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Nov 08 2024

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

The Honorable Thomas L. Hughston Jr.

Case No. 2020-CP-18-1856

Joseph R. Davis and Jennifer Davis, individually
and as representative of all those similarly situated,.....Appellants,

v.

River Oaks Homeowners Association, Inc.,
Halcyon Real Estate Services, LLC, and
Dorchester Real Estate Services, Inc.Respondents.

**APPELLANTS’ MOTION FOR LEAVE
TO FILE THE NOTICE OF APPEAL
WITH THE CIRCUIT COURT OUT OF TIME**

Appellants-Respondents Joseph and Jennifer Davis (“Appellants”) by and through its undersigned counsel, hereby move before this Court for an order permitting Appellants to file the notice of appeal with the lower court out of time. Appellants move pursuant to Rules 203, 243, and 263 SCACR. Appellants timely noticed and served this Court and all parties to the matter with Appellants’ Notice of Appeal on September 13, 2024, Appellants undersigned counsel committed a clerical error in failing to file said notice with the lower court at the same time. On October 2, 2024, Respondent-Appellant filed a Motion to Dismiss. On October 3, 2024, Counsel for Appellants filed the Notice of Appeal with the lower Court. Appellants’ undersigned counsel

requests forgiveness from this Court for the error and further kindly requests this Court issue an order granting Appellants' motion to file the Notice of Appeal with the lower court out of time.

November 8, 2024.

THE LAW OFFICE OF
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CERTIFICATE OF SERVICE

I certify that on this 8th day of November 2024, I have served Appellants’ Joseph and Jennifer Davis’ Motion to file out of time upon all other counsel of record at the email address listed for said counsel on AIS as follows:

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November 8, 2024

Jenny Abbott Kitchings
Clerk of Court, Court of Appeals
P.O. Box 11629
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RE: Joseph R. Davis and Jennifer Davis individually and as representative of all those similarly situated, v. River Oaks Homeowners Association, Inc., Halcyon Real Estate Services, LLC, and Dorchester Real Estate Services, Inc.
Case No. 2020-CP-18-1856
Appellate Case No. 2024-001547

Madam Clerk:

Enclosed please find in regard to the above referenced matter the following:

- 1) A copy of Appellants Joseph R. Davis and Jennifer Davis' Motion to file out of time
- 2) Certificate of Service for the Motion, and
- 3) Corresponding Motion filing fee

I kindly request that you file the same.

RESPECTUFLY SUBMITTED,

THE LAW OFFICE OF
DAVID CONOR KEYS, LLC



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Enclosures: (as stated)

CC: Mary Leigh Arnold
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William Chase McNair