

**RECEIVED**

**Sep 17 2024**

**SC Court of Appeals**

**STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS**

Christopher Jones )

)

**Case No. 2024-000731**

Appellant )

)

vs. )

)

D&B Real Estate Ventures, LLC )

Darius Jones )

Bradley Robinson )

Defendant.

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**APPELLANT'S RESPONSE IN OPPOSITION  
TO DEFENDANT'S MOTION TO DISMISS**

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NOW COMES, the Appellant Christopher Jones to file his opposition to Respondent's Motion to Dismiss Or in The Alternative Sanctions. This Response In Opposition is filed pursuant to Rule 240, SCACR.

Respondent's Motion To Dismiss is without merit, irrelevant and does not possess accurate information for the Court to consider.

1. Respondents' items 1 thru 10 are completely irrelevant to the instant appeal because each of these items specifically reference Appeal Case # 2024-00417. There were no filings in this case until May 1<sup>st</sup>, 2024 bearing case number 2024-00731.

2. Respondents did raise a similar issue in the prior appeal case (2024-00417), however, Appellant refuted Respondents' claims and provided proof of service in that case as well.
3. Appellant admit that although there was an agreement to email all pleadings to Respondents, he may have inadvertently omitted emailing some filing, but certainly did mail by U.S. postal any pleadings verified by the Certificate of Service.
4. That on May 1, 2024 Appellant did serve by U.S. Mail and electronic email, a copy of the Notice of Appeal to Respondents and the Court.
5. That on May 30, 2024 Appellant admit that he did not serve Respondents with a copy of Appellants' Motion for Extension of Time, however Appellant did place the same in the U.S. Mail addressed accordingly.
6. That on June 9, 2024 Appellant did serve Respondents with the corrective payment notice by electronic email and by U.S. Mail.
7. That on July 30, 2024 Appellant did serve Respondents with a paid copy of the hearing transcripts from Greenville County. This service was perfected by electronic email as well as by U.S. Mail. Appellant received an automatic reply from Counsels' email.

Exhibit A

To this Honorable Court, this matter remains genuinely contentious between the Parties, therefore, it is no surprise that the Respondents would seek such a drastic remedy. In past appeals, this Court has been asked to dismiss appeals based on technicalities or inadvertences. Such as in Henning v. Kaye, 307 S.C. 436 (1992) 415 S.E.2d 794; The South Carolina Court of Appeals stated “Although this Court would be completely justified in dismissing this appeal based on appellant's numerous violations of the Rules, we decline to do so and deny the motion to dismiss.

The information submitted by Respondents is not completely accurate. Respondents intentionally stated that “Counsel for Respondent has not been served copies of any documents filed by Appellant since May 1, 2024” to prejudice the Appellant. Appellant did serve Respondents with copies of pleadings throughout this appeal. Regarding this statement at Number 19, this is totally false. This motion should not be granted. Even if the information within the motion was completely true, but is not, the alleged violations would not rise to the standard for dismissal.

WHEREFORE, and Without taking up much of the Court’s time, this Appellant prays that this Honorable Court deny Respondents’ Motion to Dismiss. The Appellant would now seek a remedy from this Honorable Court as to Respondents’ false statement that they have not received any pleadings since May1, 2024. Appellant requests that this Court deny the Motion to Dismiss in its entirety.

September 16, 2024

s/ Christopher Jones  
Christopher Jones  
309 Perry Ave  
Greenville, SC 29601

# **EXHIBIT A**



Christopher Jones <intljonesc@gmail.com>

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## 2024-00731 Transcript Notice

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**Christopher Jones** <intljonesc@gmail.com>  
To: Stokely Holder <sholder@hplplaw.com>

Tue, Jul 30, 2024 at 4:40 PM

[Quoted text hidden]

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### 3 attachments

 **TranscriptNotice.2024-00731.pdf**  
8K

 **COS.Holder.pdf**  
9K

 **image.pdf**  
751K



Christopher Jones &lt;intljonesc@gmail.com&gt;

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**Automatic reply: 2024-00731 Transcript Notice**

1 message

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**Stokely Holder** <sholder@hplplaw.com>  
To: Christopher Jones <intljonesc@gmail.com>

Tue, Jul 30, 2024 at 4:41 PM

Thank you for your email. I will be on vacation until Monday, August 5, 2024, and will have limited access to email. If you need immediate assistance, please contact one of my paralegals, Carolyn Denney or Sarah Kellner, via email at [cdenney@hplplaw.com](mailto:cdenney@hplplaw.com) or [skellner@hplplaw.com](mailto:skellner@hplplaw.com), or via phone at 864-335-8808. Otherwise, I will respond to your email when I am able. Thank you.

## Original Message

Message ID <CAG2m83R-p7SjA1o2GqYsa4cv\_XAEujSoO3W25osxxfy0CbVPOg@mail.gmail.com>

Created at: Tue, Jul 30, 2024 at 4:40 PM (Delivered after 0 seconds)

From: Christopher Jones <intljonesc@gmail.com>

To: Stokely Holder <sholder@hplplaw.com>

Subject: Fwd: 2024-00731 Transcript Notice

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MIME-Version: 1.0  
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From: Christopher Jones <intljonesc@gmail.com>  
To: Stokely Holder <sholder@hplplaw.com>  
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From: Christopher Jones <intljonesc@gmail.com>  
Date: Tue, Jul 30, 2024 at 4:39=E2=80=AFPM  
Subject: 2024-00731 Transcript Notice  
To: Court Of Appeals Filings <ctappfilings@sccourts.org>

Dear Clerk

Please file into the record of this case, the attached order of transcript by the Appellant.

Thank you

--000000000000f4b954061e7cfd9a  
Content-Type: text/html; charset="UTF-8"  
Content-Transfer-Encoding: quoted-printable

<div dir=3D"ltr"><br><br><div class=3D"gmail\_quote"><div dir=3D"ltr" class=3D"gmail\_attr">----- Forwarded message -----<br>From: <strong cla=ss=3D"gmail\_sendername" dir=3D"auto">Christopher Jones</strong> <span dir=3D"auto">&lt;<a href=3D"mailto:intljonesc@gmail.com">intljonesc@gmail.com<=/a>&gt;</span><br>Date: Tue, Jul 30, 2024 at 4:39=E2=80=AFPM<br>Subject: 20=24-00731 Transcript Notice<br>To: Court Of Appeals Filings &lt;<a href=3D"mailto:ctappfilings@sccourts.org">ctappfilings@sccourts.org</a>&gt;<br></div>><br><br><div dir=3D"ltr">Dear Clerk<div><br></div><div>Please file into the record of this case, the attached order of transcript by the Appellant.</div><div><br></div><div>Thank you</div></div></div></div>

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9/16/24, 4:55 PM

Original Message

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**CERTIFICATE OF SERVICE**

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I, Christopher Jones hereby certify under the penalties of perjury that I have on this date September 16, 2024 served a copy of the Appellant's Opposition to Respondents' Motion To Dismiss upon the Clerk for the South Carolina Court of Appeals and the Respondents at the address listed below by U.S. Mail with sufficient postage and by electronic email.

September 16, 2024

s/ Christopher Jones  
Christopher Jones  
309 Perry Ave  
Greenville, SC 29601  
864-371-0989