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**Oct 03 2024**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM ANDERSON COUNTY  
Court of Common Pleas

J. Cordell Maddox, Jr., Circuit Judge

Case No. 2022-CP-04-01976  
(Appellate Case No. 2023-000045)

Danny L. Ivester, Sr. ....Appellant,

v.

EYZC RE, LLC, .....Respondent.

RESPONDENT’S MOTION REQUESTING PERMISSION TO FILE INITIAL BRIEF AND  
DESIGNATION OF MATTER OUTSIDE OF THE FILING DEADLINE

Respondent EYZC RE, LLC hereby requests that the Court grant permission for Respondent to file and serve its Initial Brief and Designation of Matter outside of the filing deadlines set by Rules 208 and 209 of the SCACR. Counsel for Respondent believes that granting this motion will neither prejudice the parties nor unduly delay this appeal. Counsel for Respondent is making this request due to being unaware that Appellant had corrected the deficiencies outlined in the Court’s June 28, 2024 letter to the satisfaction of the Court, and therefore being unaware of the deadline for the filing of Respondent’s Initial Brief.

Respectfully submitted this 3rd day of October 2024.

HOLDER, PADGETT, LITTLEJOHN + PRICKETT, LLC

*s/ M. Stokely Holder*

M. Stokely Holder (SC Bar #73892)

Raford W. Bussey, Jr. (SC Bar #103943)

P.O. Box 1804  
Greenville, SC 29602  
(864) 335-8808  
(864) 248-4090 (fax)  
sholder@hplplaw.com  
rbussey@hplplaw.com  
*Attorney for Respondent*

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THE HONORABLE J. CORDELL MADDOX, JR., CIRCUIT JUDGE

Appellate Case No. 2023-000045  
Circuit Court Case No. 2022-CP-04-01976

Danny L. Ivester, Sr..... Respondent.

v.

EYZC RE, LLC..... Appellant.

CERTIFICATE OF SERVICE

I, the undersigned attorney for the Respondent EYZC RE, LLC, do hereby certify that I have served the Respondent’s Motion Requesting Permission to File Initial Brief and Designation of Matter Outside of the Filing Deadline by depositing a copy of it in the United States Mail, postage prepaid, on October 3, 2024, addressed to Danny L. Ivester, Sr., 211 Highway 17, Piedmont, South Carolina, 29673. I also certify that I have served the Respondent’s Motion Requesting Permission to File Initial Brief and Designation of Matter Outside of the Filing Deadline on the South Carolina Court of Appeals by depositing a copy of it in the United States Mail, postage prepaid, on October 3, 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).



M. Stokely Holder (SC Bar No.: 73892)  
Raford W. Bussey, Jr. (SC Bar No.: 103943)  
Holder, Padgett, Littlejohn + Prickett, LLC  
800 E. North Street  
Greenville, SC 29601  
864-335-8808  
[sholder@hplplaw.com](mailto:sholder@hplplaw.com)  
[rbussey@hplplaw.com](mailto:rbussey@hplplaw.com)

*Attorneys for the Respondent*

October 3, 2024

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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](mailto:ctappfilings@sccourts.org)

**RE: EYZC RE, LLC v. Danny L. Ivester, Sr.**  
**Appellate Case No. 2023-000045**

Dear Ms. Kitchings:

Please find enclosed herewith one copy of Respondent EYZC RE, LLC's Motion Requesting Permission to File Initial Brief and Designation of Matter Outside of the Filing Deadlines, along with a Certificate of Service serving same.

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

Sincerely,

HOLDER, PADGETT, LITTLEJOHN + PRICKETT, LLC



Carolyn Denney  
Paralegal

/cgd  
Enclosures  
Cc: Danny L. Ivester, Sr.