

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

The Honorable Joe M. Crosby, Master-In-Equity Judge

Civil Action No: 2023-CP-22-00531
Appellate Case No.: 2025-000850

W.C.Jennings Company, Inc. Plaintiff,

v.

Joseph Failla, Renee Failla, and Anderson Brothers Bank, Defendants,

AND

Anderson Brothers Bank, CounterClaim/Cross –Claim Plaintiff.

v.

W.C.Jennings Company, Inc., Counterclaim Defendant,

Joseph and Renee Failla aka. Renee F. Failla, Cross-claim Defendants,
of which W.C.Jennings Company, Inc. and Anderson Brothers Bank are the Respondents, and
Joseph Failla and Renee Failla are the Appellants.

“ Return”
Motion to Dismiss Appeal

Introduction:

This is a return to the motion to dismiss filed by the Plaintiff/ Respondent, W.C. Jennings Company, Inc. undersigned counsel Robert Maring October 24th 2025 to the Court of Appeals. The Respondent undersigned counsel claims that the Defendants failed to order the transcript of the proceeding necessary for the appellate review.

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Nov 03 2025
SC Court of Appeals

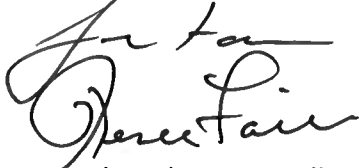
Statement of Facts:

A copy of the transcript was obtained by the Defendant/Appellant at the Clerk of Court Office in Georgetown County, South Carolina on May 14 2025 from the Clerks Office.

Copies of the transcript to both parties via United States postal service. A copy of the transcript was also filed in the South Carolina Court of Appeals by email on May 30th 2025.

Additionally, the Defendants were not notified of the Motion to Continuance of the hearing in the Court of Commons Pleas in Georgetown County on March 24,2025 which further undercuts the basis of their motion. Proper notification is essential for due process and the failure to provide notification to the Defendants is a significant procedural defect that warrants reconsideration to the motion to dismiss.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph and Renee Failla". The signature is written in a cursive, flowing style.

Joseph and Renee Failla
212 A Machrie Loop Drive
Myrtle Beach, South Carolina 29588
772-766-1516

**FORM 7
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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

Appellate Case No. 2025-000850

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas
Master -in-Equity
Judge Joe M. Crosby

Case No.2023-CP-22-00531

W.C. Jennings Company, Inc.
Anderson Brothers Bank

v.

Respondent

Joseph & Renee Failla.

Appellant

PROOF OF SERVICE

This is to certify that copies of the Appellant "Return " Motion to Dismiss Appeal have been served upon the following parties of record by placing the same in the United States mail, certified mail with return receipt, addressed to the following as shown below this 3rd November 2025

November 3, 2025

s/ Joseph & Renee Failla



Joseph & Renee Failla

212 A Machrie loop Drive

Myrtle Beach, South Carolina 29588

(772)766-1516 *Appellant*

Counsels of Record:

Suzanne Taylor Graham Grigg
Shannon Begley, Paralegal to Counsel
MAYNARD NEXSEN PC
1230 Main Street, Suite 700 (29201)
Post Office Box 2426
Columbia, South Carolina 29202
Telephone :(803)771-8900
Attorneys for Plaintiff Anderson Brothers Bank

Robert W. Maring ,Esquire
Maring & Moyer, LLC
1130 Highmarket Street
Georgetown, South Carolina 29440
Post Office Box 478
Georgetown, South Carolina 29442
(843)-545-9544
*Attorneys for Plaintiff /Counterclaim
Defendant W.C. Jennings Company, Inc.*