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Mar 18 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. 2025-000390

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 AND DESIGNATION OF MATTER
10 DAYS OUT OF TIME

TO: MR. JASON D. WYMAN AND MS. ELIZABETH BROWN ATTORNEYS FOR PLAINTIFF, PLEASE TAKE NOTICE that Appellant, proceeding pro se and pursuant to Rule 240 and Rule 208, SCACR; gives notice and hereby moves this Honorable Court for leave to file Initial Brief and Designation of Matter 10 days out of time, due to excusable neglect.


EXCUSABLE NEGLECT

This is Appellants first request for an extention of time in this Appeal, due to Appellant having to spend a tremendous amount of time on her car, starting on Friday, whereby the engine light came on and the car stopped running, which is an emergency to Appellant because Appellant uses her car to supplement her income.

Excusable Neglect justifies an extension of time, See Stricland v. Consolidated Energy Prod. Co. 274 S. C. 554 (1980) 265 S. E. 2d 682. And 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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March 18, 2025



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PROOF OF SERVICE OF NOTICE AND MOTION FOR LEAVE
TO FILE APPELLANT'S INITIAL BRIEF AND DESIGNATION OF
MATTER 10 DAYS OUT OF TIME

PAGE 1 OF 2

CERTIFICATION FOR PROOF OF SERVICE
OF APPELLANT'S INITIAL BRIEF AND
DESIGNATION OF MATTER

Appellant certifies on March 18, 2025, she served the attached Motion for an extension of time to file Initial Brief and Designation of Matter, on Respondent's Counsel via first Class US Mail, using the correct prepaid postage from US Post Office at 498 N. Main ST. Mauldin, SC 29662; as follows:

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