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**Feb 03 2025**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

Daniel Coble, Circuit Court Judge

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Appellate Case No. 2024-002139  
Case No. 2022-CP-40-01357

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Vanessa Hollaway, ..... Respondent,

v.

Legrantt Nesbitt..... Appellant.

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MEMORANDUM IN OPPOSITION OF APPELLANT’S MOTION TO REINSTATE

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Respondent hereby opposes the Appellants, Motion to Reinstate pursuant to Rule 260 of the South Carolina Appellant Court Rules. As grounds to oppose, the Respondent would show the following:

1. The Notice of Appeal and Proof of Service of December 16, 2024 was sent to the wrong address for Respondent Counsel. Appellants Exhibit B
2. The Notice of Appeal filed with the Court of Appeals on December 18, 2024 was sent to the wrong address for Respondent Counsel. Appellants Exhibit C, D
3. The Proof of Service of December 23, 2024 was sent to the wrong address for Respondent Counsel. Appellants Exhibit E
4. The Amended Proof of Service was sent to the wrong address for Respondent Counsel. Appellants Exhibit F

Unfortunately, all Proofs of Service and Certificates of Service used by the Appellant have used an incorrect address for the counsel for Respondent. Counsel for Respondent has had their address at the signature line below for 2 years now.<sup>1</sup> Not a single one of the items above, including all Proofs of Service or Certificates of Service or Motions have been mailed to the correct address for counsel for Respondent.

Service has not been perfected for any of the filings of this appeal and the dismissal of the appeal should be upheld. “If a party misses the deadline, the appellate court lacks jurisdiction to consider the appeal and has no authority or discretion to 'rescue' the delinquent party by extending or ignoring the deadline for service of the notice." *Elam v. S.C. Dep't of Transp.*, 361 S.C. 9, 15, 602 S.E.2d 772, 775 (2004); *accord Camp v. Camp*, 386 S.C. 571, 574, 689 S.E.2d 634, 636 (2010) (stating courts have "no authority to extend or expand the time" for serving a notice of appeal).

Further Rule 260 requires that “A case shall not be reinstated except by leave of the court, upon good cause shown, after notice to all parties.” As discussed above, counsel for Respondent never received notice of the Motion for Reinstatement until the letter from the court dated January 27, 2025 from this Court.

For the foregoing reasons, the Appeal should be dismissed as the Appellant has failed to comply with the notice provisions of the rules.

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<sup>1</sup> In addition to the 1516 Richland address appearing on the website for Respondent Counsel, the AIS system, and the SC Secretary of State business search, Respondent Counsel exchanged emails with the Appellant Counsel using the 1516 Richland address in their signature line. Respondent Exhibit A and B.

s/ Trevor P. Eddy, Esq.  
SC Bar No: (100069)  
The Eddy Law Firm, LLC  
1516 Richland Street Suite B  
Columbia, SC 29201  
803-250-5402  
Trevor@TheEddyLawFirm.com

February 3, 2025

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### The Eddy Law Firm, LLC

#### Corporate Information

**Entity Id:** 00904325

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**Entity Type:** Limited Liability Company

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**Status:** Good Standing

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**Domestic/Foreign:** Domestic

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**Incorporated State:** South Carolina

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#### Important Dates

**Effective Date:** 03/26/2018

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**Expiration Date:** N/A

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**Term End Date:** N/A

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**Dissolved Date:** N/A

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#### Registered Agent

**Agent:** Trevor Eddy

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**Address:** 1516 Richland Street, Suite B  
Columbia, South Carolina 29201

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#### Official Documents On File

Filing Type	Filing Date
Notice of Change of Designated Office, Agent or Address of Registered Agent	01/12/2024
Articles of Organization	03/26/2018

# EXHIBIT B

**From:** [Herb Buhl](#)  
**To:** [Trevor Eddy](#); [Coble, Daniel Law Clerk \(Sarah Di Stefano\)](#)  
**Subject:** RE: Vanessa Holloway vs. Legrantt Nesbitt 2022-CP-40-02357 Exhibits (Motions Roster 2 pm today)  
**Date:** Tuesday, November 12, 2024 11:01:38 AM  
**Attachments:** [Clocked Exhibit 5 of 5.11.12.24..pdf](#)  
[Clocked Exhibit 4 of 5.11.12.24..pdf](#)  
[Clocked Exhibit 3 of 5.11.12.24..pdf](#)  
[Clocked Exhibit 2 of 5.11.12.24..pdf](#)  
[Clocked Exhibit 1 of 5.11.12.24..pdf](#)

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Attached as requested.

Thank you,

*Joan*

Joan Lucius  
Paralegal to Mr. Buhl

Herbert E. Buhl, III  
2204 Devine St.  
Columbia, SC 29204  
803.799.3767  
[Herb@herbbuhl.com](mailto:Herb@herbbuhl.com)

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**From:** Trevor Eddy  
**Sent:** Tuesday, November 12, 2024 10:58 AM  
**To:** [Coble, Daniel Law Clerk \(Sarah Di Stefano\)](#) <[DCobleLC@sccourts.org](mailto:DCobleLC@sccourts.org)>; [Herb Buhl](#) <[herb@herbbuhl.com](mailto:herb@herbbuhl.com)>  
**Subject:** Re: Vanessa Holloway vs. Legrantt Nesbitt 2022-CP-40-02357 Exhibits (Motions Roster 2 pm today)

Good Morning,

I have not received the documents. Can you please provide me with copies?

Trevor

**Trevor Eddy**

The Eddy Law Firm, LLC

1516 Richland Street

Suite B

Columbia SC, 29201

Phone: 803-250-5402

Fax: 803-667-3187

[www.TheEddyLawFirm.com](http://www.TheEddyLawFirm.com)

[trevor@theeddylawfirm.com](mailto:trevor@theeddylawfirm.com)



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**From:** Coble, Daniel Law Clerk (Sarah Di Stefano) <[DCobleLC@sccourts.org](mailto:DCobleLC@sccourts.org)>  
**Sent:** Tuesday, November 12, 2024 10:48 AM  
**To:** Herb Buhl <[herb@herbbuhl.com](mailto:herb@herbbuhl.com)>; Trevor Eddy <[trevor@theeddylawfirm.com](mailto:trevor@theeddylawfirm.com)>  
**Subject:** RE: Vanessa Holloway vs. Legrantt Nesbitt 2022-CP-40-02357 Exhibits (Motions Roster 2 pm today)

Good Morning,

The documents have been received.  
Thank you so much!

Best,

**Sarah DiStefano**

Law Clerk to the Honorable Daniel Coble  
Fifth Judicial Circuit  
Richland County Judicial Center  
1701 Main Street, Room 214  
Columbia, SC 29201  
Office: 803-576-1774  
Fax: 803-576-1744

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**From:** Herb Buhl <[herb@herbbuhl.com](mailto:herb@herbbuhl.com)>  
**Sent:** Tuesday, November 12, 2024 10:32 AM  
**To:** Coble, Daniel Law Clerk (Sarah Di Stefano) <[DCobleLC@sccourts.org](mailto:DCobleLC@sccourts.org)>  
**Subject:** Vanessa Holloway vs. Legrantt Nesbitt 2022-CP-40-02357 Exhibits (Motions Roster 2 pm today)

**\*\*\* EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. \*\*\*

Dear Judge Coble,

Attached you will find a copy of the Exhibits that were filed today in regard to the above captioned matter.

Sincerely,

Herbert E. Buhl, III  
Attorney at Law  
2204 Devine Street  
Columbia, SC 29205  
(803)799-3767

[herb@herbbuhl.com](mailto:herb@herbbuhl.com)

## **PLEASE NOTE NEW EMAIL ADDRESS**

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

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PROOF OF SERVICE

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I certify that I have served the Memorandum In Opposition Of Motion To Reinstate Appeal of Vanessa Hollaway on Legrantt Nesbitt by electronic means a copy sent by email on February 3, 2025, to attorney of record, Herb Buhl at herb@herbbuhl.com.

s/ Trevor P. Eddy

Trevor P. Eddy, Esq. 100069

The Eddy Law Firm, LLC

1516 Richland Street

Suite B

Columbia SC, 29201

Phone: 803-250-5402

Trevor@theeddylawfirm.com

*Attorney for Respondent Vanessa Hollaway*