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**Mar 20 2025**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

Charles B. Simmons, Jr., Master in Equity Judge

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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.

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NOTICE AND MOTION FOR LEAVE TO  
FILE INITIAL BRIEF AND DESIGNATION OF MATTER  
10 DAYS OUT OF TIME

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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 Appellant's first request for an extension 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 *Strickland v. Consolidated Energy Prod. Co.* 274 S. C. 554 (1980) 265 S. E. 2d 682. 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 respectfully requests that this Honorable Court grant this motion for the foregoing reasons.

  
Michelle Hodges Pro Se Appellant  
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PO Box 95  
Mauldin, SC 29662  
864-692-3748

March 20, 2025



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APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

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

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v.

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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

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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:

Ms. Elizabeth Brown  
Ms. Genevieve S. Johnson  
Mr. Michael Nourie  
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March 18, 2025