

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHEROKEE COUNTY
Court of Common Pleas
Scott F. Talley, Special Referee

Appellate Case No. 2025-001073
Civil Action No. 2022-CP-11-00021

RECEIVED
Oct 07 2025
SC Court of Appeals

Angelica Shelest, Respondent,
v.
Martin Maina Gitau and Mark One Freight & Logistics,
LLC..... Appellants.

CONSENT MOTION TO STAY

Appellants Martin Maina Gitau and Mark One Freight & Logistics, LLC respectfully move this Court for a stay the above-captioned appeal in this Court, pending the outcome of the Supreme Court’s review of Appellants’ Motion to Certify and Transfer Case from the Court of Appeals (“motion”), Appellate Case No. 2025-001471. That Motion is fully briefed and awaiting decision by the Supreme Court. Included therein is a motion in draft to remand this matter back to the circuit court for determination of a to-be-filed new Rule 60(b) motion.

Proceeding with an appeal in this Court while the above-described Motion is pending in the Supreme Court would undermine the interests of judicial efficiency and run the risk of inconsistent judgments. For these reasons, good cause exists for this Court to issue a stay while the Supreme Court considers the motion. Respondent consents to this motion to stay as indicated in the attached email correspondence.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: s/ C. Mitchell Brown

C. Mitchell Brown

S.C. Bar 012872

mitch.brown@nelsonmullins.com

Brook B. Andrews

S.C. Bar 076283

brook.andrews@nelsonmullins.com

1320 Main Street, 17th Floor

Columbia, SC 29201

(803) 799-2000

*Attorneys for Appellants Martin Maina Gitau and Mark
One Freight & Logistics, LLC*

October 7, 2025

Eileen Hindman

From: William Barnes <wbarnes@barneslawfirmssc.com>
Sent: Tuesday, October 7, 2025 2:10 PM
To: Mitch Brown
Subject: RE: 2025.10.06 Motion for Stay (Shelest 2025-001073) - 4914-2257-3424 1

Mitch – We consent to the motion. If you need anything else, please let us know. William

From: Mitch Brown <mitch.brown@nelsonmullins.com>
Sent: Tuesday, October 7, 2025 2:08 PM
To: William Barnes <wbarnes@barneslawfirmssc.com>
Subject: 2025.10.06 Motion for Stay (Shelest 2025-001073) - 4914-2257-3424 1

William:

Per our conversation, please let me know if you consent to the attached motion to stay in the Court of Appeals. Thank you,

Mitch

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In The Supreme Court of South Carolina

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Angelica Shelest, Respondent,

v.

Martin Maina Gitau and Mark One Freight & Logistics,
LLC Appellants.

PROOF OF SERVICE

I, the undersigned, of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Appellants Martin Maina Gitau and Mark One Freight & Logistics, LLC , certify that I have served all counsel in this action with a copy of the document(s) specified below by electronic mail to each attorney listed using their primary email address listed in the Attorney Information System.

Pleading(s): Consent Motion to Stay

Counsel Served:

William Franklin Barnes, III, Esquire
Kathleen C. Barnes, Esquire
BARNES LAW FIRM, LLC
PO Box 897
13 Mulberry Street East
Hampton, SC 29924
wbarnes@barneslawfirmssc.com
kbarnes@barneslawfirmssc.com

Brian T. Smith, Esquire
BRIAN T. SMITH LAW OFFICES
714 Pettigru Street
Greenville, SC 296013190
bsmith@btsmithlaw.com

Attorneys for Respondent Angelica Shelest

Jeanmarie Tankersley, Esquire
Madalyn Alissa Dalton, Esquire
CLAWSON & STAUBES, LLC
200 E. Broad Street
Suite 450
Greenville, SC 29601
jtankersley@cslaw.com
mdalton@cslaw.com

Attorney for Appellants Martin Maina Gitau and Mark One Freight & Logistics, LLC



Eileen Hindman
Administrative Assistant

October 7, 2025