

**RECEIVED**

**Jun 06 2025**

**SC Court of Appeals**

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM GEORGETOWN COUNTY  
Court of Common Pleas

The Honorable Joe M. Crosby, Master-In-Equity Judge

---

Civil Action No.: 2023-CP-22-00531  
Appellate Case No.: 2025-000850

---

W.C. Jennings Company, Inc., Plaintiff,

v.

Joseph Failla, Renee Failla and Anderson Brothers Bank, Defendants,

AND

Anderson Brothers Bank, CounterClaim/Cross-Claim Plaintiff,

v.

W.C. Jennings Company, Inc., Counterclaim Defendant,

Joseph Failla and Renee Failla a/k/a Renee F. Failla, Cross-Claim Defendants,

of which W.C. Jennings Company, Inc., and Anderson Brothers Bank are the Respondents, and Joseph Failla and Renee Failla are the Appellants.

---

MOTION FOR LEAVE TO FILE A MOTION TO  
AMEND THE ORDER PURSUANT TO RULE 60(a) SCRPC

---

By and through undersigned counsel, Respondent W.C. Jennings Company, Inc. respectfully moves before this Honorable Court pursuant to Rule 60(a) of the South Carolina Rules of Civil Procedure and Rule 240 of the South Carolina Appellate Court Rules, for leave to file a motion in the trial court to correct a clerical error in the Order filed on April 16, 2025. This motion is based on the following grounds:

1. On March 24, 2025, this matter was called for trial, in which testimony was given by the Respondent, W.C. Jennings Company, Inc., by and through its President, William Jennings, and by a representative of Anderson Brothers Bank.
2. The Order contains a scrivener's error, specifically in paragraph 44, wherein the judgment amount is listed as "\$29,572.49 for materials, supplies, and labor," instead of the actual amount of \$39,013.56 for materials, supplies, and labor which was Ordered by the Court at the conclusion of the trial plus attorney's fees in the amount of \$4,941.32.
3. Rule 60(a), South Carolina Rules of Civil Procedure, allows for the correction of clerical mistakes in judgments, orders, or other parts of the record at any time, either on the court's initiative or on motion of any party. However, because this matter is currently on appeal, the trial court lacks jurisdiction to consider the Rule 60(a) motion unless leave is granted by this Court.
4. The Respondent, W. C. Jennings Company, Inc., respectfully requests that this Court for leave to file a motion in the trial court to enter into an amended order correcting the above referenced clerical error to reflect the actual order of the Court to reflect a judgment in the amount of \$39,013.56 plus attorney's fees in the amount of \$4,941.32.
5. The proposed correction is not substantive in nature and will not affect the merits of the appeal but will ensure the accuracy of the Final Order.

WHEREFORE, the Respondent W. C. Jennings Company, Inc. respectfully requests that the Court grant leave to file a Motion in the trial court to issue a corrective Order pursuant to Rule 60(a) of the South Carolina Rules of Civil Procedure.

Respectfully submitted,

s/Robert W. Maring  
Robert W. Maring  
S.C. Bar No. 8810  
Maring & Moyer, LLC  
PO Box 478  
Georgetown, SC 29442  
843-545-9544 Phone  
robert@maringmoyer.com

Attorney for Respondent W.C.  
Jennings Company, Inc.

Georgetown, SC  
June 6, 2025

**RECEIVED**

**Jun 06 2025**

**SC Court of Appeals**

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

---

APPEAL FROM GEORGETOWN COUNTY  
Court of Common Pleas

The Honorable Joe M. Crosby, Master-In-Equity Judge

---

Civil Action No.: 2023-CP-22-00531  
Appellate Case No.: 2025-000850

---

W.C. Jennings Company, Inc., Plaintiff,

v.

Joseph Failla, Renee Failla and Anderson Brothers Bank, Defendants,

AND

Anderson Brothers Bank, CounterClaim/Cross-Claim Plaintiff,

v.

W.C. Jennings Company, Inc., Counterclaim Defendant,

Joseph Failla and Renee Failla a/k/a Renee F. Failla, Cross-Claim Defendants,

of which W.C. Jennings Company, Inc., and Anderson Brothers Bank are the Respondents, and Joseph Failla and Renee Failla are the Appellants.

---

Proof of Service

---

I certify that on this 6<sup>th</sup> day of June, 2025, a copy of the Motion for Leave to file a Motion to Amend the Order Pursuant to Rule 60(A) SCRPC were served on Respondents' by depositing the same in the U.S. Mail, postage prepaid, addressed to counsel of record as follows:

Via USPS:  
Joseph Failla  
Renee Failla  
212 A Machie Loop Dr.  
Myrtle Beach, SC 29588

Via e-mail:  
Suzanne Taylor Graham Griggs, Esquire  
Maynard Nexsen PC  
PO Box 2426  
Columbia, SC 29202  
[sgriggs@maynardnexsen.com](mailto:sgriggs@maynardnexsen.com)

s/Robert W. Maring  
Robert W. Maring, Bar No. 8810  
PO Box 478 (29442)  
1130 Highmarket St.  
Georgetown, SC 29440  
843-545-9544  
[robert@maringmoyer.com](mailto:robert@maringmoyer.com)  
Attorney for the Plaintiff

Georgetown, SC  
June 6, 2025