airfare:	980.00
U.S. Transportation Tax:	42.20
TaxCode KB:	12.20
Belgium Embarkation Tax:	49.20
September 11th Security Fee:	5.60
International Surcharge:	530.00
U.S. APHIS User Fee:	3.83
Switzerland Airport Passenger/Security Charge:	17.50
U.S. Customs User Fee:	6.52
U.S. Immigration User Fee:	7.00
Gambia Airport Development Levy:	21.20
Gambia Airport Security Charge:	1.80
Gambia Passenger Service Charge:	12.20

U.S. Passenger Facility Charge:

4.50

Total Per Passenger:

1693.75 USD

Total:**1693.75 USD****Payment Info**

Remaining value of your previous ticket numbers 0162330587369 was applied to this purchase.

Fare Rules

Additional charges may apply for changes in addition to any fare rules listed.

SKCHG;NONREF/OVALUAFTDPT

Cancel reservations before the scheduled departure time or TICKET HAS NO VALUE.

Baggage allowance and charges for this itinerary

Origin and destination for checked baggage	1st bag charge	2nd bag charge	1st bag weight and dimensions	2nd bag weight and dimensions
Sun, Dec 17, 2023 New York, NY, US (JFK - Kennedy) to Banjul, GM (BJL)	0 USD	0 USD	50lbs(23kg) - 62in(157cm)	50lbs(23kg) - 62in(157cm)
Tue, Jan 02, 2024 Banjul, GM (BJL) to New York, NY, US (JFK - Kennedy)	0 USD	0 USD	50lbs(23kg) - 62in(157cm)	50lbs(23kg) - 62in(157cm)

Important Information about MileagePlus Earning

- Accruals vary based on the terms and conditions of the traveler's frequent flyer program, frequent flyer status, and the selected itinerary. United MileagePlus® mileage accrual is subject to the rules of the MileagePlus program. Once travel has started, accruals will no longer display. You can always view your MileagePlus account for posted accrual.
- You can earn up to 75,000 award miles per ticket. The 75,000 award miles cap may be applied to your posted flight activity in an order different than shown. Accrual is only displayed for MileagePlus members who choose to accrue to their MileagePlus account.

International eTicket Reminders

- **Check-in Requirement** - Bags must be checked and boarding passes obtained at least 60 minutes prior to scheduled departure. Baggage will not be accepted and advance seat assignments may be canceled if this condition is not met.
- **Boarding Requirement** - Passengers must be prepared to board at the departure gate with their boarding pass at least 30 minutes prior to scheduled departure.
- Failure to meet the **Boarding Requirements** may result in cancellation of reservations, denied boarding, removal of checked baggage from the aircraft and loss of eligibility for denied boarding compensation.
- Bring this eTicket Receipt along with [photo identification](#), proof of citizenship, passport and/or visa to the ticket lobby for check-in.
- The FAA now restricts carry-on baggage to one bag plus one personal item (purse, briefcase, laptop computer, etc.) per passenger. The fare rules for your ticket may restrict your carry-on baggage allowance even further.
- For up to the minute flight information, sign-up for our [Flight Status Updates](#) or call 1-800-824-6200; in Spanish 1-800-426-5561.
- If flight segments are not flown in order, your reservation will be cancelled. Rebooking will be subject to the fare rules governing your ticket.
- For the most current status of your reservation, go to our [Flight Status](#) page.
- Your eTicket is non transferable and valid for 1 year from the issue date unless otherwise noted in the fare rules.
- International taxes and fees may be collected at your departure airport.



Desimber Rose <desimberrose@gmail.com>

Your trip confirmation (JFK - GSP)

1 message

American Airlines <no-reply@info.email.aa.com>
To: DESIMBERROSE@gmail.com

Tue, Jan 2, 2024 at 12:22 PM



Issued: January 2, 2024

Your trip confirmation and receipt

You can check in via the American app 24 hours before your flight and get your mobile boarding pass.

Record Locator: DLBRRN

Wednesday, January 3, 2024

JFK
New York Kennedy
5:31 PM

AA 2603

MIA
Miami
8:47 PM

Seat: **14F**
Class: **Economy (M)**
Meals: **Refreshment**

MIA
Miami
10:00 PM

GSP
Greenville-Spartanburg
11:59 PM

AA 3807
Operated by Envoy Air
as American Eagle

Seat:
Class: **Economy (M)**
Meals:

[Manage your trip](#)

Earn 15,000 bonus miles
Plus no annual fee. Terms Apply.
[Learn more](#)



Your purchase

Desimber Rose Wattleton

[Join the AAdvantage® Program](#)

New ticket (0012103997659)	\$490.60
[\$433.49 + Taxes & carrier-imposed fees \$57.11]	
External Res Service Fee	\$50.00
Document #: (0010641837995)	

Total cost \$540.60

Your payment

Visa (ending 9632)	\$50.00
Flight Credit (ending 0632)	\$499.20
Total paid	\$540.60
Refund to Trip Credit (0014426041552)	-\$8.60

Bag information

Checked Bag (Airport)

JFK - GSP
1st bag No charge
2nd bag \$40.00

JFK - GSP
Maximum dimensions: 62 inches or 158 centimeters calculated as (length + width + height)
Maximum weight: 50 pounds or 23 kilograms

For information regarding American Airlines checked baggage policies, please visit: [Bag and optional fees](#)

Bag fees apply at each Check-in location. Additional allowances and/or discounts may apply. [Bag and optional fees](#)

If your flight is operated by a partner airline, see the [other airline's](#) website for carry-on and checked bag policies.

Carry-on bags

1st carry-on Includes purse, briefcase, laptop bag, or similar item that must fit under the seat in front of you.

2nd carry-on Maximum dimensions not to exceed: 22" long x 14" wide x 9" tall (56 x 35 x 23 cm).



[Book a hotel](#)
»



[Book a car](#) »



[Buy trip insurance](#) »



[AAVacations](#) »



[Contact us](#)
[Privacy policy](#)

[Download the American app](#)



© American Airlines, Inc. All Rights Reserved.



THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED

Jan 23 2024

SC Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas
G.D. Morgan Jr., Circuit Court Judge

Civil Action No. 2023-CP-23-01039

Appellate Case No. 2023-001469

Desimber Rose Wattleton, Appellant,

v.

A&K Auto Sales and Leasing, LLC, Ameen Aljaouni, Tim Yarger, Tony Scott,
Ryan Little, Atlantic Acceptance Corp., Westlake Financial Services, Roy Owens
and Roy Owens Towing, Defendants,

Of Which A&K Auto Sales and Leasing, LLC and Westlake Financial Services are the
Respondents.

PROOF OF SERVICE

I certify that I have served Appellant's Motion for Late Filing of Appellant's Return to Westlake Financial Services' Motion to Clarify November 27, 2023 Order and Motion to Dismiss Westlake Services, LLC dba Westlake Financial Services from Appeal filed on December 18, 2023 on Respondents A&K Auto Sales and Westlake Financial Services, by email and US Mail to the addresses below.

Shannon N. Peake – murrell@smithrobinsonlaw.com
G. Murrell Smith, Jr. – murrell@smithrobinsonlaw.com
Smith Robinson
2530 Devine Street
Columbia, SC 29204
Counsel for Westlake Financial, LLC

Robert Childs, III – robert@lawyerchilds.com
Childs Law Firm
20 Center Street
Travelers Rest, SC 29690
Counsel for A&K Auto Sales, LLC

[Signature of Counsel on Following Page]

January 23, 2024

Respectfully submitted,

s/ Desimber R. Wattleton
Desimber Rose Wattleton
P.O. Box 1075
Greenville, SC 29687
(864) 373-8921



Desimber Rose <desimberrose@gmail.com>

Wattleton v. A&K Auto et al. - C/A No. 2023-CP-23-01039 / Appellate Case No. 2023-001469: Appellant's Motion for Late Filing

1 message

Desimber Rose <desimberrose@gmail.com>

Tue, Jan 23, 2024 at 1:40 PM

To: "robert@lawyerchilds.com" <robert@lawyerchilds.com>, Patsy Ahearn <patsy@lawyerchilds.com>, Terry Rouse <terry@lawyerchilds.com>, Jennifer Lisandrelli <jennifer.lisandrelli@smithrobinsonlaw.com>, Shanon Peake <shanon.peake@smithrobinsonlaw.com>

Good Afternoon,

Please find attached for service the *Motion for Late Filing of Appellant's Return to Westlake Financial's Motion to Clarify November 27, 2023 Order and Motion to Dismiss Westlake Services, LLC dba Westlake Financial Services from Appeal filed on December 18, 2023*, dated January 23, 2024.

Best Regards,

Desimber Rose Wattleton, Pro Se
Post Office Box 1075
Taylors, South Carolina 29687
(864) 373-8921

 **Appellant - Motion for Late Filing.pdf**
983K