

# SOUTH CAROLINA IN THE COURT OF APPEALS

CASE No: 2025-001299

Attia Elbadawy and Lynne Chatlos (Pro Se)

493 Wise Road

Summerville, SC 29483

Clerk of Court

South Carolina Court of Appeals

1220 Senate Street  
Columbia, SC 29201

Mailing: PO Box 11629  
Columbia, SC 29211

Email filings: ctappfilings@sccourts.org

Phone: (803) 734-1890

RECEIVED

Sep 16 2025

SC Court of Appeals

**Re:** Elbadawy & Chatlos v. D.R. Horton, Inc.; Appellate Case No. 2025-001299; Circuit Court Case No. 2024-CP-18-01459

## *"Urgent Notice of Trial Court Exceeding Limited Remand Authority"*

Dear Clerk:

Enclosed please find the above-referenced *Urgent Notice of Trial Court Exceeding Limited Remand Authority*. Appellants respectfully request expedited attention because the Dorchester County Circuit Court has scheduled a broad motion roster for October 6, 2025 in Case No. 2024-CP-18-01459, beyond this Court's August 13, 2025 limited remand regarding whether certain exhibits were part of the record at the January 21, 2025 hearing.

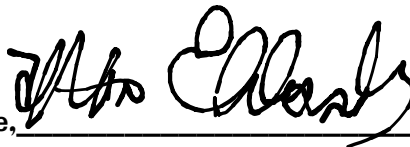
We respectfully ask that the Court confirm that the circuit court's authority on remand is limited to that narrow record question and that no other motions may be heard while this appeal is pending and prior to remittitur.

Please file-stamp the enclosed and return a copy if required. Thank you for your prompt assistance.

Respectfully submitted,

Pro Se

Attia Elbadawy, Pro Se,



Lynne Chatlos, Pro Se,



Date: September 16 2025

# STATE OF SOUTH CAROLINA IN THE COURT OF APPEALS

Re: Attia Elbadawy & Lynne Chatlos v. D.R. Horton, Inc.  
Appellate Case No. 2025-001299  
Circuit Court Case No. 2024-CP-18-01459

## **"URGENT"**

### **"NOTICE OF TRIAL COURT EXCEEDING LIMITED REMAND AUTHORITY"**

Plaintiffs-Appellants hereby notify this Court as follows:

1. On August 13, 2025, this Court entered an Order continuing the temporary injunction and remanding the matter to the Dorchester County Circuit Court solely for the limited purpose of determining whether the exhibits filed in connection with the petition for a writ of supersedeas were part of the record before the circuit court at the January 21, 2025 hearing.
2. Despite this narrow remand, the Dorchester County Court of Common Pleas has scheduled a broad motion roster for October 6, 2025 in Circuit Court Case No. 2024-CP-18-01459, which includes matters unrelated to the remand question (including motions to set aside default, motions to dismiss, and other substantive motions). See Attachment of Order.
3. The remand was expressly limited in scope. The circuit court's authority is therefore limited to making a written determination on whether the referenced exhibits were part of the January 21, 2025 record and returning that written order to this Court for further consideration.
4. The circuit court lacks jurisdiction to hear or decide any other motions or substantive matters in Case No. 2024-CP-18-01459 while this appeal remains pending and until Court of Appeals Court issues a remittitur.
5. Plaintiffs-Appellants are concerned that scheduling the October 6, 2025 roster for broad substantive motions exceeds the scope of the remand and risks prejudice to the appellate record and the parties.
6. Plaintiffs-Appellants therefore respectfully request that this Court:
  - a. Confirm that the circuit court's review is strictly limited to the remand issue (whether the exhibits were part of the January 21, 2025 record);

b. Clarify that the circuit court may not hear or rule on any other substantive motions in Case No. 2024-CP-18-01459 during the pendency of this appeal; and

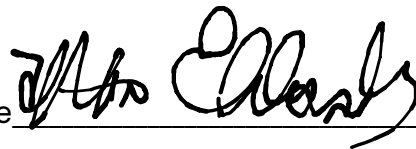
c. Consider issuing any orders the Court deems appropriate to preserve the integrity of the appellate record, including an order instructing the circuit court to refrain from ruling on or entertaining motions beyond the remand scope until further order of this Court.

7. Given the scheduled October 6, 2025 roster and the potential for irreparable prejudice, Plaintiffs-Appellants respectfully request expedited consideration of this Notice and that the Clerk of this Court, or the Court itself, provide immediate guidance to the Dorchester County Circuit Court.

8. A copy of the August 13, 2025 Order is attached as Exhibit A.

**Respectfully submitted,**

Attia Elbadawy, Pro Se



Lynne Chatlos, Pro Se



493 Wise Road  
Summerville, SC 29483

ala\_international@yahoo.com

Date: September 16, 2025

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was served on this 16th day of September 2025, by U S MAIL upon the following:

Dorchester County Attorney's Office  
Bradley Mitchell, County Attorney  
201 Johnston Street  
St. George, SC 29477

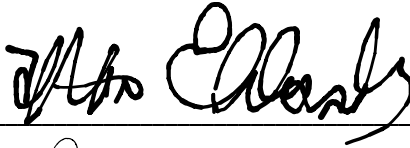
D R Horton, Inc  
Kenison, Dudley & Crawford, LLC  
Mark Bible, Jr.,  
325 W. McBee Avenue, Suite 301  
Greenville, SC 29601

Dorchester County Clerk of Court  
5200 E. Jim Bilton Blvd.  
St. George, SC 29477

Clerk of Court, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201  
Mailing: PO Box 11629  
Columbia, SC 29211  
ctappfilings@sccourts.org

**Date: September 16, 2025**

Attia Elbadawy, Pro Se



Lynne Chatlos, Pro Se



493 Wise Road  
Summerville, SC 29483  
ala\_international@yahoo.com  
843-641-8556

## **EXHIBIT INDEX**

Exhibit A — South Carolina Court of Appeals Order dated August 13, 2025 continuing temporary injunction and remanding solely to determine whether exhibits were part of the record at the January 21, 2025 hearing.

# The South Carolina Court of Appeals

Attia Elbadawy and Lynne Chatlos, Appellants,

v.

D.R. Horton, Inc., Respondent.

Appellate Case No. 2025-001299

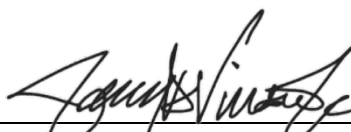
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## ORDER

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On July 18, 2025, Appellants filed a motion to stay the circuit court's May 6, 2025 and June 23, 2025 orders, which respectively denied Appellants' motion for a temporary injunction and/or preliminary injunction and denied Appellants' motion to reconsider the circuit court's order denying Appellant's motion for temporary injunction and/or preliminary injunction. On July 30, 2025, we construed Appellants' motion as a petition for a writ of supersedeas pursuant to Rule 241 of the South Carolina Appellate Court Rules requesting a temporary injunction, to which no return had been filed. The order imposed a temporary injunction and ordered Respondent to file a return and Appellants to file a reply, explaining the request for a writ of supersedeas would be considered upon receipt of the requested filings, which the court has now received.

After careful consideration, we continue the temporary injunction and remand to the circuit court to allow the circuit court to expeditiously review the petition for a writ of supersedeas, return, and reply, and determine whether the exhibits provided in those filings were part of the record before the court at its January 21, 2025 hearing. Appellants shall provide this court with a copy of the circuit court's written order making this determination within ten days of receipt. Following the circuit court's written order making this ruling, this court will consider the petition for a writ of supersedeas.

  
FOR THE COURT

J.

**FILED**  
**Aug 13 2025**

cc:

Attia Elbadawy

Lynne Chatlos

Mark Bible,

Bradley Mitchell,

Honorable Judge Diane Goodstein

Clerk of Court Cheryl L. Graham