

SUPPLEMENTAL AFFADAVIT IN SUPPORT OF MOTION TO RECALL REMITTITUR

SOUTH CAROLINA COURT OF APPEALS

CENTRE POINTE CHARLETON, LLC v. AVIS JOHNSON

APPELATE CASE NO. 2024-001520

I, Avis Johnson, being duly sworn, state as follows:

1. I am the Appellant in the above-captioned matter and submit this affidavit in support of my Motion to Recall Remittitur and Reinstate Appeal
2. Throughout the pendency of this appeal, the Court consistently communicated with me by email, including notices and correspondence related to the appeal.
3. The court was aware that I have experienced ongoing issues with receiving physical mail throughout the United States Postal Service and, for that reason, prior notices were sent to me by email.
4. Beginning in or around September 2025, I did not receive any further email communications from the court regarding this appeal.
5. I did not receive any mailed notice advising me of a deadline to file a brief or warning that failure to do so would result in dismissal of the appeal.
6. As a result, I was unaware that a filing deadline had been set or that action was required on my part
7. On February 6th, 2026, I first learned that my appeal had been dismissed when a writ of ejectment was posted on my door by the lower court.
8. Upon learning of the dismissal, I acted immediately and filed my Motion to Recall Remittitur without delay.
9. I did not intend to abandon my appeal and at all times acted in good faith.
10. Because notice of the filing deadline was not reasonably calculated to reach me, the dismissal occurred without my having a meaningful opportunity to be heard, resulting in substantial prejudice to me.
11. I respectfully submit that recalling the remittitur and reinstating the appeal is necessary to prevent a denial of due process

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on this 9th day of February 2026

Avis Johnson

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RECEIVED
Feb 09 2026
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