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**Nov 15 2024**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

G.D Morgan., Circuit Court Judge

Appellant Case No. 2024-000731

Christopher Jones

Appellant.

Vs.

D&B Real Estate Ventures, LLC

Darius Jones

Bradley Robinson

Respondents,

**APPELLANT'S OBJECTION BEING FILED OUT OF TIME TO  
RESPONDENT'S AMENDED MOTION TO DISMISS**

Pursuant to Rule 240, SCACR, Appellant Christopher Jones hereby makes his application and files his objection to the Respondent's Amended Motion To Dismiss.

Appellant respectfully request that this Honorable South Carolina Court of Appeals allow him to file this Appellant's Objections Being Filed Out of Time to Respondent's Amended Motion To Dismiss.

1. There are no South Carolina Appellate Court Rules which authorizes an Amended Motion To Dismiss without prior permission from the South Carolina Court of Appeals to do so.
2. Rule 262(c) SCACR, is not applicable here in terms of filing an Amended Motion To Dismiss. It is the Appellants' understanding that this Rule 262(c) speaks to the service of filings, and not to the permissibility of the filings.
3. Respondents filed their original Motion to Dismiss on August 9, 2024. Appellant filed his Opposition To Respondents Motion To Dismiss on September 17, 2024

4. Respondents filed their Amended Motion To Dismiss on October 30, 2024 without Court of Appeals prior approval.

Respondent's Amended Motion To Dismiss is essentially the identical motion and information contained in the original Motion To Dismiss, with the exception of the references to the social media posts. The social media posts does not demonstrate any contrary information which Appellant presented to the Court. In fact, the posts prove that Appellant was out of the Country as stated. As far the matter regarding Appellant's health, Appellant is more than happy to provide this Honorable Court with his medical file for the entire 2024 season for an in camera review to demonstrate the veracity of Appellants' claims. Finally, there is nothing contrary in the social media posts to suggest to any reasonable minded persons that the Appellant was not ill for the times stated, nor is there any evidence there that the Appellant had a sufficient knowledge and ability to respond to any Order of the Court during those times where he travelled out of the Country.

Appellant has never misled this Honorable Court, nor has this Appellant provided this Court with any untrue statements or information.

The facts and the truth of the matter are simple here. The Respondents Darius Jones and Bradley Robinson intentionally stole from the Appellant, and unjustly benefitted from the Appellants' funding and performance at the subject property (Loop St). Respondents intentionally misrepresented their finances and their ownership in the subject property. Respondents entered into a Sales and Purchase Contract with the Appellant which they clearly breached. All of which is subject of the Greenville County lawsuit and is contained in the Record of the Circuit Court case and transcript. Respondents have not once spoken to these issues because the evidence is overwhelming. The Circuit Court erred in applying S.C. 40-11-370 (c) to this case.

As for the Initial Brief, since the filing of the Respondent's Motion To Dismiss, this appeal has been held in abeyance. This matter has been held in abeyance, the Initial Brief has been tolled while appeal is held in abeyance. Appellant did not and does not have an established filing deadline regarding the Initial Brief.

WHEREFORE, Respondent's Amended Motion To Dismiss is not authorized by the South Carolina Court of Appeals Rules, and the fact that Respondents filed their Amended Motion out of time and did not seek permission from this Honorable Court of Appeals to file this Amended Motion more than forty-five days after Appellant filed his Return. Appellant stands by his Reply and Return to Respondent's original Motion To Dismiss. This Appellant pray that this Honorable deny both motion in their entirety.

November 14, 2024

s/ Christopher Jones  
Christopher Jones,  
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Appellant

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Bradley Robinson

Respondents,

**CERTIFICATE OF SERVICE**

I, Christopher Jones, the Appellant in the above-titled appeal, hereby affirm under the penalties of perjury that I have on this date **15 November 2024** do certify that I have caused to be delivered the Respondents, named and address below a copy of Appellant's Objections. That service is perfected by email and by depositing the same in the U.S. Mail with sufficient postage affixed thereto.

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November 15, 2024

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