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**Dec 29 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 Robert E. Hood  
Circuit Court Judge

Appellate Case No. 2025-002198  
Circuit Court Case No. 2023-CP-40-05555

O. Stanley Smith, III; Acre Plus, LLC; and Constan Gervais Street  
Car Wash, Inc., ..... Respondents,  
v.  
City of Columbia ..... Appellant.

APPELLANT’S SUPPLEMENT TO MOTION TO STAY BRIEFING AND FOR A LIMITED  
REMAND FOR PURPOSES OF CORRECTING THE TRANSCRIPT

Appellant City of Columbia respectfully submits this supplement to its pending Motion to Stay Briefing and for a Limited Remand for Purposes of Correcting the Transcript.

1. Attached as Exhibit A is the affidavit of Kevin Dehlinger, Director of Operations for Legal Eagle, Inc., the court-approved transcription service assigned by the South Carolina Judicial Branch to prepare the transcript of the November 6, 2025 hearing in this matter.
2. As set forth in the affidavit, the transcript contains 207 “indiscernible” notations within a 67-page transcript.
3. The affidavit further states that portions of the audio recording were entirely absent, resulting in gaps ranging from several seconds to as long as approximately three minutes, which could not be transcribed.
4. The affidavit states that these portions of the audio are unrecoverable.

5. This affidavit supports Appellant's request that briefing be stayed and that the Court consider a limited remand to address the condition of the record.

Respectfully submitted,

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*Attorneys for the City of Columbia*

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PROOF OF SERVICE

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I, the undersigned of the law offices of Womble Bond Dickinson (US) LLP, attorneys for Appellant City of Columbia, do hereby certify that I have served all parties to this appeal with a copy of the pleading(s) specific below by emailing them at the addresses below:

Pleading(s): Appellant's Supplement to Motion to Stay Briefing and For a Limited Remand for Purposes of Correcting the Transcript

Parties Served:

Richard A. Harpootlian (rah@harpootlianlaw.com)

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Tobias G. Ward, Jr. (tw@tobywardlaw.com)

*Counsel for the Respondents*

By: /s/ Kevin A. Hall

December 29, 2025



I, the undersigned Notary Public, do hereby certify that the foregoing instrument was acknowledged before me this 29<sup>th</sup> day of December 2025, and the document was executed by the above named Kevin Dehlinger of his own free will.

Witness my hand and seal this 29<sup>th</sup> day of December 2025.

Deana K. Pfeiffer  
Deana Pfeiffer, Notary Public for South Carolina

Commission expires: June 08, 2027

