

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM GREENVILLE COUNTY  
COURT OF COMMON PLEAS

Judge G. D. Morgan

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Case No. 2024-CP-23-00312  
Appellate Case No.: 2024-000731

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Christopher Jones,

Appellant,

v.

D&B Real Estate Ventures, LLC.;  
Darius Jones; Bradley Robinson,

Respondents.

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**RESPONDENTS' MOTION FOR DISMISSAL, OR IN THE ALTERNATIVE,  
SANCTIONS**

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Pursuant to Rule 262(c) of the South Carolina Appellate Court Rules (SCACR), Respondents D&B Real Estate Ventures, LLC., Darius Jones, and Bradley Robinson (collectively “Respondents”), by and through their undersigned counsel, hereby moves for a dismissal of this appeal, or in the alternative, for sanctions against Appellant, Christopher Jones (“Appellant”). This motion is based on the grounds that the Appellant has routinely failed to abide by this Court’s Orders and notice, and the Appellant has consistently failed to serve all parties with copies of documents he files with this Court, despite prior reminders to do so and despite his ‘certificates of service’ that indicate otherwise. In support of their motion, Respondents would show the following:

1. Appellant filed his first Notice of Appeal on March 13, 2024 in case number 2024-000417. Counsel for Respondent did not receive a copy of the Notice of Appeal via email or via U.S. Mail.
2. On March 21, 2024, a Deficiency Letter regarding the filing fee not being submitted was sent to Appellant from the court via email. Counsel for Respondent was copied on this email from the court, which is how they found out about the filing of the initial Notice of Appeal.
3. On April 5, 2024, Appellant sent proof of ordering the Transcript to the court via email. Counsel for Respondent was not copied on the email to the court and did not receive a copy of the documents via U.S. Mail.
4. On April 9, 2024, Appellant filed a Motion to Extend Automatic Stay via email to the court. Counsel for Respondent was not copied on the email to the court and did not receive a copy of the Motion via U.S. Mail.
5. On April 10, 2024, a Deficiency Letter regarding the motion fee and proof of service not being submitted was sent to Appellant from the court via email. Counsel for Respondent was copied on this email from the court, which is how they found out about the filing of the Motion to Extend Automatic Stay that was filed by Appellant.
6. On April 11, 2024, Appellant submitted payment for the motion fee and his proof of service to the court via email. Counsel for Respondent was not copied on the email to the court and did not receive a copy of the proof of service via U.S. Mail.

7. On April 12, 2024, a letter giving Respondent until April 22, 2024 to file a return to Appellant's Motion was sent by the court via email to Appellant and counsel for Respondent.
8. On April 12, 2024, Counsel for Respondent sent an email notifying both the court and Appellant that no copies of filings have been received via email or U.S. Mail and requested that Appellant please send copies of all documents to Counsel for Respondent, to include via email.
9. On April 12, 2024, Appellant sent an email to the court and counsel for Respondent confirming that he would send copies of all documents via email to counsel for Respondent.
10. On April 23, 2024, Appellant's initial appeal was dismissed for being filed prematurely.
11. On May 1, 2024, Appellant filed his current Notice of Appeal with the Court of Appeals via email. A copy was forwarded via email by Appellant to counsel for Respondent and stated that a copy would also be placed in the mail. Counsel for Respondent did not receive a copy via U.S. Mail.
12. On May 9, 2024, a deficiency letter was sent to Appellant from the court stating that no filing fee was submitted and that the Notice of Appeal had not been filed with the lower court.
13. On May 20, 2024, Appellant filed a Motion for Extension of Time to submit proof of filing his Notice of Appeal with the lower court. Counsel for Respondent was not sent a copy via email, despite Appellant agreeing to send copies of all

documents via email on April 12, 2024. Counsel for Respondent also did not receive a copy of Appellant's filing via U.S. Mail.

14. On May 28, 2024, a deficiency letter was sent from the court to Appellant regarding the Motion fee not being submitted. Counsel for Respondent was copied on the email from the court, which is how they became aware of the Motion having been filed.

15. On June 8, 2024, Appellant submitted the Motion fee to the court and sent a copy via email to the court with counsel for Respondent copied.

16. The court granted Appellant's Motion for Extension of Time on June 24, 2024, and gave Appellant until July 5, 2024, to submit proof of filing the Notice of Appeal with the lower court.

17. On July 15, 2024, ten (10) days beyond the Court's deadline, Appellant submitted his proof of filing the Notice of Appeal with the lower court and his Notice of Appeal via email to the court. Counsel for Respondent was not sent a copy via email and did not receive a copy via U.S. Mail.

18. On July 15, 2024, Appellant filed a Motion for Extension of Time to file his Notice of Appeal. Once again, counsel for Respondent was not sent a copy via email nor via U.S. Mail. Counsel for Respondent only became aware of the motion after checking the court website.

19. Counsel for Respondent has not been served copies of any documents filed by Appellant since May 1, 2024.

**WHEREFORE**, for the reasons stated herein, Respondents respectfully request that this Court dismiss the present appeal, or in the alternative, sanction Appellant for consistently failing

to serve all parties with copies of his filings, ignoring both the well-established rules and prior instructions regarding same.

Respectfully submitted this 9th day of August 2024.

HOLDER, PADGETT, LITTLEJOHN + PRICKETT, LLC

Greenville, South Carolina

s/ M. Stokely Holder \_\_\_\_\_

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*Attorneys for Respondents*

RECEIVED

Aug 09 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

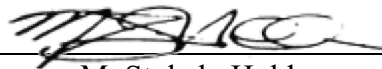
APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

THE HONORABLE G.D. MORGAN

Appellate Case No. 2024-00417  
Circuit Court Case No. 2024-CP-23-00312

CERTIFICATE OF SERVICE

I, the undersigned attorney for the Respondents, D&B Real Estate Ventures, LLC, Darius Jones and Bradley Robinson, do hereby certify that I have served the Respondents' Motion for Dismissal, or in the Alternative, Sanctions on the Appellant, Christopher Jones by sending a copy via email to [intljonesc@gmail.com](mailto:intljonesc@gmail.com) and via mail to 309 Perry Ave., Greenville, SC 29601. I also certify that I have served the Respondents' Motion for Dismissal, or in the Alternative, Sanctions on the South Carolina Court of Appeals by depositing it in the United States Mail, postage prepaid, on August 9, 2024, addressed to The Honorable Jenny Abbott Kitchings, Clerk of Court, P.O. Box 11629, Columbia, SC 29211, and by electronic mail at: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org).



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*Attorneys for the Respondents D&B Real Estate Ventures, LLC, Darius Jones and Bradley Robinson*

August 9, 2024

Carolyn G. Denney

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August 9, 2024

**RECEIVED**  
**Aug 09 2024**  
**SC Court of Appeals**

**Via U.S. Mail and Email**

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
SC Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211  
ctappfilings@sccourts.org

**RE: Christopher Jones v. D&B Real Estate Ventures, LLC; Darius Jones; Bradley  
Robinson  
Circuit Court Case No.: 2024-CP-23-00312  
Appellate Case No.: 2024-00417**

Dear Ms. Kitchings,

Please find enclosed herewith for service upon the court Respondents' Motion for Dismissal, or in the Alternative, Sanctions, along with a Certificate of Service for same. I have also included our firm's check in the amount of \$50.00 for the filing fee.

Should you have any questions or concerns, feel free to contact our office.

Regards,

HOLDER PADGETT LITTLEJOHN + PRICKETT, LLC



Carolyn Denney  
Paralegal

Enclosures

cc: *Christopher Jones*