



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

April 13, 2026

Mr. Townes Boyd Johnson, III, Esquire
PO Box 9246
Greenville SC 29604

Mr. Daniel Richard Fuerst, Esquire
78 Wentworth Street
Charleston SC 29401

Mr. Christopher A. Ogiba, Esquire
78 Wentworth Street
Charleston SC 29401-1428

Mrs. Lauren Nicole Vriesinga, Esquire
78 Wentworth Street
Charleston SC 29401

Re: T. Cox Builders, LLC v. Piedmont Vacant Properties, LLC
Appellate Case No. 2025-002252

Dear Counsel:

Enclosed is the decision of the Court. Appellant's counsel must provide this Court with a status update regarding the transcript within ten (10) days of the date of this letter.

Very truly yours,

Jasmine D. Smith, Deputy

CLERK

The South Carolina Court of Appeals

T. Cox Builders, LLC, Appellant,

v.

Piedmont Vacant Properties, LLC and Watson
Engineering, Inc., Respondents.

Appellate Case No. 2025-002252

ORDER

On March 23, 2026, Respondents moved to dismiss this appeal because Appellant paid the judgment and Respondents filed a satisfaction of judgment. Respondents argue the appeal is now moot and Appellant has waived his right to appeal. Appellant did not file a return. After careful consideration, we deny Respondents' motion to dismiss. *See Montgomery Holdings, LLC v. Merlo*, Op. No. 6135 (S.C. Ct. App. Feb. 11, 2026) (Howard Adv. Sh. No. 6 at 11) ("Nothing in the record addresses the mindset of the parties in paying or accepting the judgment monies, but circumstances imply Merlo was seeking to avoid the sale of his property and pursue an appeal of the judgment. In the absence of South Carolina case law to the contrary, we believe the federal law on point precludes our deciding the case based on waiver, mootness, or estoppel."). However, nothing in this order prohibits the parties from presenting argument on this point in their briefs.

 J.
FOR THE COURT

Columbia, South Carolina

cc:

Townes Boyd Johnson, III, Esquire
Daniel Richard Fuerst, Esquire

FILED
Apr 13 2026

Christopher A. Ogiba, Esquire
Lauren Nicole Vriesinga, Esquire