

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**

**Jan 25 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.

**APPELLANT'S RETURN TO A&K AUTO SALES AND  
LEASING, LLC'S MOTION FOR EXTENSION  
OF TIME OR TO STAY BRIEFING**

Appellant Desimber Rose Wattleton, respectfully submits this Response to A&K Auto Sales and Leasing, LLC's Motion for Extension of Time or to Stay Briefing filed on January 25, 2024.

Appellant filed her Initial Brief on November 27, 2023. On December 11, 2023, A&K Auto Sales submitted a letter to the Appeals Court requesting an Extension to file a response to January 27, 2024, which is two months after the filing of Appellant's Initial Brief. The reason stated in this request was, "*I have been delayed by several hearings and trials during this month, and as a result, I will require additional time in which to complete the Respondent's Initial Brief and Designation of Matter in this case for service and filing.*" (emphasis added)

Respondent A&K Auto sales, now after having been given two months to respond to Appellant's initial brief, is now requesting an extension on January 25, 2024, with the Respondent's Initial Brief and Designation of Matter due in just two days on January 27, 2024, except the reason is

now that somehow the Motion filed by Westlake Financial may have a significant impact on A&K Auto Sales response to Appellant's Initial Brief. With all due respect, there is not any portion of Westlake Financial's Motion or outcome thereof that would directly or indirectly impact or affect A&K Auto Sales in any logical or foreseeable manner.

Two separate Orders were issued by the Circuit Court in September 2023. Westlake Financial was dismissed from Appellant's Second Amended Complaint in its entirety under Rule 12(b)(6). A&K Auto Sales was only dismissed from the Second Cause of Action for Breach of Good Faith and Fair Dealing. Whether or not Westlake Financial is successful in their attempt to be dismissed from this Appeal or not has absolutely no bearing on the outcome of A&K Auto Sales as a Respondent to this Appeal, neither does it have any impact on A&K Auto Sales as a Defendant in this matter before the Circuit Court.

The Appellant has filed two separate Notices of Appeal; therefore; the Notice of Appeal pertaining to A&K Auto Sales should not be Stayed pending the outcome of any Motions filed by Westlake Financial Services. There is not any outcome of Westlake's Motion to Dismiss that will have a direct or indirect impact on any of the Causes of Actions currently pending against A&K Auto Sales, whether before the Court of Appeals or the Circuit Court.

Respondent Westlake Financial Services filed its Motion to Dismiss on December 18, 2023, nearly a month after Appellant's Initial Brief was filed. A&K Auto requested an extension on December 11, 2023, for the reasons quoted above. It is now 60 days since the filing of Appellant's Initial Brief, whereby One Argument and One Question is before the Appeals Court pertaining to A&K Auto Sales and its dismissal from a single Cause of Action. There is no reasonable explanation for why A&K Auto Sales is not able to file a response to Appellant's Initial Brief within 60 days.

In Conclusion, even though the Appellant is pro se, she has complied with the rules of civil procedure and any other stipulations of the Appeals Court process. A&K Auto Sales, with a fully staffed law firm, knowledgeable and experienced in the practice of law, should not be enabled to abuse the good will of the Court and the judicial process in order to deny the Appellant a timely judicial review and appellate decision pertaining specifically to A&K Auto Sales and Leasing, LLC.

Accordingly, Appellant respectfully requests that the Court dismiss A&K Auto Sales Motion for Extension of Time or to Stay Briefing in its entirety, or in the alternative allow for a time to respond not more than an additional 15 days, in order not to unfairly burden the Appellant by further extending her pursuit of a just resolution to the Causes of Action presently before the Circuit Court specifically pertaining to Respondent A&K Auto Sales and Leasing, LLC.

RESPECTFULLY SUBMITTED,

January 25, 2024

*s/Desimber R. Wattleton*  
**Desimber Rose Wattleton, Pro Se**  
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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 Return to A&K Auto Sales and Leasing, LLC's  
Motion for Extension of Time or to Stay Briefing filed on January 25, 2024 by email and  
US Mail to the addresses below.

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*Counsel for A&K Auto Sales, LLC*

[Signature of Counsel on Following Page]

January 25, 2024

Respectfully submitted,

s/ Desimber R. Wattleton  
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Desimber Rose &lt;desimberrose@gmail.com&gt;

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**Wattleton v. A&K Auto et al. - C/A No. 2023-CP-23-01039 / Appellate Case No. 2023-001469: Appellant's Return to A&K Auto Motion for Extension/Stay**

1 message

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**Desimber Rose** <desimberrose@gmail.com>

Thu, Jan 25, 2024 at 4:26 PM

To: Robert Childs &lt;Robert@lawyerchilds.com&gt;, Shanon Peake &lt;shanonp@smithrobinsonlaw.com&gt;, Murrell Smith &lt;Murrell@smithrobinsonlaw.com&gt;, Jennifer Lisandrelli &lt;jennifer.lisandrelli@smithrobinsonlaw.com&gt;, Terry Rouse &lt;terry@lawyerchilds.com&gt;, Patsy Ahearn &lt;Patsy@lawyerchilds.com&gt;

Good Afternoon,

Please find attached for service the *Appellant's Return to A&K Auto Sales and Leasing, LLC's Motion for Extension of Time or to Stay Briefing filed on January 25, 2024*, dated January 25, 2024.

Best Regards,

Desimber Rose Wattleton, Pro Se  
Post Office Box 1075  
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 **Appellant Response to Motion for Extension - A&K Auto Sales.pdf**  
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