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Mar 28 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.

**WESTLAKE SERVICES, LLC dba WESTLAKE FINANCIAL SERVICES' RETURN
TO APPELLANT'S MOTION TO CLARIFY MARCH 12, 2024 ORDER**

Pursuant to Rule 240(e) of the South Carolina Appellate Court Rules, Westlake Services, LLC dba Westlake Financial Services (“Westlake”), erroneously sued as its fictitious business name, respectfully submits this Return to Appellant Desimber Rose Wattleton’s Motion to Clarify March 12, 2024 Order Dismissing Westlake Services, LLC dba Westlake Financial Services From Appeal. Appellant does not seek rehearing from the March 12, 2024 Order. Instead, Appellant requests the Court “clarify whether the March 12th Order dismissing Westlake from the appeal precludes Appellant from the right to bring future legal action against Westlake.” (App. Mtn. p. 5). Appellant is seeking an improper advisory opinion from this Court. *See Sangamo Weston, Inc. v. Nat'l Sur. Corp.*, 307 S.C. 143, 148, 414 S.E.2d 127, 130 (1992) (“[An appellate] court will not

issue advisory opinions and cannot alter precedent based on questions presented in the abstract.”).

Therefore, the Court should deny Appellant’s Motion.

RESPECTFULLY SUBMITTED,

SMITH | ROBINSON
Smith Robinson Holler DuBose and Morgan, LLC

s/Shanon N. Peake
G. Murrell Smith, Jr.
Shanon N. Peake
2530 Devine Street
Columbia, SC 29204
803-254-5445
murrell@smithrobinsonlaw.com
shanonp@smithrobinsonlaw.com

Columbia, South Carolina
March 28, 2024

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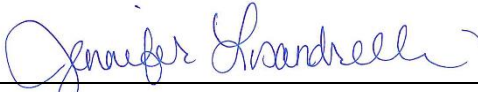
Of Which A&K Auto Sales and Leasing, LLC and Westlake Financial Services are the
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PROOF OF SERVICE

I, the undersigned employee of Smith Robinson Holler DuBose and Morgan, LLC, certify that a true copy of Westlake Services, LLC dba Westlake Financial Services' Return to Appellant's Motion to Clarify March 12, 2024 Order in this case has been served on the following, this 28th of March, 2023, by emailing a copy to each attorney listed below using their primary email address listed in the Attorney Information System pursuant to Rule 262 of the South Carolina Appellate Court Rules and the May 6, 2022 Order of the South Carolina Supreme Court (Appellate Case No. 2020-000447) and by depositing the same in the United States Post Office, postage prepaid, addressed to Appellant Desimber Rose Wattleton at the address below.

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

Desimber Rose Wattleton
Post Office Box 1075
Taylors, SC 29687
Pro se Plaintiff



Jennifer Lisandrelli

March 28, 2024

From: [Jennifer Lisandrelli](#)
To: [Desimber Rose](#); [Robert Childs](#)
Cc: [Terry Rouse](#); [Murrell Smith](#); [Shanon Peake](#)
Subject: Wattleton v Westlake Case #2023-001469
Date: Thursday, March 28, 2024 12:27:00 PM
Attachments: [2024.03.28 WL Return to App Mtn Clarify, 1.pdf](#)
[2024.03.28 POS Return App Mtn Clarify, 1.pdf](#)

Good afternoon. Attached is the Respondent Westlake's Return to Appellant's Motion to Clarify March 12, 2024 Order for service upon you in the above referenced matter.



Jennifer Lisandrelli
Paralegal

E: j.lisandrelli@smithrobinsonlaw.com
P: 803.778.2471
D: 803.774.6222
F: 803.778.1643

Sumter Office
126 N. Main Street
Sumter, SC 29151

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