

**RECEIVED**

**Jan 22 2026**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
In the Court of Common Pleas

The Honorable Daniel Coble, Circuit Court Judge

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Appellate Case No.: 2025-001907

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**RECEIVED**

**Jan 28 2026**

**SC Court of Appeals**

Pallav Desai,

Appellant,

vs.

South Carolina Department of Transportation,

Respondent.

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**RESPONDENT’S OPPOSITION TO APPELLANT’S MOTION FOR EXTENSION OF  
TIME AND RESPONDENT’S MOTION TO DISMISS**

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Respondent South Carolina Department of Transportation (“Respondent” or “SCDOT”) hereby opposes, by and through its undersigned counsel, Appellant’s Motion for Extension of Time. Further, Respondent hereby moves for an Order dismissing the Appellant’s Notice of Appeal.

WHEREAS Appellant previously challenged the condemnation that is the subject of this appeal, SCDOT moved for summary judgment on the challenge action, and by Order dated October 10, 2024, Judge Goodstein granted SCDOT’s summary judgment;

WHEREAS Appellant filed a Notice of Appeal on or around November 6, 2024 appealing Judge Goodstein’s Order granting summary judgment;

WHEREAS by Order dated February 10, 2025, attached hereto as Exhibit A, the Court of Appeals dismissed the Appellant's appeal for failure to serve and file their initial brief;

WHEREAS Appellant failed to pursue its previously filed Appeal, which raised the same issues it seeks to appeal now; Judge Goodstein's October 10, 2024 Order addressed the relevant issues and granted SCDOT's summary judgment, and Judge Coble's September 9, 2025 Order Granting SCDOT's Motion for Summary Judgment appropriately found that Pallav Desai, or here the Appellant, had failed to establish any factual basis on which its complaint could stand;

For the reasons herein, Respondent respectfully requests and Order from this Court denying Appellant's Motion for Extension of Time and dismissing Appellant's appeal with prejudice.

PAGLIARINI LAW FIRM, LLC

s/Julia Anne E. G. McKeachie

David G. Pagliarini, Esq.

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*Attorneys for Condemnor*

Charleston, South Carolina

January 22, 2026

# EXHIBIT A

# The South Carolina Court of Appeals

Bush River C-Store, LLC and Pallav Desai, Appellants,

v.

South Carolina Department of Transportation,  
Respondent.

Appellate Case No. 2024-001901

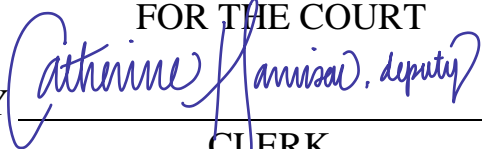
The Honorable Diane Schafer Goodstein  
Richland County  
Trial Court Case No. 2023CP4005117

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## ORDER

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Appellant has failed to serve and file their initial brief of appellant and designation of matter, as required by Rule 208 of the South Carolina Appellate Court Rules and this Court's letter dated January 23, 2025. Accordingly, this matter is dismissed. The remittitur will be sent as provided by Rule 221(b), SCACR.

FOR THE COURT  
BY  \_\_\_\_\_  
CLERK

Columbia, South Carolina

cc:  
S. Jahue Moore, Esquire  
James Edward Bradley, Esquire  
Julia Anne E. G. McKeachie, Esquire  
David Guy Pagliarini, Esquire

**FILED**  
**Feb 10 2025**

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CERTIFICATE OF SERVICEz

I, Lauryn McCloud, the undersigned Legal Assistant of Pagliarini Law Firm, LLC, attorneys for Condemnor, South Carolina Department of Transportation, do hereby certify that I have served all counsel in this action with a copy of the pleading(s) hereinbelow specified by U.S. certified mail return receipt requested and emailing the same to the following address(es):

**Pleadings:**                   **RESPONDENT’S OPPOSITION TO APPELLANT’S MOTION FOR EXTENSION OF TIME AND RESPONDENT’S MOTION TO DISMISS**

Parties Served:           **Via Electronic Mail and U.S. Certified Mail**  
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*Attorneys for Appellants*

  
\_\_\_\_\_  
Lauryn McCloud

Charleston, South Carolina  
January 22, 2026

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January 22, 2026

**Via Electronic Mail:** [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)

**Via Certified Mail and Electronic Mail**

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**RECEIVED**

**Jan 22 2026**

**SC Court of Appeals**

Re: Pallav Desai v. South Carolina Department of Transportation  
Appellate No: 2025-001907

Dear Counsel:

Please find enclosed for service upon you in the above-referenced matter, Respondent's Opposition to Appellant's Motion for Extension of Time and Respondent's Motion to Dismiss.

If you have any questions regarding the enclosed, please do not hesitate to contact our office.

Sincerely,



Julia Anne McKeachie  
Enclosure(s)

cc: (w/ enclosures, via email only)  
Diane M. L. Corley ([diane@mbmlawsc.com](mailto:diane@mbmlawsc.com))

PAGLIARINI LAW FIRM, LLC

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January 28, 2026

**Via U.S Mail and Electronic Mail: ctappfilings@sccourts.org**

Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street  
PO Box 11629  
Columbia, SC 29211  
ctappfilings@sccourts.org

RECEIVED

Jan 28 2026

SC Court of Appeals

Re: Pallav Desai v. South Carolina Department of Transportation  
Appellate No: 2025-001907

Dear Ms. Kitchings:

Enclosed please find Respondent's Opposition to Appellant's Motion for Extension of Time and Respondent's Motion to Dismiss for electronic filing. Additionally enclosed via U.S. Mail, please find our firm's check in the amount of \$50.00 as the required filing fee.

By copy of this letter to the Richland County Clerk of Court and counsel of record, we are serving them with a copy of this notice.

If you have any questions regarding the enclosed, please do not hesitate to contact our office.

Sincerely,



David G. Pagliarini

DGP/lm

Enclosure(s)

cc: *(Respondent's Opposition to Appellant's Motion for Extension of Time and Respondent's Motion to Dismiss via Electronic Mail Only; Filing Fee Check via U.S. Mail)*

S. Jahue Moore, Sr., Esq. *(via electronic mail only)*

Callee Liscusky Jumper, Esq. *(via electronic mail only)*