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May 15 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SUMTER COUNTY
COURT OF COMMON PLEAS

S. Bryan Doby, Circuit Court Judge
Trial Court Case No. 2025-CP-43-01626

Appellate Case No. 2026-000197

Grand Bay, L.L.C., Respondent,

v.

Burgess Brogdon Building Supply and
Subsidiary and Burgess-Brogdon, L.L.C., Appellants.

MOTION TO REINSTATE

Appellants Burgess Brogdon Building Supply and Subsidiary and Burgess-Brogdon, L.L.C., pursuant to Rule 260, SCACR, hereby move to reinstate its appeal following dismissal by the Order of the Honorable S. Bryan Doby dated April 30, 2026. Appellants received written notice of entry of the Order on April 30, 2026. The Court ordered that the appeal be dismissed because the Appellants failed to notify the Court that the transcript was received or serve and file Appellant’s Initial Brief and Designation of Matter as required by Rules 207, 208, and 209, SCACR. Appellants move to reinstate the appeal on the following grounds and the Affidavit of Dwight C. Moore filed with this Motion.

FACTS

1. On February 17, 2026, Appellants submitted a supplemental request for the transcript and sent copies of the request to opposing counsel, SC Court Administration, and the Clerk of the Court of Appeals. (Appell. Ex. #1) On February 21, 2026, the Court Reporter sent an email with the following response:

... I received your transcript for this hearing in Sumter. I estimate this to be 45 pages at 4.25 per page due on or before 4/20. I will send the invoice when ready upon payment the pdf transcript will be sent. ...(Appell. Ex. #2)

On April 19, 2026, the Court Reporter emailed the invoice and notice that the transcript was ready. She sent a follow-up email on May 12, 2026. (Appell. Exh. #3) Moore Law Firm mailed a check for the transcript to Ms. Weaver's Myrtle Beach on May 15, 2026, sent notice to opposing counsel, SC Court Administration, and the Clerk of the Court of Appeals.

2. Affiant's failure to comply with the subject Court Rules was caused by the loss of key personnel and disruption of his practice as a result of an accident on April 1, 2026. His sole paralegal at the time was Daisy M. Moore. While on the job, she fell and dislocated her shoulder. The injury required two surgeries, and she was hospitalized from April 1-28, 2026. Mrs. Moore is Affiant's mother, and he and his siblings spent a substantial amount of time away from their occupations providing care and support for their mother.

ARGUMENT

3. With regard to the Appellant, this appeal was proceeding according to the rules prior to April 1, 2026. The court reporter estimated the delivery date was on or before April 20, 2026, in accordance with the sixty-day period allowed by Rule 207(a)(2). Therefore, Appellants respectfully assert that the Court's letter dated April 9, 2026, may have been premature. Due to the events described in Paragraph 2 above, Appellants have shown good cause why counsel did

not respond to the correspondence. Counsel deeply regrets the omission, apologizes to the Court, to the Plaintiff and its counsel, and to all parties who have been negatively impacted by Counsel's non-compliance with the applicable Rules of Court.

SUMMARY


WHEREFORE, Appellants pray that this Court issue its Order reinstating this appeal pursuant to Rule 260, SCACR.

April 15, 2026

Other Counsel of Record:

Willie H. Brunson, SC Bar No. 71990
Brunson Law Firm, LLC
Post Office Box 1507
Sumter, South Carolina 20151-1507
Telephone (803) 774-3444
Fax (803) 774-3448
Email: wbrunson@thebrunsonlawfirm.com
Attorney for Respondent

MOORE LAW FIRM, L.L.C.


Dwight C. Moore, SC Bar No. 63008
26 North Main Street
Sumter, South Carolina 29150
Telephone (803) 778-6520
Fax (803) 775-6365
Email: moorelawfirm@ftc-i.net
Attorney for Appellants

Appell. Exh # 1

February 17, 2026

**(First email request submitted January 29, 2026, followed by
Transcript Portal Request completed 6:07 P.M. 01/29/2026)**

Ms. Cynthia Weaver
1220 Senate Street, Suite 200
Columbia, SC 29201
VIA Email: transcripts@sccourts.org
ctappfilings@sccourts.org

RE: Grand Bay, LLC, v. Burgess Brogdon Building Supply and
Subsidiary and Burgess-Brogdon, LLC
Appellate Case No. 2026-000197
Sumter County Civil Case No. 2025-CP-43-01626
Moore File No. 6933.4

Dear Ms. Weaver:

On January 13, 2026, the above-referenced case was heard by Circuit Court Judge S. Bryan Doby in the Sumter County Court of Common Pleas. It is my understanding that you were the court reporter for this case. If this is correct, please furnish me a transcript of record of the full proceedings. I agree to pay the per page charge for the transcript as provided by Rule 607, SCACR. SCCA Form 800, Transcript Request Form, is enclosed.

Yours very truly,

Dwight C. Moore
DCM:dmm
Enc.

c: Willie H. Brunson, Esquire
Brunson Law Firm, LLC
425 North Main Street
Sumter, SC 29150
Email: wbrunson@thebrunsonlawfirm.com

South Carolina Court Administration
Attn: Court Reporter Services
Calhoun Building
1220 Senate Street, Suite 200
Columbia, SC 29201-3739
transcripts@sccourts.org

The Honorable Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201
VIA EMAIL: ctappfilings@sccourts.org

Daisy Moore

Appeal Exh. # 2

From: Weaver, Cynthia D. <cdweaver@sccourts.org>
Sent: Saturday, February 21, 2026 3:42 PM
To: moorelawfirm@ftc-i.net
Subject: Grand Bay v Burgess

Hi Mr. Moore,

I received your transcript request for this hearing in Sumter. I estimate this to be 45 pages at 4.25 per page due on or before 4/20. I will send the invoice when ready and upon payment the pdf transcript will be sent.

Thank you

Cynthia

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.

Daisy Moore

Appell. Exh.## 3

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**From:** Weaver, Cynthia D. <cdweaver@sccourts.org>  
**Sent:** Tuesday, May 12, 2026 12:22 PM ✖  
**To:** moorelawfirm@ftc-i.net  
**Subject:** Fw: Grand Bay v Burgess  
**Attachments:** Inv. 2612.docx

Hi Mr. Moore

I have received your transcript request this morning. I have completed this transcript and sent invoice. I'll send transcript once payment is completed. Thank you,  
Cynthia

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**From:** Weaver, Cynthia D. <cdweaver@sccourts.org>  
**Sent:** Sunday, April 19, 2026 9:39 AM ✖  
**To:** Moore Law <moorelawfirm@ftc-i.net>  
**Subject:** Re: Grand Bay v Burgess

Hi Mr. Moore,  
Here is the invoice for the transcript of the hearing you requested. Thank you,  
Cynthia

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**From:** Moore Law <moorelawfirm@ftc-i.net>  
**Sent:** Monday, February 23, 2026 1:34 PM  
**To:** Weaver, Cynthia D. <cdweaver@sccourts.org>  
**Cc:** DCM@dwightmoorelaw.com <DCM@dwightmoorelaw.com>; wbrunson@thebrunsonlawfirm.com <wbrunson@thebrunsonlawfirm.com>  
**Subject:** RE: Grand Bay v Burgess

**\*\*\* EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. \*\*\*

Thank you, Ms. Weaver.

Dwight C. Moore  
Attorney-at-Law  
Moore Law Firm, L.L.C.  
P. O. Box 1229 (29151-1229)  
26 North Main Street  
Sumter, SC 29150  
Telephone (803) 778-6520  
Fax (803) 775-6365  
E-Mail: moorelawfirm@ftc-i.net

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**Sent:** Saturday, February 21, 2026 3:42 PM

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CERTIFICATE OF SERVICE

I certify that I have served the Motion To Reinstate upon Respondent Grand Bay, L.L.C.,  
by electronic service on May 15, 2026, and by email addressed to its attorney of record as  
follows:

Willie H. Brunson, Esquire  
Brunson Law Firm, LLC  
Post Office Box 1507  
Sumter, South Carolina 20151-1507  
Email: [wbrunson@thebrunsonlawfirm.com](mailto:wbrunson@thebrunsonlawfirm.com)

May 15, 2026

  
Dwight C. Moore, SC Bar No. 63008  
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Telephone (803) 778-6520  
Fax (803) 775-6365  
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