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**Feb 20 2025**

**SC Court of Appeals**

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM GREENVILLE COUNTY  
COURT OF COMMON PLEAS

Judge G. D. Morgan

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Case No. 2024-CP-23-00312  
Appellate Case No.: 2024-000731

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Christopher Jones,

Appellant,

v.

D&B Real Estate Ventures, LLC.;  
Darius Jones; Bradley Robinson,

Respondents.

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**RESPONDENTS' MOTION FOR DISMISSAL**

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Pursuant to Rule 262(c) of the South Carolina Appellate Court Rules (SCACR), Respondents D&B Real Estate Ventures, LLC., Darius Jones, and Bradley Robinson (collectively "Respondents"), by and through their undersigned counsel, hereby moves for a dismissal of this appeal. This motion is based on the grounds that the Appellant has routinely failed to abide by and/or ignore this Court's Orders, to include, without limitation the Order of this Court dated January 6, 2025. The Appellant has also consistently failed to adhere to this Court's notifications as well as the South Carolina Appellate Court Rules. The Appellant has repeatedly failed to meet the requisite deadlines and has repeatedly failed to serve all parties with copies of documents he files with this Court, despite prior reminders to do so and despite his 'certificates of service' that indicate otherwise. In support of their motion, Respondents would show the following:

1. Appellant filed his first Notice of Appeal on March 13, 2024 in case number 2024-000417. Counsel for Respondents did not receive a copy of the Notice of Appeal via email or via U.S. Mail.
2. On March 21, 2024, a Deficiency Letter regarding the filing fee not being submitted was sent to Appellant from the court via email. Counsel for Respondents was copied on this email from the court, which is how they found out about the filing of the initial Notice of Appeal.
3. On April 5, 2024, Appellant sent proof of ordering the Transcript to the court via email. Counsel for Respondents was not copied on the email to the court and did not receive a copy of the documents via U.S. Mail.
4. On April 9, 2024, Appellant filed a Motion to Extend Automatic Stay via email to the court. Counsel for Respondents was not copied on the email to the court and did not receive a copy of the Motion via U.S. Mail.
5. On April 10, 2024, a Deficiency Letter regarding the motion fee and proof of service not being submitted was sent to Appellant from the court via email. Counsel for Respondents was copied on this email from the court, which is how they found out about the filing of the Motion to Extend Automatic Stay that was filed by Appellant.
6. On April 11, 2024, Appellant submitted payment for the motion fee and his proof of service to the court via email. Counsel for Respondents was not copied on the email to the court and did not receive a copy of the proof of service via U.S. Mail.

7. On April 12, 2024, a letter giving Respondents until April 22, 2024 to file a return to Appellant's Motion was sent by the court via email to Appellant and counsel for Respondents.
8. On April 12, 2024, Counsel for Respondents sent an email notifying both the court and Appellant that no copies of filings have been received via email or U.S. Mail and requested that Appellant please send copies of all documents to Counsel for Respondents, to include via email.
9. On April 12, 2024, Appellant sent an email to the court and counsel for Respondents confirming that he would send copies of all documents via email to counsel for Respondents.
10. On April 23, 2024, Appellant's initial appeal was dismissed for being filed prematurely.
11. On May 1, 2024, Appellant filed his current Notice of Appeal with the Court of Appeals via email. A copy was forwarded via email by Appellant to counsel for Respondents and stated that a copy would also be placed in the mail. Counsel for Respondents did not receive a copy via U.S. Mail.
12. On May 9, 2024, a deficiency letter was sent to Appellant from the court stating that no filing fee was submitted and that the Notice of Appeal had not been filed with the lower court.
13. On May 20, 2024, Appellant filed a Motion for Extension of Time to submit proof of filing his Notice of Appeal with the lower court. Counsel for Respondents was not sent a copy via email, despite Appellant agreeing to send copies of all

documents via email on April 12, 2024. Counsel for Respondents also did not receive a copy of Appellant's filing via U.S. Mail.

14. On May 28, 2024, a deficiency letter was sent from the court to Appellant regarding the Motion fee not being submitted. Counsel for Respondents was copied on the email from the court, which is how they became aware of the Motion having been filed.
15. On June 8, 2024, Appellant submitted the Motion fee to the court and sent a copy via email to the court with counsel for Respondents copied.
16. The court granted Appellant's Motion for Extension of Time on June 24, 2024, and gave Appellant until July 5, 2024, to submit proof of filing the Notice of Appeal with the lower court.
17. On July 15, 2024, ten (10) days beyond the Court's deadline, Appellant submitted his proof of filing the Notice of Appeal with the lower court and his Notice of Appeal via email to the court. Counsel for Respondents was not sent a copy via email and did not receive a copy via U.S. Mail.
18. On July 15, 2024, Appellant filed a Motion for Extension of Time to file his Notice of Appeal. Once again, counsel for Respondents was not sent a copy via email nor via U.S. Mail. Counsel for Respondents only became aware of the motion after checking the court website.
19. As of Respondents August 9, 2024 filing of its Motion to Dismiss, Counsel for Respondents had not been served copies of any documents filed by Appellant since May 1, 2024.

20. Counsel for Respondents filed a Motion For Dismissal, or in the alternative, Sanctions on August 9, 2024.
21. Counsel for Respondents filed an Amended Motion For Dismissal, or in the alternative, Sanctions on October 30, 2024.
22. Appellant filed an untimely “Objection Being Filed Out of Time to Respondents’ Amended Motion to Dismiss” on November 15, 2024.
23. This Court issued a January 6, 2025, Order (“Order”) denying the Respondents’ Motion to Dismiss. However, this Court provided the following, very clear directive in its Order:

Appellant shall adhere to all filing deadlines and shall serve Respondents with all filed documents as required by the South Carolina Appellate Court Rules. *See e.g.* Rule 240(d), SCACR (“The motion or petition shall be filed with the clerk of the appellate court, and a copy shall be served upon each party.”) ... Failure to adhere to the filing deadlines and serve Respondent as required under the South Carolina Appellate Court Rules will result in the dismissal of the appeal.

Order, p. 1.

24. On January 6, 2025, the Court sent a letter to the parties that stated that the time for serving and filing Appellant’s initial brief and designation of matter would expire on February 5, 2025.
25. On February 5, 2025, Appellant filed a Motion for Extension of Time to file and serve his initial brief and designation of matter. Counsel for Respondents was not sent a copy (either via email or U.S. mail), despite the clear directive in the Courts January 6, 2025 Order.
26. On February 7, 2025, a deficiency letter was sent from the Court to Appellant regarding the Motion fee not being submitted. Counsel for Respondents was copied

on the email from the court, which is how they became aware of the Motion having been filed.

27. Appellant was given until February 17, 2025 to correct the deficiency by sending the Motion filing fee, or Appellant's filing would not be considered. As of February 19, 2025, Counsel for Respondents has not received any notice of Appellant sending the Motion filing fee to correct the deficiency.

**WHEREFORE**, for the reasons stated herein, Respondents respectfully request that this Court dismiss the present appeal due to Appellant's blatant violation of this Court's prior Order and, thus, end the ongoing prejudice that Appellant has continuously forced upon the Respondents by virtue of Appellant's complete disregard for the laws of this State.

Respectfully submitted this 20<sup>th</sup> day of February 2025.

HOLDER, PADGETT, LITTLEJOHN + PRICKETT, LLC

Greenville, South Carolina

*s/ M. Stokely Holder*

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

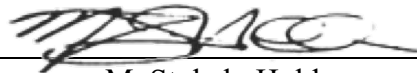
APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

THE HONORABLE G.D. MORGAN

Appellate Case No. 2024-00417  
Circuit Court Case No. 2024-CP-23-00312

CERTIFICATE OF SERVICE

I, the undersigned attorney for the Respondents, D&B Real Estate Ventures, LLC, Darius Jones and Bradley Robinson, do hereby certify that I have served the Respondents' Motion to Dismiss on the Appellant, Christopher Jones by sending a copy via email to [intljonesc@gmail.com](mailto:intljonesc@gmail.com) and via mail to 309 Perry Ave., Greenville, SC 29601. I also certify that I have served the Respondents' Motion to Dismiss on the South Carolina Court of Appeals by depositing it in the United States Mail, postage prepaid, on February 20, 2025, addressed to The Honorable Jenny Abbott Kitchings, Clerk of Court, P.O. Box 11629, Columbia, SC 29211, and by electronic mail at: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org).



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February 20, 2025