

**RECEIVED**

**May 15 2026**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM SUMTER COUNTY  
COURT OF COMMON PLEAS

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

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**Appellate Case No. 2026-000197**

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

v.

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

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**MOTION TO REINSTATE**

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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  
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Telephone (803) 774-3444  
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Email: [wbrunson@thebrunsonlawfirm.com](mailto: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](mailto: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](mailto:transcripts@sccourts.org)  
[ctappfilings@sccourts.org](mailto: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](mailto: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](mailto: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](mailto:ctappfilings@sccourts.org)

Daisy Moore

Appeal Exh. # 2

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**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

**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

**From:** Weaver, Cynthia D. <cdweaver@sccourts.org>  
**Sent:** Saturday, February 21, 2026 3:42 PM

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**May 15 2026**

**SC Court of Appeals**

May 15, 2026

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

RE: Grand Bay LLC v. Burgess Brogdon Building Supply, et al.  
Appellate Case No. 2026-000197  
Common Pleas Court Case No.: 2025-CP-43-01626  
Civil Case No. 2023CV43-10103666  
Moore File No.: 6933.4

Dear Madam Clerk:

Enclosed for filing are the following documents in the above-referenced case:

1. Motion For Reinstatement with Exhibits Attached
2. Affidavit of Dwight C. Moore
3. Certificate of Service

Moore Law Firm Check in the amount of \$50.00 for the filing fee was sent by Federal Express courier service May 14, 2026. Also enclosed are copies of documents sent to the Court Reporter.

Yours very truly,

S/ *Dwight C. Moore*

Dwight C. Moore  
DCM:dmm  
Enclosures

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