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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

Grace Gilchrist Knie, Circuit Court Judge

Trial Court Case No. 2017CP4202374

Appellate Case No. 2025-002050

Richard Lewis and Walter Lewis,
Respondents/Appellants

v.

Robert M. Errato, Quinnipiac Associates,
Inc. and Upwards Builders, Inc.,
Defendants

of which Robert M. Errato is the
Appellant/Respondent

MOTION FOR CLARIFICATION

Appellant/Respondent Robert Errato (“Errato”) hereby submits this motion to clarify the order of the Court dated April 1, 2026.

On October 7, 2025, Errato filed the instant appeal, No. 2025-002050, against the Respondents/Appellants, Richard and Walter Lewis. On January 12, 2026, Errato filed his initial brief in this case, along with the Designation of Matter to be Included in the Record on Appeal.

In the meantime, on December 2, 2025, Respondents/Appellants filed their own notice of appeal, No. 25-002400, on a different matter within the case.

On January 21, 2026, the Court consolidated these two appellate cases for consideration by this Court.

Although Errato moved to dismiss this second appeal by Respondents/Appellants as untimely, the Court denied the Motion to Dismiss on April 1, 2026. Within the order from the Court denying the motion to dismiss, the Court stated the following: “Appellant/Respondent shall serve and file Appellant’s Initial Brief and Designation of Matter within twenty days of the date of this order.”

Pursuant to the designation of the parties, as specified by this Court, Errato is the Appellant/Respondent. Thus, apparently, Errato must file the initial brief and designation of matter by April 21, 2026. Errato is confused by this order, however, as he has already filed both of these documents. His initial brief focused on the issues involved with his appeal, and he plans to respond to the issues raised by Respondents/Appellants once they have submitted their brief. Until then, however, Errato cannot respond to arguments to be made by Respondents/Appellants until such arguments are submitted to the Court.

Therefore, Errato brings this motion, asking for clarification on the exact documents that must be filed by April 21, 2026, considering he has already filed both of the documents requested by the Court’s Order.

April 2, 2026

/s/ Robert M. Errato
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Respondents/Appellants

v.

Robert M. Errato, Quinnipiac Associates,
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Defendants

of which Robert M. Errato is the
Appellant/Respondent

PROOF OF SERVICE

I certify that I have served the MOTION FOR CLARIFICATION on RICHARD LEWIS, et al by depositing a copy by e-mail, on April 2, 2026, to the attorney of record, JASON M. IMHOFF, 37 VILLA RD STE, 420 GREENVILLE, SC 29615 e-mailto:Jason@imhoff-law.com.

April 2, 2026

s/ Robert M. Errato
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