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SC Court of Appeals

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IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
COURT OF COMMON PLEAS

Judge G. D. Morgan

Case No. 2024-CP-23-00312
Appellate Case No.: 2024-000731

Christopher Jones,

Appellant,

v.

D&B Real Estate Ventures, LLC;
Darius Jones; Bradley Robinson,

Respondents.

RESPONDENTS' MOTION FOR DISMISSAL

Respondents D&B Real Estate Ventures, LLC, Darius Jones, and Bradley Robinson, by and through undersigned counsel, respectfully move this Court pursuant to Rule 260(a), SCACR, to dismiss this appeal due to Appellant's failure to cure deficiencies in the Record on Appeal within the deadline established by the Court's January 27, 2026 Order.

I. PROCEDURAL HISTORY

1. On September 4, 2025, the Clerk of the Court issued a deficiency notice to Appellant identifying defects in the Record on Appeal and granting Appellant ten (10) days to cure the deficiency.
2. Appellant was granted until November 20, 2025 to cure the deficiencies.

3. On November 26, 2025, nearly a full week after the Court's extended deadline, Appellant filed a second motion for extension of time. Appellant was given until January 6, 2026 to file a corrected record on appeal. No corrected record on appeal has been filed as of the date of this motion.

II. APPELLANT'S FAILURE TO COMPLY WITH THE JANUARY 27, 2026 ORDER

4. This is the second time Appellant has failed to cure deficiencies in the Record on Appeal. The Clerk first issued a deficiency letter on September 4, 2025, and granted Appellant until October 15, 2025 to file corrections. On that date, Appellant filed a "corrected" final brief but did not file a corrected Record on Appeal. This established a precedent of Appellant attempting to substitute improper filings for the required Record. The Court then issued a second deficiency letter on November 10, 2025, expressly noting that this was its second request for corrections and rejecting Appellant's improperly submitted brief, which was filed without a motion to amend.
5. On January 27, 2026, Appellant filed a document titled 'Record on Appeal,' which consisted solely of a cover page and a 3-page index. Despite the index explicitly listing documents totaling 118 pages, Appellant failed to actually file or serve the 118 pages of the record themselves. Consequently, the record remains uncorrected and unpaginated in violation of the Court's September 4, 2025, and November 10, 2025, deficiency letters. As of the date of this Motion, the five-day deadline established by this Court's January 27, 2026 Order has expired, and the record remains incomplete.
6. Rule 260(a), SCACR provides:

"Whenever it appears that an appellant or a petitioner has failed to comply with the requirements of these Rules, the clerk shall issue an order of dismissal, which shall have the same force and effect as an order of the appellate court."

7. Appellant has not demonstrated good cause, nor has he filed a motion for reinstatement or correction. The appeal remains procedurally defective and in violation of the rules governing appellate practice.
8. Again, this is not the first time Appellant has failed to comply with court-imposed deadlines. The appellate docket reflects repeated instances of untimely, deficient, or improperly served filings, including extensions and corrections related to the Notice of Appeal, Initial Brief, and now the Record on Appeal. These failures demonstrate a pattern of disregard for the Court's rules and deadlines.

III. ARGUMENT AND PREJUDICE TO RESPONDENTS

9. Respondents are currently unable to file their Final Brief because a compliant Record on Appeal has not been served. Under Rule 210(c), SCACR, the respondent's time for serving its brief does not begin to run until the Record on Appeal has been served. More importantly, because Appellant failed to provide the actual consecutively paginated pages listed in his January 27, 2026 index, Respondents are legally and practically precluded from preparing a brief that complies with Rule 208(b)(1)(B), SCACR, which mandates that all factual assertions be supported by specific page citations to the Record. Appellant's continued failure to provide the actual record, despite multiple warnings and a conditional order, frustrates the appellate process and significantly prejudices the Respondents' ability to defend this appeal.

IV. CONCLUSION

10. For these reasons, and pursuant to Rule 260(a), SCACR, Respondents respectfully request that this Court dismiss the above-captioned appeal with prejudice due to Appellant's failure to comply with the September 4, 2025 and November 10, 2025 deficiency notices, and his direct violation of this Court's January 27, 2026 Order, and issue any other relief it deems just and proper.

11. The required \$50.00 motion filing fee and an Affidavit of Counsel in support of this motion are submitted herewith.

Respectfully submitted this Tuesday, February 10, 2026.

HOLDER, PADGETT, LITTLEJOHN + PRICKETT, LLC

s/ M. Stokely Holder
M. Stokely Holder, Esq.
S.C. Bar No. 73892
sholder@hplplaw.com
Ra'na Heidari, Esq.
SC Bar No. 104501
rheidari@hplplaw.com
P.O. Box 1804
Greenville, SC 29602
(864) 335-8808
Attorneys for Respondents

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COURT OF COMMON PLEAS

Judge G. D. Morgan

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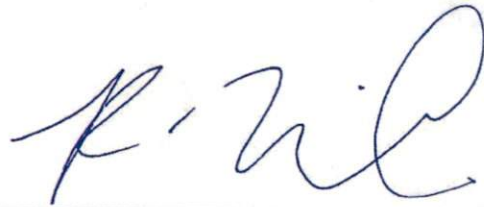
AFFIDAVIT OF COUNSEL IN SUPPORT OF MOTION FOR DISMISSAL

I, Ra'na Heidari, Esq., being duly sworn, depose and state as follows:

1. I am an attorney licensed to practice law in the State of South Carolina and represent Respondents D&B Real Estate Ventures, LLC, Darius Jones, and Bradley Robinson in the above-captioned matter.
2. On January 27, 2026, this Court issued an Order requiring Appellant to serve and file an amended record on appeal within five (5) days, noting that failure to do so may result in dismissal.
3. On or about January 27, 2026, my office was served with a document from Appellant titled "Record on Appeal."

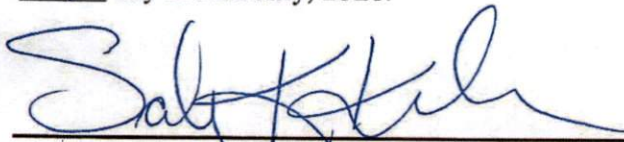
4. Upon review, I determined that the document consisted only of a cover page and a three-page Index.
5. Although the Index listed fifteen (15) separate documents and represented that the Record on Appeal contained 119 pages, the actual documents and paginated record were not included in the filing or served upon my office.
6. As of the date of this Affidavit, more than five days have passed since the Court's January 27, 2026 Order, and Appellant has failed to serve the actual 119-page consecutively paginated Record on Appeal.
7. Due to the absence of the actual record pages, Respondents remain unable to cite the Record on Appeal as required by Rule 208(b)(1)(B), SCACR, and are unable to prepare a Final Brief.

FURTHER AFFIANT SAYETH NOT.



Ra'na Heidari, Esq. SC Bar #104501
800 E. North Street
Greenville, SC 29601
(864) 867-1775
rheidari@hplplaw.com

SWORN AND SUBSCRIBED TO BEFORE ME THIS
9th day of February, 2026.



NOTARY PUBLIC FOR THE STATE OF SOUTH CAROLINA

My Commission Expires: 8/15/2032



THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

THE HONORABLE G.D. MORGAN

Appellate Case No. 2024-00417
Circuit Court Case No. 2024-CP-23-00312

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CERTIFICATE OF SERVICE

I, the undersigned attorney for the Respondents, D&B Real Estate Ventures, LLC, Darius Jones and Bradley Robinson, do hereby certify that I have served the Respondents' Motion to Dismiss and Affidavit of Counsel on the Appellant, Christopher Jones by sending a copy via email to intljonesc@gmail.com and via mail to 309 Perry Ave., Greenville, SC 29601.

I also certify that I have served the Respondents' Motion to Dismiss and Affidavit of Counsel on the South Carolina Court of Appeals by depositing it in the United States Mail, postage prepaid, on February 10, 2026, addressed to The Honorable Jenny Abbott Kitchings, Clerk of Court, P.O. Box 11629, Columbia, SC 29211, and by electronic mail at: ctappfilings@sccourts.org.

s/Ra'na Heidari

M. Stokely Holder
SC Bar No.: 73892
Ra'na Heidari
SC Bar No.: 104501
Raford W. Bussey, Jr.
SC Bar No.: 103943
Holder, Padgett, Littlejohn + Prickett, LLC
800 E. North Street
Greenville, SC 29601
864-335-8808
sholder@hplplaw.com
rheidari@hplplaw.com
rbussey@hplplaw.com

Attorneys for the Respondents D&B Real Estate Ventures, LLC, Darius Jones and Bradley Robinson

February 10, 2026

Carolyn G. Denney

Reply to: Greenville
direct: 864.558.9440
fax: 864.248.4090
cdenney@hplplaw.com

February 10, 2026

Via U.S. Mail and Email

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
P.O. Box 11629
Columbia, SC 29211
ctappfilings@sccourts.org

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**RE: Christopher Jones v. D&B Real Estate Ventures, LLC; Darius Jones;
Bradley Robinson
Circuit Court Case No.: 2024-CP-23-00312
Appellate Case No.: 2024-00731**

Dear Ms. Kitchings,

Please find enclosed herewith for service upon the court Respondents' Motion to Dismiss and Affidavit of Counsel, along with a Certificate of Service for same. Also enclosed is this firm's check for \$50.00 for the filing fee.

Should you have any questions or concerns, feel free to contact our office.

Regards,

HOLDER PADGETT LITTLEJOHN + PRICKETT, LLC

Carolyn Denney

Carolyn Denney
Paralegal

Enclosures

cc: *Christopher Jones*

CHARLESTON

945 Houston Northcutt Blvd.
Mount Pleasant, SC 29464

COLUMBIA

2422 Devine St., Ste. A
Columbia, SC 29205

GREENVILLE

P.O. Box 1804, Greenville, SC 29602
800 E. North St. (29601)

RALEIGH

3737 Glenwood Ave., Ste. 270
Raleigh, NC 27612



P.O. Box 1804
Greenville, SC 29602

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The Honorable Jenny Abbott Kitchings
Clerk of Court
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