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Jan 23 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Perry H. Gravely, Circuit Court Judge
Charles B. Simmons, Jr., Master in Equity Judge

Case No. 2024-002207

Wells Fargo Bank, N. A. Plaintiff – Respondent

v.

Michelle Hodges, Individually and as Personal Representative
of the Estate of Ruth Ladson Witherspoon; Stanley Witherspoon;
SC Housing Corp.; and Twin Creeks Homeowners Association,
Inc. Defendants,

Of Whom Michelle Hodges, in her Individual capacity,
is the Appellant.

NOTICE AND MOTION FOR LEAVE TO
FILE INITIAL BRIEF 1 DAY OUT OF TIME

pg 1 of 3

TO: MR. JASON D. WYMAN, ATTORNEY FOR PLAINTIFF:

PLEASE TAKE NOTICE that Appellant, proceeding pro se gives notice and hereby moves

this Honorable Court for leave to file Initial Brief 1 day out of time. Appellant has not been able to think clearly since the final decision for foreclosure and sale of her property and is requesting an extension of 1 day to file Initial Brief out of time, pursuant to Rule 240 and Rule 208, SCACR..

INTRODUCTION

Appellant has not been able to think clearly since the Master in Equity's ruling that there would be a foreclosure and sale of Appellant's property. This has had a devastating affect on my mental health as I have never been faced with homelessness in my life. And I am asking this Honorable Court for an extension of 1 day to provide a legally sound initial brief.

EXCUSABLE NEGLECT

1) Excusable neglect justifies an extension of time, See Strickland v. Consolidated energy prod. co. 274

S. C. 554 (1980) 265 S. E. 2d 682.

2) Misinterpretation of the rules of civil procedure is considered excusable neglect, See Top Value

Home, Inc. v. Harden 460 S. E. 2d 427 (1995).

3) And relief on the grounds of excusable neglect can be had before judgment, See Lee v. Peek 240 S. C. 203 (1962) 125 S. E. 2d 353.

CONCLUSION

Wherefore Appellant has fully set forth the grounds for granting this motion, Appellant

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respectually requests that this Honorable Court grant this motion for the foregoing reasons.

 January 22, 2025
Michelle Hodges Pro Se Appellant
michellehodges938@gmail.com
PO Box 95
Mauldin, SC 29662
864-692-3748

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PROOF OF SERVICE OF
APPELLANT'S NOTICE AND MOTION FOR A 1 DAY
EXTENTION OF TIME TO PROVIDE INITIAL BRIEF

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CERTIFICATION FOR PROOF OF SERVICE
OF APPELLANT'S NOTICE AND MOTION FOR 1 DAY
EXTENTION TO TIME TO PROVIDE INITIAL BRIEF

The undersigned certifies on January 22, 2025, a copy of the Appellant's Initial Brief to be served
via email on Plaintiff's, Counsel of Record, as follows:

Ms. Elizabeth Brown
Ms. Genevieve S. Johnson
Mr. Michael Nourie
Robertson, Anschutz, Schneid,
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