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Dec 22 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

Hon. Donald B. Hocker, Circuit Court Judge

C.A. No.: 2020-CP-36-00382 &
C.A. No.: 2020-CP-36-00384
Appellate Case No 2024-002049

Jefferson Davis, Jr.Appellant,

v.

Chad Connelly, Dave Wilson, Steven Kirkland, Tom Persons, Neil Mellen, E3 Software, LLC,
Endurance International Holdings, Inc., John Doe #1, John Doe #2 & John Does 3-40
..... Respondents.

and

Jefferson Davis, Jr.Appellant,

v.

Chad Connelly, Tom Persons, Geoffery Chambers, Esq. & South Carolina Educational Credit for
Exceptional Needs Children Fund Respondents.

**APPELLANT’S REPLY TO RESPONDENTS’ RETURN IN OPPOSITION TO 2ND
MOTION FOR EXTENSION OF TIME TO FILE AND SERVE
INITIAL BRIEF AND DESIGNATION OF MATTER**

NOW COME *Pro Se* Appellant Jefferson Davis, Jr., in reply to the Return filed by
Respondents Chad Connelly, Dave Wilson, Tom Persons, and Neil Mellen on December 16th,
2025, opposing Appellant’s 2nd Motion for Extension of Time filed on December 8th, 2025.

Appellant respectfully submits that Respondents' opposition lacks merit and should not preclude this Honorable Court from granting the requested extension until March 31st, 2026, pursuant to Rules 208, 240, and 263 of the South Carolina Appellate Court Rules. The grounds for this Reply are as follows:

1. Respondents' Return relies solely on a vague reference to this Court's June 13th, 2025 letter (See Attached), asserting that the extension should be denied "for the same reasons this Court no longer held this appeal in abeyance." However, Respondents fail to articulate what those "reasons" are or how they apply to the current motion. The June 13th, 2025 letter merely lifted the abeyance based on Appellant's Status Update #5 filed May 27th, 2025 (which included a Sworn Affidavit and redacted doctors' letters attesting to Appellant's Stage IV colon cancer and ongoing treatments), and directed Appellant to order the transcript pursuant to Rule 207, SCACR. That letter addressed procedural compliance regarding the transcript—not the denial of future extensions based on health-related extraordinary circumstances. Appellant has since complied with transcript requirements, and the letter does not preclude extensions for good cause shown, as demonstrated here.
2. Unlike the context of the June 13th, 2025 letter, which focused on abeyance and transcript status at an earlier stage of the appeal, Appellant's current motion is supported by updated and compelling evidence of ongoing medical hardship. As detailed in the motion and attached Declaration dated December 8th, 2025, Appellant is undergoing an additional cycle of eight extensive chemotherapy treatments following his recurrence of Stage IV colon cancer, major surgery on

June 30th, 2025, and prior rounds of chemotherapy in April-June 2025. Appellant's most recent treatment (#5 of 8) occurred on **December 17th, 2025**, with further treatments scheduled for December 31st, 2025; January 14th, 2026; and January 28th, 2026. Appellant reasonably anticipates at least two months of recovery thereafter, and additional testing post-cycle will determine further treatments. These facts constitute extraordinary circumstances under Rule 263, SCACR, warranting the extension.

3. Respondents' opposition ignores the trial court's own acknowledgment of Appellant's medical condition. In its Order dated May 29th, 2025, the trial court conceded that it is now **"clear that [Appellant] has Stage IV colon cancer and has undergone and continues to undergo treatment of various kinds"** as Appellant had previously attested. This concession by the trial court only came after reviewing extensive medical documentation and letters from Appellant's medical professionals. This acknowledgment also underscores the legitimacy of Appellant's health claims, which Respondents do not contest with any evidence or argument in their Return.
4. Furthermore, this Court has broad discretion under Rule 263(b), SCACR, to grant extensions for good cause, including serious medical conditions that impair a *pro se* appellant's ability to prepare filings. Appellants' ongoing chemotherapy and recovery period clearly meet this standard, as attested in the Declaration dated December 8th, 2025 as attached to the original Motion.
5. The requested extension—to March 31st, 2026—represents a reasonable accommodation given the timeline of Appellant's treatments and recovery. While

Respondents note the duration from the initial Notice of Appeal (filed December 2, 2024), they overlook that Appellant’s health crisis has persisted and intensified, rendering strict adherence to standard deadlines impracticable without prejudice to Appellant’s right to appeal. Rule 240 & 263(b), SCACR, allow for extensions in such cases, and Appellant affirms this request is made in good faith, not for delay, as previously attested.

6. Notably, no other Respondents in this consolidated appeal—including those represented by separate counsel—have filed any opposition to Appellant’s motion. This absence of broader objection further demonstrates that granting the requested extension will cause no undue prejudice to the parties as a whole.
7. Granting the extension will not unduly prejudice Respondents, who have not alleged any specific harm beyond general delay. In contrast, denying it could effectively deny Appellant—a pro se litigant battling life-threatening illness—his appellate rights due to circumstances beyond his control.

WHEREFORE, Appellant respectfully requests that this Honorable Court grant his 2nd Motion for Extension of Time until Tuesday, March 31st, 2026, to file and serve his initial brief and designation of matter, and deny Respondents’ opposition in full.



Date: December 22nd, 2025

Jefferson Davis, Jr., Appellant
403 McCarter Avenue,
Greenville, SC 29615
843-901-8036 (cell) | jeff@apogeetax.com

Other Counsel / Parties of Record: See Certificate of Service



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

June 13, 2025

Jefferson Davis, Jr.
403 McCarter Avenue
Greenville SC 29615

Re: Jefferson Davis, Jr. v. Chad Connelly
Appellate Case No. 2024-002049

Dear Mr. Davis:

We are in receipt of your status update filed on May 28, 2025. This appeal is no longer held in abeyance. Within ten days of the date of this letter, you must file a copy of the letter showing that you have ordered the transcript from the court reporter pursuant to Rule 207 of the South Carolina Appellate Court Rules.

Be sure to copy the Court, the Office of Court Administration and opposing counsel with all correspondence concerning the transcript. The address for Court Administration is as follows:

South Carolina Office of Court Administration
1220 Senate Street, Suite 200
Columbia, SC 29201

You must advise the Court of the status of the transcript within ten (10) days of the date of this letter, or your appeal will be dismissed.

Very truly yours,


CLERK

cc: Jasmine Denise Smith, Esquire
J. Calhoun Watson, Esquire
M. Dawes Cooke, Jr., Esquire
Justin Paul Novak, Esquire
Douglas Walker MacKelcan, III, Esquire
Skyler Cole Wilson, Esquire
Jessica Elizabeth Kinard, Esquire
Benjamin Terrell Coppage, Esquire
Geoffrey Kelly Chambers, Esquire
Susie Jean Lloyd, Esquire

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and

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PROOF OF SERVICE

I certify that I have served **APPELLANT’S REPLY TO RESPONDENTS’ RETURN
IN OPPOSITION TO 2ND MOTION FOR EXTENSION OF TIME TO FILE AND SERVE
INITIAL BRIEF AND DESIGNATION OF MATTER** on the below named parties via First
Class Mail or email on **December 22nd, 2025**.

[CONTINUED ON NEXT PAGE.]

M. Dawes Cooke, Jr., Esq. & Justin Paul Novak, Esq.
Barnwell Whaley
P.O. Drawer H, Charleston SC 29402
mdc@barnwell-whaley.com
jnovak@barnwell-whaley.com
(843) 577-7700

Connelly, Wilson, Persons & Mellen

Douglas Walker MacKelcan, III, Esq. & Skyler C. Wilson, Esq.
Carlock, Copeland & Stair, LLP
40 Calhoun St., Ste. 400, Charleston SC 29401
dmackelcan@cskl.law
swilson@cskl.law

Stephen D. Kirkland, CPA, CMA

Jessica E. Kinard, Esq.
Law Offices of Jessica E. Kinard
PO Box 667
Columbia, SC 29202
jessica.kinard@columbiasc.gov

John Doe #1 / Anonymous (JeffDavisFIRST.com website)

Benjamin T Coppage, Esq.
Coppage Law Firm, LLC
1010 Carteret St.
Beaufort SC 29902
ben@coppagelawfirm.com
(843) 379-9601

John Doe #2

Geoffrey Chambers, Esq.
CPER Law Group, LL
411 Walnut Street #10646
Green Cove Springs, FL 32043
g.k.chambers@gmail.com
geoffrey@cperlgroup.com
(864) 508-0899

**Non-Party - Educational Credit For Exceptional Needs
Children Fund (ECENC Fund, aka Exceptional SC)**

[CONTINUED ON NEXT PAGE.]

Calhoun J. Watson, Esq.
Robinson Gray
PO Box 11449
Columbia, SC 29211
cwatson@robinsongray.com
E3 Software

Susie Jean Lloyd, Esq. &
Harper S Seldin, Esq.
Cozen O'Connor
301 S. College St., Suite 3400
Charlotte NC 28202
Endurance International

A handwritten signature in blue ink, appearing to read "J. Davis", with a horizontal line drawn below it.

Jefferson Davis, Jr.
403 McCarter Avenue
Greenville, SC 29615
843-901-8036 (cell)
jeff@apogeetax.com
APPELLANT