

RECEIVED

Jul 07 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

R. Keith Kelly, Circuit Judge
J. Derham Cole, Sr., Circuit Judge

Appellate Case No. 2025-000627

PNC Bank, N.A., successor by
merger to PNC Equipment Finance,
LLC,

Respondent,

v.

S & J Asphalt Paving, LLC, Jose
Luis Guerrero, and Scott Robert
Ronson,

Appellants.

**APPELLANTS' MOTION FOR EXTENSION OF TIME TO SERVE AND FILE INITIAL
BRIEF AND DESIGNATION OF MATTER**

Willie H. McAbee III (S.C. Bar #103662)
DAVID R. PRICE, JR., P.A.
1001 East Washington Street (29601)
Post Office Box 2446
Greenville, South Carolina 29602
(864) 271 -2636 – Telephone
(864) 271-2637 – Facsimile
Will@GreenvilleLegal.com
Attorney for the Appellants

NOW COMES THE APPELLANTS, by and through undersigned counsel of record, and respectfully move pursuant to Rule 240, *SCACR*, for an extension of time in which to serve and file Appellants' Initial Brief and Designation of Matter. Presently, Appellants' Initial Brief and Designation of Matter are due to served and filed on July 8, 2025. Appellants pray for an Order of the Court extending the time to serve and file Appellants' Initial Brief and Designation of Matter until July 22, 2025. Undersigned counsel has conferred with opposing counsel who consent to the requested extension. This is Appellants' first request for an extension of time in this matter.

Respectfully submitted,

s/ W.H. McAbee III

Willie H. McAbee III (S.C. Bar #103662)
DAVID R. PRICE, JR., P.A.
1001 East Washington Street (29601)
Post Office Box 2446
Greenville, South Carolina 29602
(864) 271 -2636 – Telephone
(864) 271-2637 – Facsimile
Will@GreenvilleLegal.com
Attorney for the Appellants

Date: July 7, 2025
Greenville, South Carolina

RECEIVED

Jul 07 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

R. Keith Kelly, Circuit Judge
J. Derham Cole, Sr., Circuit Judge

Appellate Case No. 2025-000627

PNC Bank, N.A., successor by
merger to PNC Equipment Finance,
LLC,

Respondent,

v.

S & J Asphalt Paving, LLC, Jose
Luis Guerrero, and Scott Robert
Ronson,

Appellants.

PROOF OF SERVICE

I certify that I have served Appellants' Motion for Extension of Time to Serve and File Initial Brief and Designation of Matter upon the Respondent by sending the same to Respondent's attorneys of record at the e-mail addresses listed for said counsel in the AIS system this 7th day of July 2025, in accordance with *In re Methods of Electronic Filing and Service Under Rule 262 of the South Carolina Appellate Court Rules (As Amended April 24, 2024)* (d)(4), S.C. Sup. Ct. Order filed April 24, 2024. A copy of the e-mail to opposing counsel is attached hereto and incorporated by reference.

Respectfully submitted,

s/ W.H. McAbee III

Willie H. McAbee III (S.C. Bar #103662)

DAVID R. PRICE, JR., P.A.

1001 East Washington Street (29601)

Post Office Box 2446

Greenville, South Carolina 29602

(864) 271-2636 – Telephone

(864) 271-2637 – Facsimile

Will@GreenvilleLegal.com

Attorney for the Appellants

Date: July 7, 2025

Greenville, South Carolina

Other Counsel of Record:

Rachel E. Rogers (S.C. Bar #106048)

Melissa Tulis Smith (S.C. Bar #104464)

SMITH DEBNAM NARRON DRAKE SAINTSING & MYERS, LLP

4601 Six Forks Road, Suite 400

Raleigh, North Carolina 27609

(919) 250-2000 – Telephone

(919) 250-2211 – Facsimile

rrogers@smithdebnamlaw.com

mtulis@smithdebnamlaw.com

Attorneys for the Respondent

From: [Willie H. McAbee, III](#)
To: [Thomas A. Gray](#)
Cc: [Byron L. Saintsing](#); [Melissa Tulis Smith](#); [Sharon Butler](#); [Cara Geloni](#)
Subject: RE: PNC Bank, N.A. v. S&J Asphalt Paving, LLC Appellate Case No.: 2025-000627
Date: Monday, July 7, 2025 2:41:52 PM
Attachments: [image001.png](#)
[Appellants' First Motion for Extension of Time.pdf](#)
[Proof of Service for First Motion for Extension.pdf](#)
[SIGNED Cover Letter for First Extension Motion.pdf](#)

Please find attached Appellants' Motion for Extension of Time and Proof of Service along with our cover letter to the Court of Appeals.

Willie H. McAbee III
Attorney
DAVID R. PRICE, JR., P.A.
1001 East Washington Street (29601)
Post Office Box 2446
Greenville, South Carolina 29602
Telephone: (864) 271-2636
Facsimile: (864) 271-2637
www.greenvillelegal.com

[Greenville Personal Injury Lawyer | Greenville Legal](#)

Speak with a Greenville personal injury lawyer today. David R. Price, Jr. and his injury attorney team can assist you. Contact us today!

www.greenvillelegal.com



DAVID R. PRICE, JR., P.A.
ATTORNEYS AT LAW

The information transmitted is intended only for the person or entity to which it is addressed and may contain proprietary, business-confidential and/or privileged material. If you are not the intended recipient of this message you are hereby notified that any use, review, retransmission, dissemination, distribution, reproduction or any action taken in reliance upon this message is prohibited. If you received this in error, please contact the sender and delete the material from any computer. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of the company.

From: Thomas A. Gray <tgray@smithdebnamlaw.com>
Sent: Monday, July 7, 2025 2:03 PM
To: Willie H. McAbee, III <will@greenvillelegal.com>
Cc: Byron L. Saintsing <bsaintsing@smithdebnamlaw.com>; Melissa Tulis Smith <MTulis@smithdebnamlaw.com>; Sharon Butler <sbutler@smithdebnamlaw.com>; Cara Geloni <cara@greenvillelegal.com>
Subject: RE: PNC Bank, N.A. v. S&J Asphalt Paving, LLC Appellate Case No.: 2025-000627

Will:

Good afternoon. We consent to your request for an extension of time for serving and filing Appellants' Initial Brief until July 22, 2025.

Tom

Thomas A. Gray
Attorney at Law

Smith Debnam Narron Drake Saintsing & Myers, LLP
4601 Six Forks Road, Suite 400
Raleigh, NC 27609
P: (919) 250-2121 | Email: tgray@smithdebnamlaw.com



Celebrating over 50 Years of Legal Excellence

This email, including any attachment(s), is confidential and may be legally privileged. It is intended as a confidential communication only for certain recipients. Any other use or disclosure is prohibited. Unintended transmission shall not constitute waiver of the attorney-client or any other privilege. If you have received this communication in error, we request that you notify us by returned electronic communication and then completely delete this item from your system(s).

From: Willie H. McAbee, III <will@greenvillelegal.com>

Sent: Monday, July 7, 2025 1:22 PM

To: Thomas A. Gray <tgray@smithdebnamlaw.com>

Cc: Byron L. Saintsing <bsaintsing@smithdebnamlaw.com>; Melissa Tulis Smith <MTulis@smithdebnamlaw.com>; Sharon Butler <sbutler@smithdebnamlaw.com>; Cara Geloni <cara@greenvillelegal.com>

Subject: PNC Bank, N.A. v. S&J Asphalt Paving, LLC Appellate Case No.: 2025-000627

This message is from an **External Source**.

Counselors:

I wanted to see if it would be acceptable to have an extension of time for serving and filing Appellants' Initial Brief until July 22, 2025?

Willie H. McAbee III

Attorney

DAVID R. PRICE, JR., P.A.

1001 East Washington Street (29601)

Post Office Box 2446

Greenville, South Carolina 29602

Telephone: (864) 271-2636

Facsimile: (864) 271-2637

www.greenvillelegal.com

[Greenville Personal Injury Lawyer | Greenville Legal](#)

Speak with a Greenville personal injury lawyer today. David R. Price, Jr. and his injury attorney team can assist you. Contact us today!

www.greenvillelegal.com



DAVID R. PRICE, JR., P.A.

ATTORNEYS AT LAW

The information transmitted is intended only for the person or entity to which it is addressed and may contain proprietary, business-confidential and/or privileged material. If you are not the intended recipient of this message you are hereby notified that any use, review, retransmission, dissemination, distribution, reproduction or any action taken in reliance upon this message is prohibited. If you received this in error, please contact the sender and delete the material from any computer. Any views expressed in this message are those of the individual sender and may not necessarily reflect the views of the company.



RECEIVED

Jul 07 2025

DAVID R. PRICE, JR., P.A. SC Court of Appeals
ATTORNEYS AT LAW

DAVID R. PRICE, JR.
SAMUEL B. TOOKER

WILLIE H. McABEE, III

July 8, 2025

VIA E-MAIL (ctappfilings@sccourts.org) & U.S. MAIL

South Carolina Court of Appeals

Attn: The Honorable Jenny Abott Kitchings, Clerk of Court

Post Office Box 11629

Columbia, South Carolina 29211

**RE: PNC Bank, N.A. v. S & J Asphalt Paving, LLC
Appellate Case No.: 2025-000627**

Dear Ms. Kitchings:

Please find enclosed a copy of Appellants' Motion for Extension of Time to Serve and File Appellants' Initial Brief and Designation of Matter in the above referenced action. Appellants' motion requests that the time to serve and file Appellants' Initial Brief and Designation of Matter be extended till July 22, 2025. Please also find enclosed Appellants' Proof of Service and a check made payable to the South Carolina Court of Appeals in the amount of Fifty & 00/100 (\$50.00) dollars for the filing fee. Should anything further be required please do not hesitate to contact me.

Sincerely,

Willie H. McAbee, III

Enclosures

CC: Clients

Byron L. Saintsing, Esq. (via e-mail only)

Thomas A. Gray, Esq. (via e-mail only)

Melissa Tullis Smith, Esq. (via e-mail only)

Rachel E. Rogers, Esq. (via e-mail only)

Mailing Address:
POST OFFICE BOX 2446
GREENVILLE, SC 29602

1001 EAST WASHINGTON STREET
GREENVILLE, SOUTH CAROLINA
29601

Telephone: (864) 271-2636
Facsimile: (864) 271-2637
GREENVILLELEGAL.COM