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Jan 22 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas

Appellate Case No. 2025-002268

Anthony Bowman and Ashley Bowman,

Appellants,

v.

Kilnsea Village,

Respondent.

MOTION TO EXPEDITE REVIEW OF RESPONDENT'S PENDING MOTION

PLEASE TAKE NOTICE that Respondent, ATRIUM AT WESCOTT, LLC, d/b/a Kilnsea Village (hereinafter "Respondent"), by and through undersigned counsel, respectfully moves this Court for expedited review and consideration of Respondent's Motion for Dismissal Pursuant to Rule 260(a), SCACR, which was filed with this Court on December 5, 2025. In support of this Motion, Respondent states as follows:

BACKGROUND

1. On December 5, 2025, Respondent filed its Motion for Dismissal Pursuant to Rule 260(a), SCACR, seeking dismissal of Appellants' appeal based upon Appellants' failure to comply with mandatory appellate procedural requirements after receiving notice from the Court.
2. As set forth in that Motion, Appellants failed to timely cure deficiencies identified by the

Clerk of Court, including payment of the required filing fee, filing a proof of service, Appellant Ashley Bowman's failure to sign the Notice of Appeal, and proof of filing the Notice of Appeal with the Dorchester County Court of Common Pleas, thereby warranting dismissal under Rule 260(a), SCACR.

3. Upon information and belief, as of the date of this filing, Appellants have not rectified any of the deficiencies identified by the Court, and Respondent's Motion for Dismissal remains pending before the Court.

GROUND FOR EXPEDITED REVIEW

1. Each additional day that passes without resolution of Respondent's pending filed Motion causes ongoing prejudice to Respondent.
2. During the pendency of this appeal, Appellants continue to enjoy the benefit of residential occupancy, while Respondent bears the full financial burden associated with Appellants' continued possession.
3. As a direct and proximate result, Respondent is deprived of rental income on a daily basis and is incurring losses of hundreds of dollars per week, losses which Respondent may never be able to recoup even if the appeal is ultimately dismissed.
4. The continued pendency of this appeal effectively operates as a de facto stay of the Writ of Ejectment, originally issued against Appellants on September 18, 2025, by the Dorchester Magistrate Court, to Appellants' benefit, despite Appellants' failure to prosecute their appeal and comply with the South Carolina Appellate Court Rules.
5. The resulting delay in adjudication by the Court is inequitable and contrary to the interests of justice, as it allows Appellants to exploit the appellate process to extend their possession of the premises rent-free, despite failing to comply with the Court's rules, while Respondent continues to suffer ongoing economic injury.

CONCLUSION

WHEREFORE, Respondent respectfully requests that this Court expedite review and consideration of Respondent's Motion for Dismissal Pursuant to Rule 260(a), SCACR, filed on December 5, 2025, and grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

BROWNLEE WHITLOW & PRAET, PLLC

s/ Eric G. Pettis _____
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North Charleston, SC

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PROOF OF SERVICE

I certify that I have served the MOTION TO EXPEDITE REVIEW OF RESPONDENT'S PENDING MOTION on Appellants by depositing a copy of it in the United States Mail, postage prepaid, on January 22, 2026, addressed to Anthony and Ashley Bowman, 5300 Patron Place, Apt. 1217, Summerville, SC 29485, and electronically, by way of email, to flyguy03161@gmail.com and ashcash843@icloud.com.

[SIGNATURE ON FOLLOWING PAGE]

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