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Jan 24 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.

CORRECTED 1/24/25
NOTICE AND MOTION FOR LEAVE TO
FILE INITIAL BRIEF AND DESIGNATION OF MATTER
5 DAYS 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 and Designation of Matter 5 days out of time, pursuant to Rule 240 and 208, SCACR on the grounds that Appellant has not been able to think clearly since the final decision for foreclosure and sale of her property has been made. This is Appellant's second request for an extension of time. The First extention request was for 21 days to order the transcript, due to a misdetermination of the South Carolina Appellate Court rules, following a final judgment of foreclosure and sale of Appellant's property.

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 extention of 5 days to provide a legally sound Initial Brief and Designation of Matter.

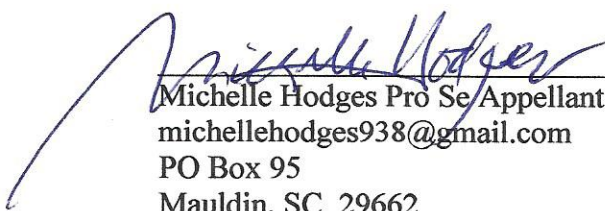
EXCUSABLE NEGLECT

- 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) Relief on the grounds of excuable 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 for the grounds for granting this motion, Appellant respectfully requests that this Honorable Court grant this motion for the foregoing reasons.

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January 24, 2025

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PROOF OF SERVICE OF
APPELLANT'S 1/24/25 NOTICE AND MOTION FOR LEAVE TO
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CERTIFICATION FOR PROOF OF SERVICE
APPELLANT'S 1/24/25 NOTICE AND MOTION FOR LEAVE TO
PROVIDE INITIAL BRIEF AND DESIGNATION OF MATTER
5 DAYS OUT OF TIME

The undersigned certifies on January 24, 2025, a copy of the Appellant's Initial Brief to be served via email on Plaintiff's, Counsel of Record, as follows:

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Ms. Genevieve S. Johnson
Mr. Michael Nourie
Robertson, Anscutz, Schneid,
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