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Dec 01 2025

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
COURT OF COMMON PLEAS

Judge G. D. Morgan

Case No. 2024-CP-23-00312
Appellate Case No.: 2024-000731

Christopher Jones,

Appellant,

v.

D&B Real Estate Ventures, LLC;
Darius Jones; Bradley Robinson,

Respondents.

RESPONDENTS' MOTION FOR DISMISSAL

Respondents D&B Real Estate Ventures, LLC, Darius Jones, and Bradley Robinson, by and through undersigned counsel, respectfully move this Court pursuant to Rule 227(c), SCACR, to dismiss this appeal due to Appellant's failure to cure deficiencies in the Record on Appeal within the deadline established by the Court's September 4, 2025 deficiency letter.

I. PROCEDURAL HISTORY

1. On September 4, 2025, the Clerk of the Court issued a deficiency notice to Appellant identifying defects in the Record on Appeal and granting Appellant ten (10) days to cure the deficiency.
2. Appellant was granted until November 20, 2025 to cure the deficiencies. That deadline has passed.

3. On November 26, 2025, nearly a full week after the Court’s extended deadline, Appellant filed a second motion for extension of time. As of the date of this motion, Appellant has still not filed or served a corrected Record on Appeal. The Court’s November 10, 2025 deficiency letter clearly stated that corrections were again required. Respondents have not been served with any corrected filing, and the appellate docket reflects no amended Record on Appeal to date.
4. The June 18, 2025 Order previously issued by the Court explicitly warned that “no extensions will be given absent extraordinary circumstances” and that “failure to comply will result in the dismissal of this appeal.” Appellant has failed to comply with both the deficiency letter and the prior Order.
5. This is the second time Appellant has failed to cure deficiencies in the Record on Appeal. The Clerk first issued a deficiency letter on September 4, 2025, and granted Appellant until October 15, 2025 to file corrections. On that date, Appellant filed a “corrected” final brief – but did not file a corrected Record on Appeal. The Court then issued a second deficiency letter on November 10, 2025, expressly noting that this was its second request for corrections and rejecting Appellant’s improperly submitted brief, which was filed without a motion to amend. Appellant has made no further filings or service since.
6. Rule 260(a), SCACR provides:

“Whenever it appears that an appellant or a petitioner has failed to comply with the requirements of these Rules, the clerk shall issue an order of dismissal, which shall have the same force and effect as an order of the appellate court.”
7. Appellant has not demonstrated good cause, nor has he filed a motion for reinstatement or correction. The appeal remains procedurally defective and in violation of the rules governing appellate practice.

8. This is not the first time Appellant has failed to comply with court-imposed deadlines. The appellate docket reflects repeated instances of untimely, deficient, or improperly served filings, including extensions and corrections related to the Notice of Appeal, Initial Brief, and now the Record on Appeal. These failures demonstrate a pattern of disregard for the Court's rules and deadlines.
9. In addition, Respondents are currently unable to file their final brief due to the absence of a corrected and properly served Record on Appeal. Under Rule 210(c), SCACR, the time to file a Respondent's brief does not run until the Record has been served. Appellant's continued failure to comply not only frustrates the appellate process but also prejudices Respondents' ability to respond.
10. For these reasons, and pursuant to Rule 260(a), SCACR, Respondents respectfully request that this Court dismiss the above-captioned appeal with prejudice due to Appellant's failure to comply with the September 4, 2025 deficiency letter and the June 18, 2025 Order, and issue any other relief it deems just and proper.

Respectfully submitted this Monday, December 1, 2025.

HOLDER, PADGETT, LITTLEJOHN + PRICKETT, LLC

s/ M. Stokely Holder
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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

THE HONORABLE G.D. MORGAN

Appellate Case No. 2024-00417
Circuit Court Case No. 2024-CP-23-00312

CERTIFICATE OF SERVICE

I, the undersigned attorney for the Respondents', D&B Real Estate Ventures, LLC, Darius Jones and Bradley Robinson, do hereby certify that I have served the Respondents' Motion for Dismissal on the Appellant, Christopher Jones by sending a copy via email to intljonesc@gmail.com and via mail to 309 Perry Ave., Greenville, SC 29601. I also certify that I have served the Respondents' Motion for Dismissal on the South Carolina Court of Appeals by depositing it in the United States Mail, postage prepaid, on December 1, 2025, addressed to The Honorable Jenny Abbott Kitchings, Clerk of Court, P.O. Box 11629, Columbia, SC 29211, and by electronic mail at: ctappfilings@sccourts.org.

s/Ra'na Heidari

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*Attorneys for the Respondents D&B Real Estate Ventures, LLC, Darius Jones and Bradley
Robinson*

December 1, 2025

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Via U.S. Mail and Email

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
P.O. Box 11629
Columbia, SC 29211
ctappfilings@sccourts.org

**RE: Christopher Jones v. D&B Real Estate Ventures, LLC; Darius Jones; Bradley
Robinson
Circuit Court Case No.: 2024-CP-23-00312
Appellate Case No.: 2024-00417**

Dear Ms. Kitchings,

Please find enclosed herewith for service upon the court Respondents' Motion for Dismissal, along with a Certificate of Service for same. I have also included our firm's check in the amount of \$50.00 for the filing fee.

Should you have any questions or concerns, feel free to contact our office.

Regards,

HOLDER PADGETT LITTLEJOHN + PRICKETT, LLC



Carolyn Denney
Paralegal

Enclosures

cc: *Christopher Jones*