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**Dec 09 2025**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
Honorable Thomas W. McGee, III

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Appellate Case No. 2025-001581

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South Carolina Department of Consumer Affairs, .....Respondent,

v.

Cash Central of South Carolina, LLC, .....Appellant,

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**RETURN TO MOTION TO EXPEDITE**

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Cash Central of South Carolina, LLC (“Cash Central”) files this return to clarify certain representations made in the motion to expedite filed by the South Carolina Department of Consumer Affairs (“Department”). This appeal follows an order of the circuit court granting summary judgment in the Department’s favor as to several defenses raised by Cash Central, among them the applicable statute of limitations and the voluntary payment doctrine.

Cash Central disagrees with the Department’s discussion of this Court’s earlier decision in this matter, *S.C. Dep’t of Consumer Affs. v. Cash Cent. of S.C. LLC*, 435 S.C. 192, 865 S.E.2d 789 (Ct. App. 2021). That appeal followed a circuit court order granting judgment in Cash Central’s favor based the bona fide error defense, substantial compliance defense, and the excusable neglect

defense. No other defenses were addressed in that appeal, and the remand was not limited to merely determining the amount of a refund. There has not been a trial on the merits.<sup>1</sup>

The Department correctly notes that the parties have been engaged in settlement discussions and that Cash Central has sought two routine extensions due to appellate counsel's workload and the holiday season. Cash Central's current deadline to file its initial brief is January 28, 2026, as set forth in the Court's order of December 3, 2025. Consistent with the Court's instruction in that order, Cash Central will not seek any further extensions for its initial brief absent "extraordinary circumstances."

Cash Central does not object to the request to expedite, assuming that the current January 28 deadline is not moved and that Cash Central may have 20 days to file its initial reply brief when the time comes. Cash Central believes these requests are reasonable given the lengthy procedural history in this matter and counsel's schedule.

Cash Central also wants to address footnote 9 of the motion in which the Department telegraphs its intention to seek a hypothetical determination of possible amounts to be refunded from the circuit court while this appeal is pending. By the filing of the notice of appeal, this Court has exclusive jurisdiction as to all matters affected by this appeal. Rule 205, SCRCPC; *Stokes-Craven Holding Corp. v. Robinson*, 416 S.C. 517, 534, 787 S.E.2d 485, 494 (2016). The order on appeal relates to both voluntary payment and the statute of limitations.<sup>2</sup> Thus, the circuit court

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<sup>1</sup> This case is more than nine years old primarily because the prior appeal commenced by the Department took from December 29, 2017, when the notice of appeal was filed, to July 5, 2023, when the remittitur was issued.

<sup>2</sup> With respect to voluntary payment, there is no evidence that any loan was entered, or any payment was made, involuntarily.

lacks jurisdiction to make any determinations on the merits while this appeal is pending, including but not limited to the calculations referenced in footnote 9.<sup>3</sup>

For the above reasons, Cash Central does not object to the request to expedite, assuming the Court's December 3 order remains in place and further assuming that Cash Central can seek one 10-day extension on its initial reply brief. Cash Central does object, however, to any effort by the Department to seek hypothetical damage determinations from the circuit court while this appeal is pending.

Respectfully submitted,

HAYNSWORTH SINKLER BOYD, PA

*s/Sarah P. Spruill*

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*Attorneys for Appellant Cash Central  
of South Carolina, LLC*

December 9, 2025

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<sup>3</sup> Cash Central disagrees with the Department's calculations and denies that the total is more than \$6,000,000, but that is a question for another day.

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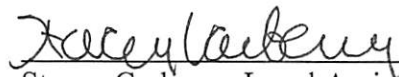
**PROOF OF SERVICE**

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I certify that I have served the Appellant's *Return to Motion to Expedite* on all attorneys of record by electronic mail on December 9, 2025 addressed to:

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December 9, 2025

**VIA EMAIL**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

**RECEIVED**  
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**SC Court of Appeals**

Re: SC Department of Consumer Affairs v. Cash Central  
Appellate Case No. 2025-001581

Dear Ms. Kitchings:

This firm represents the Appellant in the above matter. Enclosed for filing, please find Appellant's *Return to Motion to Expedite* together with our *Proof of Service* for the same.

If you have any questions, please give me a call. Thank you for your assistance in this matter.

Sincerely,

HAYNSWORTH SINKLER BOYD, P.A.



Sarah P. Spruill

SPS/sac

Enclosures

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