

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPELLATE CASE NO. 2023-001708

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JUN 05 2024

SC Court of Appeals

SUZANNE SILVERMAN,

RESPONDENT,

VS.

RIDEAWAY MOTORS LLC, CHRIS
WOODBURY, AND TREY COOPER
INDIVIDUALLY AND/OR DBA RIDEAWAY
MOTORS, LLC

APPELLANTS.

RESPONSE TO RESPONDENT'S OPPOSITION TO APPELLANTS' MOTION FOR
EXTENSION OF TIME

Now comes Appellants in response to Respondent's opposition to its motion for extension of time. First, Appellants' main reason for this request is the fact that Appellant Woodbury had pneumonia for a 2 week period. This period of sickness not only caused delays in Appellant Woodbury preparing this initial brief, but also caused him to get behind in his business, Woody's Autos LLC. Contrary to Respondent's statements, pneumonia is not like the common cold or even the flu... its far worse and can even be deadly if not treated. Therefore, the unexpected case of pneumonia should definitely be considered an "extraordinary" circumstance because it does not occur on a regular basis with anyone.

Second, Appellants' are not wasting this Courts' time with frivolous arguments. The arguments to be presented on appeal are:

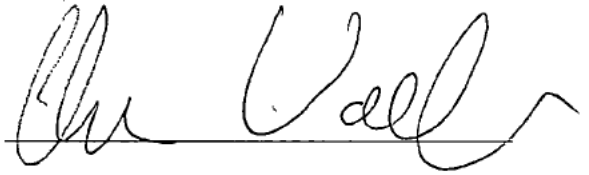
- 1) Whether Pro Se Appellants were denied due- process when the Judge McFadden Court dismissed its motion for change of venue on the ground of lack of prosecution without reviewing the merits when S.C. Code Section 15-7-30(E)(1) holds that civil action against

an LLC must be brought and tried in the county where the LLC has its principal place of business at the time the cause of action arose, and Rideaway Motors LLC operates and is located in Kingstree South Carolina in Williamsburg County, not in Florence County?

- 2) Whether the lower court abused its discretion in dismissing Pro Se Appellants' motion for change of venue on the ground of failure to prosecute without ever addressing the facts and laws in support of this motion?
- 3) Whether Pro Se Appellants were denied Due Process when the lower court dismissed their motion for change of venue for lack of prosecution without prejudice without ever sending them any notice of this dismissal, then granted summary judgment for the Respondent 8 days later and again failed to send Pro Se Appellants any notice of this filing, thereby disallowing Appellants an opportunity to respond and properly defend themselves in this matter?
- 4) Whether the lower court in Florence County was without jurisdiction to hear this civil case when the SC Code of Laws Section 15-7-30(E)(1) clearly holds that civil actions against an LLC must be brought and tried in the county where the LLC has its principal place of business, and Rideaway Motors LLC is located and has its principal place of business in Kingstree SC which is located in Williamsburg County, and when Appellants timely objected to this case being heard in Florence County?

As demonstrated by the above issues to be presented on appeal, this case is not frivolous and presents matters of law and fact that should be addressed by this Honorable Court. Further, pneumonia should be considered an extraordinary circumstance in this case. Therefore, in the interests of justice Appellants respectfully request that this Honorable Court grant one more extension of time for the filing of Appellants' Initial Brief.

Respectfully Submitted,



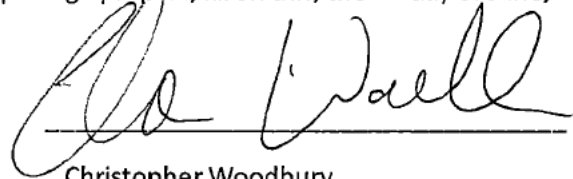
Christopher Woodbury

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CERTIFICATE OF SERVICE

A copy of Appellants' "Response To Respondent's Opposition To Appellants' Motion For Extension Of Time" was sent Respondent's counsel of record J. Charles Ormond, Jr., Esq at 301 Stoneridge Drive, Columbia, SC 29210 and to Noah S. Rosner, Esq at Northridge 400, Bldg. 2, 8325 Dunwoody Place; Atlanta, GA 30350; by placing the same in the US mail, postage prepaid, all on this, the 5th day of June, 2024.



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