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Oct 24 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas

The Honorable Daniel Coble Circuit Court Judge

Case No. 2025-001903

Bush River C-Store, LLC, ..... Appellant,

v.

South Carolina Department of Transportation, ..... Respondent.

**PETITION FOR RECONSIDERATION AND  
TO REINSTATE APPEAL**

The undersigned, as Counsel for Appellant, respectfully moves the Court for an Order reinstating the above-captioned Appeal. By Order dated October 21, 2025, the Clerk of Court dismissed the Appeal pursuant to Rule 207, based upon Counsel’s failure to timely provide correspondence regarding the ordering of the transcript as provided for in Rules 207 of the South Carolina Appellate Court Rules.

Counsel for Appellant failed to timely order the transcript as required by Rule due to the fact that in September and October he was having surgery in North Carolina and recuperating therefrom. Counsel respectfully submits that the failure to supply the Court with a copy of the

transcript letter constitutes excusable neglect and inadvertence. There will be no prejudice to either party if the Appeal is reinstated. Reinstatement of the Appeal will benefit both parties in that the Court will have the opportunity to decide the case on its merits.

Respectfully submitted,

MOORE BRADLEY MYERS LAW FIRM, PA

BY: s/S. Jahue Moore  
S. Jahue Moore  
SC Bar #4063  
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West Columbia, SC 29171  
(803) 796-9160  
jake@mbmlawsc.com

West Columbia, South Carolina  
October 23, 2025

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**PROOF OF SERVICE**

I, Lynn G. Ivey, an employee of Moore Bradley Myers Law Firm, P.A., certify that I have served the Appellant’s Petition for Reconsideration and to Reinstate Appeal on the Respondent by transmitting a copy of same on October 24, 2025, by electronic mail, addressed to its attorney of record as follows:

David G. Pagliarini, Esquire  
Pagliarini Law Firm, LLC  
145 River Landing Drive, Suite 101-B  
Daniel Island, SC 29492  
[david@lawplf.com](mailto:david@lawplf.com)

  
Lynn G. Ivey



S. Jahue Moore<sup>†</sup>  
 James Edward Bradley<sup>\*†</sup>  
 Sheila McNair Robinson  
 Christian G. Spradley  
 William H. Edwards  
 S. Jahue Moore, Jr.  
 William B. Fortino  
 Ralph Nichols Riley, Jr.  
 John C. Bradley, Jr.  
 Lester McGill Bell, Jr.  
 Sierra Carini Hartley  
 Emily E. Collins

October 24, 2025

Melissa K. Moore  
 Catherine Liscusky Jumper  
 Brian M. Eckstrom  
 Joshua S. E. Martin  
 Madison B. Kelly

*Retired*  
 J. Mark Taylor<sup>\*\*</sup>  
 C. David Sawyer, Jr.<sup>†</sup>  
 Billy C. Coleman (1916-2019)  
 Stanley L. Myers<sup>\*†</sup> (1976-2023)  
 Robert D. Hazel<sup>†</sup> (1936-2024)

The Honorable Jenny Abbott Kitchings  
 Clerk of Court  
 South Carolina Court of Appeals  
 PO Box 11629  
 Columbia, SC 29211  
 Via Email and US Mail

**RECEIVED**  
**Oct 24 2025**  
 SC Court of Appeals

Re: Bush River C-Store, LLC v. SC Department of Transportation  
 Case No. 2025-001903

Dear Ms. Kitchings:

I hope you are well. Please find enclosed our firm check in the amount of \$50.00 for our petition for reconsideration and to reinstate appeal filed by email today in this matter.

Please contact our office with any questions or concerns. Thank you for your assistance with this notification.

Sincerely,

Lynn G. Ivey  
 Legal Assistant

Enclosure

cc: S. Jahue Moore, Esq.  
 David G. Pagliarini, Esq.