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Jul 17 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

The Honorable Mikell R. Scarborough, Master in Equity

Case No. 2021-CP-10-02661
Appellate Case No. 2024-001312

Jason Loy Harn.....Respondent,

vs.

Mary Nicole Reavis f/k/a Mary Nicole Harn.....Appellant.

**RESPONDENT’S REPLY TO
APPELLANT’S MOTION TO
REINSTATE APPEAL**

The Respondent, Jason Loy Harn, (the “Respondent”), hereby responds in opposition to the Appellant’s, Mary Nicole Reavis f/k/a Mary Nicole Harn, (the “Appellant”), Motion to Reinstate Appeal based on the fact that the Appellant has had a flagrant disregard of the appeal timelines and the Appellate Court Rules, having missed numerous deadlines in defiance of this Court’s Orders. In addition to the deadline imposed by this Court of June 18, 2025, the timelines in this case should be noted as follows:

1. On August 9, 2024, the Appellant filed a Notice of Appeal with the South Carolina Court of Appeals.
2. On August 14, 2024, this Court sent a letter to the Appellant for failure to file the Notice of Appeal in the lower Court.

3. Also on August 14, 2024, the Respondent filed a Motion for Bond Pursuant to SCACR Rule 241 (b)(a) in the Charleston County Court of Common Pleas to be heard by the Honorable Mikell R. Scarborough.
4. On August 20, 2024, the Appellant finally filed the Notice of Appeal with the Charleston County Clerk of Court.
5. On October 2, 2024, the Appellant filed a Memorandum in Opposition to the Appellant's Motion for Bond Pursuant to SCACR Rule 241 (b)(a).
6. On October 9, 2024, the Order was filed granting Respondent's Motion for Bond Pursuant to SCACR Rule 241 (b)(a) which required a bond to be posted with a certain time period.
7. On October 9, 2024, the Appellant filed a Motion for Extension of Time to File the Initial Brief and Designation of Matter due to "traveling out of state, has deadlines, depositions and noticed court appearance in other matters scheduled requiring counsel's attention" with the bond not having been posted as required.
8. On October 10, 2024, the Appellant received a deficiency letter from the South Carolina Court of Appeals for failure to include the required filing fee of \$50.00.
9. On October 11, 2024, the Appellant paid the filing fee of \$50.00 and the Appellant's extension was granted and extended until November 18, 2024, per Order filed October 22, 2024.
10. On October 19, 2024, the Appellant filed a Motion to Reconsider the Order granting Respondent's Motion for Bond Pursuant to SCACR Rule 241 (b)(a).
11. On October 24, 2024, an Order was entered denying the Appellant's Motion to Reconsider the Order granting Respondent's Motion for Bond Pursuant to SCACR Rule 241 (b)(a).

12. On November 13, 2024, the Appellant filed an Amended Notice of Appeal.
13. On November 8, 2024, the Appellant filed a Motion for Extension of Time to Comply with the Bond Order.
14. On November 13, 2024, the Appellant finally posted the required Bond in the amount of Fifty Thousand and 00/100 (\$50,000.00) Dollars with the Charleston County Clerk of Court, which posting of the bond was outside of the time of Judge Scarborough's Order.
15. On November 18, 2024, an Order was granted extending the Appellant's Initial Brief and Designation of Matter until December 3, 2024.
16. On November 18, 2024, the Court acknowledged receipt of multiple notices of appeal in this case that were consolidated for consideration by the Court.
17. On November 27, 2024, the Court sent yet another deficiency letter to the Appellant for failure to pay the required fee for the second notice of appeal.
18. On January 17, 2025, the Court sent a letter to the Appellant stating the time to serve and file the Appellant's Initial Brief and Designation of Matter had expired. Within ten (10) days of the letter, the Appellant was to serve and file the initial brief and designation of matter along with a motion requesting permission to serve and file outside of the filing deadlines.
19. On January 28, 2025, the Appellant filed the Initial Brief with an Email stating the motion to file out of time would be filed shortly.
20. On January 28, 2025, the Appellant filed the Designation of Matter.
21. On January 29, 2025, the Appellant filed her Motion for Leave to File Appellant's Initial Brief and Designation of Matter Out of Time.
22. On February 6, 2025, the Respondent filed a Motion for Extension of Time to File Initial Brief and Designation of Matter.

23. On February 11, 2025 an Order was granted for the Appellant's Initial Brief and Designation of Matter to be accepted as filed and for the Respondent's Initial Brief and Designation of Matter to be due within thirty (30) days of the Order.
24. On March 10, 2025, the Respondent filed the Initial Brief and Designation of Matter.
25. On April 28, 2025, the Court sent a letter to all counsel needing one bound copy of the record on appeal and all final briefs.
26. On April 30, 2025, the Court sent a letter to the Appellant stating the time for serving the record on appeal had expired. Within ten (10) days of the letter, Appellant was to have filed proof of service of the record on appeal, along with a motion requesting permission to serve and file the record on appeal outside of the deadlines or the appeal will be dismissed.
27. On May 12, 2025, the Appellant filed a Motion to File Appellant's Brief and Designation of Matter out of Time.
28. On May 12, 2025, the Appellant sent an email to the South Carolina Court of Appeals confirming service of the Record on Appeal upon counsel with a motion to follow shortly.
29. On May 22, 2025, the Respondent filed his Final Brief.
30. On May 29, 2025, the Appellant's motion was granted and the Appellant was to file her final brief within twenty (20) days of that Order, which was not done.
31. On July 3, 2025, the South Carolina Court of Appeals entered an Order dismissing the appeal based on the fact that the Appellant had failed to file the Record on Appeal and Appellant's Final Brief as required.

The Appellant's has had a flagrant disregard of the times to file since the original notice of appeal. Her appeal is meritless. At the trial in this case, the Appellant consented to the

partition of the subject property in this matter and is now attempting to go back on her own testimony and her own admissions.

Further, the Appellant erroneously sites Rule 55(c) SCRCivP in her motion, which has no bearing on this matter, as this is not a motion to lift default.

The Respondent has been and continues to be prejudiced by the Appellant's actions in the underlying matter, and, now in this appeal. The Respondent requests that this Court deny the Appellant's motion and stand by its Order of July 3, 2025, dismissing this appeal.

Respectfully submitted.

Mt. Pleasant, South Carolina

BUIST BYARS & TAYLOR, LLC

July 17, 2025



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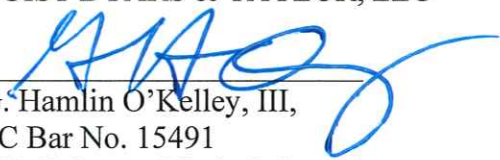
PROOF OF SERVICE

I certify that I have served the Respondent’s Reply to the Appellant’s Motion to Reinstate Appeal by depositing a copy of same in Via Email to David Conor Keys at conor@dconorkeyslaw.com and Justin M. McGee at justin@mcgee-lawfirm.com and Via US Mail, addressed to The Law Office of David Conor Keys, LLC, PO Box 14225, Charleston, SC 29422 and Justin M. McGee, 222 W. Coleman Blvd., Suite 93, Mount Pleasant, SC 29464.

Mount. Pleasant, South Carolina

July 17, 2025

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July 17, 2025

VIA EMAIL: ctappfilings@sccourts.org
AND US MAIL
The Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

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RE: Jason Loy Harn v Mary Nicole Reavis f/k/a Mary Nicole Harn
C/A No.: 2021-CP-10-02661
Appellate Case No. 2024-001312
Client File No.: 9766.0001

Dear Ms. Kitchings:

Enclosed please find an original and one (1) copy of the Respondent's Reply to Appellant's Motion to Reinstate Appeal and Proof of Service in the above-referenced matter.

Should you have any questions, please feel free to contact me.

With kindest regards, I remain

Yours very truly,

G. Hamlin O'Kelley, III

GHOIII/atd
Enclosures

Cc: (w/ Encl. Via Email and US Mail)
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