

RECEIVED
May 29 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals
Appeal from Charleston County
Mikell R. Scarborough, Master-in-Equity
Civil Case No.: 2023-CP-10-02555
Appellate Case No.: 2026-001151

Brownswood Farms Property Owners Association, Inc.,.....Appellant

v.

Corey B. Prescott and Corey S. Prescott, Respondents.....Respondents

MEMORANDUM ADDRESSING TIMELINESS OF APPEAL

Submitted by:
Walker H. Willcox
Walker Willcox Law, LLC
1947 Hoffmeyer Rd, Suite A
Florence, SC 29501
Attorney for Respondents

FACTS AND PROCEDURAL HISTORY

This is a non-jury foreclosure action in which the Plaintiff is seeking to foreclose on the Defendants' former home based on an alleged \$1090 unpaid assessment.

The action was pending before the Honorable Mikell R. Scarborough ("Court"), and it was set for trial on May 19-20, 2026. On March 11, 2026, Defendants filed an Emergency Motion for Relief. The Court conducted a hearing on the motion on March 16, 2026. On the same day, the Court entered an Order setting a lien at \$2,573.32. Exhibit 1, Order. This March 16, Order is the order that the Plaintiff is appealing.

On March 26, 2026, the Plaintiff filed a notice of appeal contending that the March 16, Order was a final order, and subsequently Plaintiff filed a motion to reconsider pursuant to Rule 59(e), SCRCPC. On April 2, 2026, the South Carolina Court of Appeals dismissed the first appeal. On May 18, 2026, the day before trial and after Defendants had submitted their pretrial brief, Plaintiff filed a notice to withdraw its pending Rule 59(e) motion and one hour later filed a notice of appeal. Exhibit 2, Filed Notice of Withdrawal and Exhibit 3, Filed Notice of Appeal. It notified the Court of both notices at the same time on May 18, 2026, at 11:48 am. Exhibit 4, Email dated May 18, 2026. The Court neither responded to the notice of withdrawal nor had the opportunity to do so before the appeal.

ANALYSIS

I The Appeal is Untimely

A notice of appeal must be served on all respondents within thirty days after receipt of written notice of entry of the order or judgment which the appellant desires to appeal. Rule 203(b)(1), SCACR. The time for service of an appeal is jurisdictional, and a court has no discretion to extend or ignore the deadline. Elam v. South Carolina Department of Transportation, 361 S.C. 9, 14-15, 602 S.E.2d 772, 775 (2004). A timely filed motion to alter or amend the order or judgment under Rule 59(e), stays the time for an appeal for all parties until receipt of written notice of an order granting or denying the motion. Id.

The facts in this case are substantially the same as facts present in an appeal decided by the United States Court of Appeals for the Tenth Circuit, Vanderwerf v. Smithkline Beecham Corporation, 603 F.3d 842.¹ In Vanderwerf, the appellant filed a Rule 59(e) motion to alter or amend an order granting summary judgment. Id. at 845. More than seven months after entry of summary judgment, the appellant withdrew the motion to alter or amend, and on the same day, before the district court had the opportunity to issue an order or decision on the withdrawal, filed a notice of appeal. Id.²

The Tenth Circuit Court of Appeals held that the time to appeal ran from the time of the order granting summary judgment, and not the date the appellant withdrew his motion. Id. at 846. The Court of Appeals reasoned that the withdrawal of the motion left the only order

¹ The South Carolina Rules of Civil Procedure are based on the Federal rules, and where there is no South Carolina law, the courts look to the construction placed on the Federal Rules of Civil Procedure. Gardner v. Newsome Chevrolet-Buick, Inc., 304 S.C. 328, 330, 404 S.E.2d 200, 201 (1991).

² Undersigned counsel did not find any South Carolina cases deciding this issue. The closest case found was an unpublished South Carolina Court of Appeals decision, Drexler v. Citimortgage, Inc., 2013 WL 8507872. In Drexler, the Court of Appeals cited to United States Court of Appeals cases that cited to Vanderwerf including cases in the Tenth Circuit. Id. at *1.

eligible for appeal as the initial order granting summary judgment. Id. There was no order or even court action to appeal other than the initial order. Id.

In this case, the Plaintiff noticed its withdrawal of the Rule 59(e) motion and one hour later filed the notice of appeal. The Court did not issue any order or decision on the Rule 59(e) motion. Rather, the Court previously told the parties it would rule on the Rule 59(e) motion and all pending motions at the trial. Ex. 4, pps. 4-5. Consequently, the only order eligible for appeal is the March 16, 2026, Order. That Order was entered more than 60 days before the Plaintiff filed the present notice of appeal. Consequently, the appeal is untimely under Rule 203(b)(1), SCACR.

Moreover, allowing an appellant to unilaterally withdraw a Rule 59(e) motion before a court can rule on it defeats the purpose of Rules 203, SCACR and Rule 59(e), SCR. The purpose of the motion and tolling provisions is to provide a vehicle to call the court's attention to a misapprehension of an earlier argument and give the court the opportunity to correct or explain the issues. Elam, 361 S.C. at 22, 602 S.E.2d at 779.

This purpose was not attempted in this case. The Court expressly provided the time it would consider the motion, but Plaintiff prevented that from happening. The notice of withdrawal of the motion should be deemed an abandonment of the motion, and the Plaintiff should not have the opportunity to take advantage of the tolling provision.³ This is particularly true in this case in which Plaintiff made the strategic decision to wait to withdraw the motion and file a notice of appeal the day before the trial. Allowing tolling in this circumstance allows a

³ Had the Plaintiff filed a motion to withdraw and obtained the Court's permission, the outcome may have been different. That procedure would have given the Court the opportunity to explain the effect of the withdrawal or at least issue an order to appeal.

litigant to file a motion to alter or amend strictly to extend deadlines set at the litigant's discretion.

WHEREFORE, the Respondents request that the Court of Appeals dismiss the appeal as untimely.

WALKER WILLCOX LAW, LLC.

By:



Walker H. Willcox #72608
1947 Hoffmeyer Road, Suite A
Florence, SC 29501
(843) 286-5551 - Tel.
Email: walker@walkerwillcoxlaw.com
Attorney for Respondents

May 29, 2026

Brownswood Farms Property Owners Association Inc
PLAINTIFF(S)

Corey B Prescott et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

This matter came before the Court on Defendants' Motion for Emergency Relief, filed March 11, 2026, in order to allow Defendants to sell their house located at 1501 Thoroughbred Boulevard, Johns Island, SC. The parties have had difficulty communicating and the only evidence presented to support the POA's filed lien is an itemized statement dated July 12, 2023 with a total sum of \$2,573.32. This sum includes assessments, legal fees, and costs incurred. Defendants contend that Plaintiff has not properly authorized the filing of this foreclosure action, pursuant to the amended restrictive covenants. Plaintiff contends additional fees and costs have accrued.
CONTINUED ON PAGE 2

ORDER INFORMATION

This order ends does not end the case. See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 03/16/2026 .

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

EXHIBIT 1

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRPC.

The Court hereby orders Defendants to pay the sum of \$2,573.32 in satisfaction of the lien filed in this action. This sum may either be paid directly to Plaintiff's counsel in satisfaction of the debt which would end this matter or paid into the Court as an offer of judgment, in which case it will allow the property to be sold free and clear from the Plaintiff's lien, which is hereby satisfied and canceled of record through the equitable powers of this Court. See *Winrose HOA v. Hale*, 428 S.C. 563, 837 S.E.2d 47 (2019).

EXHIBIT 1



Charleston Common Pleas

Case Caption: Brownswood Farms Property Owners Association Inc VS Corey B Prescott , defendant, et al
Case Number: 2023CP1002555
Type: Order/Electronic Form 4

So Ordered

s/Mikell R. Scarborough 3062

Electronically signed on 2026-03-16 15:39:40 page 3 of 3

ELECTRONICALLY FILED - 2026 Mar 16 4:06 PM - CHARLESTON - COMMON PLEAS - CASE#2023CP1002555

EXHIBIT 2

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

Brownswood Farms Property Owners
Association, Inc.,

Plaintiff,

vs.

Corey B. Prescott and Corey S. Prescott,

Defendants.

IN THE COURT OF COMMON PLEAS
C/A No.: 2023CP1002555

**NOTICE OF WITHDRAWAL OF
PLAINTIFF'S MOTION TO ALTER OR
AMEND ORDER, PURSUANT TO RULE
59(e), SCRPC, AND WITHDRAWAL OF
PLAINTIFF'S MOTION FOR RELIEF
PURSUANT TO RULE 60(b)(2) AND
60(b)(3), SCRPC**

20135.12

The plaintiff, Brownswood Farms Property Owners Association, Inc., by and through its undersigned attorneys, hereby withdraws the Rule 59(e) and 60(b), SCRPC, motions the Association filed on March 26, 2026, and May 14, 2026, respectively.

Columbia, SC
May 18, 2026

Respectfully submitted,

/s/ Dean A. Hayes

Dean A. Hayes, SC Bar No. 66066
MCCABE, TROTTER & BEVERLY, P.C.
4500 Fort Jackson Blvd., Suite 335
Columbia, SC 29209
Telephone: (803) 724-5000
Email: dean.hayes@mccabetrotter.com
ATTORNEY FOR PLAINTIFF

ELECTRONICALLY FILED - 2026 May 18 10:49 AM - CHARLESTON - COMMON PLEAS - CASE#2023CP1002555

RECEIVED

May 18 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
Mikell R. Scarborough, Master in Equity

Case No. 2023CP1002555

Brownswood Farms Property Owners Association,
Inc.,

Appellant,

v.

Corey B. Prescott and Corey S. Prescott,

Respondents.

NOTICE OF APPEAL

Brownswood Farms Property Owners Association, Inc. ("Appellant") hereby appeals the order of the Honorable Mikell R. Scarborough dated March 16, 2026. Appellant received written notice of entry of this order on March 16, 2026.¹

May 18, 2026
Columbia, SC

s/ Dean Hayes
Dean Hayes (SC Bar 66066)
Valerie Garcia Giovanoli (SC Bar 102524)
McCabe, Trotter & Beverly, P.C.
4500 Fort Jackson Blvd, Suite 335
Columbia, SC 29209
803-724-5000
Attorneys for Appellant
Dean.Hayes@mccabetrotter.com

Other Counsel of Record:
Walker H. Willcox
PO Box 1909
Florence, SC 29503
(843) 662-3258
walker@walkerwillcoxlaw.com

¹ Appellant withdrew its timely Rule 59e, SCRCPP, motion on today's date, after it was unable to obtain a ruling or order on same despite multiple requests and trial that was scheduled for May 19, 2026.

Brownswood Farms Property Owners Association Inc
PLAINTIFF(S)

Corey B Prescott et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

This matter came before the Court on Defendants' Motion for Emergency Relief, filed March 11, 2026, in order to allow Defendants to sell their house located at 1501 Thoroughbred Boulevard, Johns Island, SC. The parties have had difficulty communicating and the only evidence presented to support the POA's filed lien is an itemized statement dated July 12, 2023 with a total sum of \$2,573.32. This sum includes assessments, legal fees, and costs incurred. Defendants contend that Plaintiff has not properly authorized the filing of this foreclosure action, pursuant to the amended restrictive covenants. Plaintiff contends additional fees and costs have accrued.
CONTINUED ON PAGE 2

ORDER INFORMATION

This order ends does not end the case. See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 03/16/2026 .

RECEIVED RECEIVED

May 18 2026 Mar 30 2026

SC Court of Appeals SC Court of Appeals

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

ELECTRONICALLY FILED - 20230316 11:08 AM - CHARLESTON COUNTY COMMON PLEAS - CASE# 2023CP1002555

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCF.

The Court hereby orders Defendants to pay the sum of \$2,573.32 in satisfaction of the lien filed in this action. This sum may either be paid directly to Plaintiff's counsel in satisfaction of the debt which would end this matter or paid into the Court as an offer of judgment, in which case it will allow the property to be sold free and clear from the Plaintiff's lien, which is hereby satisfied and canceled of record through the equitable powers of this Court. See Winrose HOA v. Hale, 428 S.C. 563, 837 S.E.2d 47 (2019).

EEJECT FROM QUALITY FILED - 20220516 May 16 11:00 AM - CHARRLEES TOWN - COMMONWEALTH OF MASSACHUSETTS - CASE# 2202000100225555



Charleston Common Pleas

Case Caption: Brownswood Farms Property Owners Association Inc VS Corey B Prescott , defendant, et al
Case Number: 2023CP1002555
Type: Order/Electronic Form 4

So Ordered

s/Mikell R. Scarborough 3062

Electronically signed on 2026-03-16 15:39:40 page 3 of 3

EELEECI FROM NC CALL BY FILED - 20260316 15:39:40 - CHARLESTON COMMON PLEAS - CASE# 2023CP1002555

RECEIVED
May 18 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas
Mikell R. Scarborough, Master in Equity

Case No. 2023CP1002555

Brownwood Farms Property Owners Association, Inc.,

Appellant,

v.

Corey B. Prescott and Corey S. Prescott,

Respondents.

PROOF OF SERVICE

I certify that I served the Appellant's Notice of Appeal on Corey B. Prescott and Corey S. Prescott on May 18, 2026 by emailing a copy to their attorney of record, Walker H. Willcox utilizing his email address listed in AIS as follows:

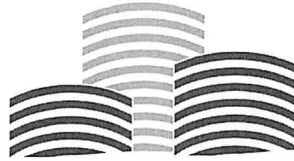
walker@walkerwillcoxlaw.com

s/ Dean Hayes
Dean Hayes (SC Bar 66066)
McCabe, Trotter & Beverly, P.C.
4500 Ft. Jackson Blvd Suite 335
Columbia, SC 29209
803-724-5000
Dean.Hayes@mccabetrotter.com
ATTORNEY FOR APPELLANT

May 18, 2026

Physical/Mailing Address:
4500 Ft. Jackson Blvd., Suite 335
Columbia, South Carolina 29209

Locations In:
Columbia, SC
Mount Pleasant, SC



McCABE, TROTTER & BEVERLY, P.C.

www.McCabeTrotter.com
Phone: (803) 724-5000
Fax: (803) 724-5001

Marilyn Gomez
Paralegal

Marilyn.Gomez@mccabetrotter.com

RECEIVED

May 18 2026

SC Court of Appeals

May 18, 2026

VIA US FIRST CLASS MAIL

South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

**Re: Brownswood Farms Property Owners Association, Inc. v. Corey B. Prescott
and Corey S. Prescott
C/A No.: 2023CP1002555
MTB File No.: 20135.12.1**

Dear Sir or Madam,

Enclosed please find a check made payable to your order in the amount of \$250.00 representing the filing fee for Appellant's Notice of Appeal relative to the above-referenced matter.

Thank you.

Sincerely,

Marilyn Gomez

MG/
Enclosure

ELECTRONICALLY FILED - 2026 May 18 11:40 AM - CHARLESTON - COMMON PLEAS - CASE#2023CP1002555

From: Marilyn Gomez
To: Mikell Scarborough
Cc: Theron Coetzee; MIELawClerk; Martha S. Dennis; Walker Willcox; Valerie Giovanoli; Dean Hayes
Subject: RE: Brownswood Farms POA v Corey Prescott, et al. (1501 Thoroughbred Blvd) / 2023CP1002555 / MTB File 20135.12
Date: Monday, May 18, 2026 11:58:48 AM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.jpg](#)
[image008.png](#)
[FILED Notice of Withdrawal of Motions 59e 60b.pdf](#)
[FILED Notice of Appeal.pdf](#)

Good morning Judge Scarborough,

Attached please find filed copies of Plaintiff's Notice of Withdrawal of Motion to Alter or Amend Order, Pursuant to Rule 59(e), SCRPC, and Withdrawal of Plaintiff's Motion for Relief Pursuant to Rule 60(b)(2) and 60(b)(3), SCRPC and Plaintiff's Notice of Appeal relative to the above-referenced matter.

Thank you.

Marilyn Gomez
Paralegal
McCabe, Trotter & Beverly, P.C.
4500 Fort Jackson Blvd, Suite 335
Columbia, SC 29209



Your feedback matters! If we've earned 5 stars, we'd be honored if you shared your experience: <https://g.page/r/CRMUDVXyA5mCEAE/review>.

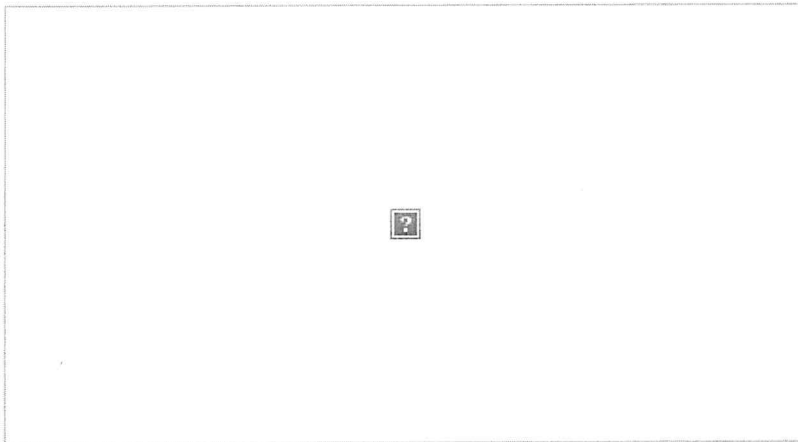
From: Walker Willcox <walker@walkerwillcoxlaw.com>
Sent: Friday, May 15, 2026 3:18 PM
To: Valerie Giovanoli <Valerie.Giovanoli@mccabetrotter.com>; Dean Hayes <Dean.Hayes@mccabetrotter.com>; Mikell Scarborough <master@charlestoncounty.org>
Cc: Theron Coetzee <Theron.Coetzee@mccabetrotter.com>; MIELawClerk <MIELawClerk@charlestoncounty.org>; Martha S. Dennis <MDennis@charlestoncounty.org>
Subject: RE: Brownswood Farms POA v Corey Prescott, et al. (1501 Thoroughbred Blvd) / 2023CP1002555 / MTB File 20135.12

I am going to file a reply, but please see the attached email from closing attorney saying the payoff was insufficient. I spoke about this during the hearing. It is on page 5.

My hope is that Plaintiff's counsel merely overlooked this and will withdraw their motion.

We had to enter into an escrow agreement escrowing a large sum of money after the hearing and the order, after we paid the money to Plaintiff's counsel and after the Plaintiff's counsel sent the motion to reconsider to the closing attorney and filed the appeal. That was the only way to get it closed without a lawsuit.

I apologize for the email, but I felt like I needed to respond.



From: Valerie Giovanoli <Valerie.Giovanoli@mccabetrotter.com>

Sent: Friday, May 15, 2026 3:09 PM

To: Dean Hayes <Dean.Hayes@mccabetrotter.com>; Mikell Scarborough <master@charlestoncounty.org>; Walker Willcox <walker@walkerwillcoxlaw.com>

Cc: Theron Coetzee <Theron.Coetzee@mccabetrotter.com>; MIELawClerk <MIELawClerk@charlestoncounty.org>; Martha S. Dennis <MDennis@charlestoncounty.org>

Subject: RE: Brownswood Farms POA v Corey Prescott, et al. (1501 Thoroughbred Blvd) / 2023CP1002555 / MTB File 20135.12

Judge Scarborough,

Plaintiff has filed its memorandum in response to Mr. Willcox's motion for contempt against Plaintiff as well as our supplement to the Plaintiff's Rule 59e motion. We bring this to your attention, as a matter of equity, because we believe the evidence is important. As you will see from our memo and exhibits, in response to a subpoena to the closing attorney we have found:

1. At the time Defendants' motion for "emergency" relief was filed, Defendants and their counsel were aware of the payoff amount and confirmed they were moving forward to closing in spite of their dispute with the payoff – rendering the "emergency" motion unnecessary to ensure the sale would go through;
2. Defendants entered into an escrow agreement to allow the closing attorney to hold \$25k in escrow to allow closing to proceed; and
3. Defendants' profited approximately \$224,000 from the closing, not including the additional \$25k held in escrow until the HOA's debt dispute is resolved.

Respectfully, we hope this information will be considered in our renewed request for a ruling on our Rule 59e motion. We acknowledge we have asked for this multiple times and mean no disrespect to your Honor's prior decision to withhold ruling until trial. But, in light of the newly discovered evidence, we must renew that request.

Thank you for your consideration and patience with us.

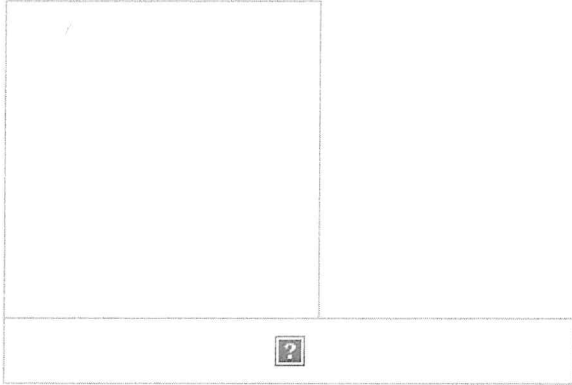
Very respectfully,
Valerie

Valerie Garcia Giovanoli
Managing Shareholder
McCabe, Trotter & Beverly, P.C.
4500 Fort Jackson Blvd, Suite 335
Columbia, SC 2920

<https://mccabetrotter.com/>

Helping you is our goal—your 5-star review helps others find us too! Share your experience here: <https://g.page/r/CRMUDVXyA5mCEAE/review>





From: Dean Hayes <Dean.Hayes@mccabetrotter.com>

Sent: Friday, May 15, 2026 3:00 PM

To: Mikell Scarborough <master@charlestoncounty.org>; Walker Willcox <walker@walkerwillcoxlaw.com>; Valerie Giovanoli <Valerie.Giovanoli@mccabetrotter.com>

Cc: Theron Coetzee <Theron.Coetzee@mccabetrotter.com>; MIELawClerk <MIELawClerk@charlestoncounty.org>; Martha S. Dennis <MDennis@charlestoncounty.org>

Subject: RE: Brownswood Farms POA v Corey Prescott, et al. (1501 Thoroughbred Blvd) / 2023CP1002555 / MTB File 20135.12

Judge Scarborough:

Attached are a copy of a filed motion and a copy of a filed memorandum that were filed in this case yesterday.

Thanks.

Dean

From: Mikell Scarborough <master@charlestoncounty.org>

Sent: Tuesday, April 28, 2026 5:05 PM

To: Walker Willcox <walker@walkerwillcoxlaw.com>; Dean Hayes <Dean.Hayes@mccabetrotter.com>; Valerie Giovanoli <Valerie.Giovanoli@mccabetrotter.com>

Cc: Theron Coetzee <Theron.Coetzee@mccabetrotter.com>; MIELawClerk <MIELawClerk@charlestoncounty.org>; Martha S. Dennis <MDennis@charlestoncounty.org>

Subject: RE: Brownswood Farms POA v Corey Prescott, et al. (1501 Thoroughbred Blvd) / 2023CP1002555 / MTB File 20135.12

Gentlemen of Record:

I have confirmed that this matter is set for a trial on the merits to come before me on May 19. if needed.

I strongly recommend counsel for both parties be prepared for trial on May 19 at 10 am- with ALL the witnesses you need to present your case.

I am willing to entertain your motions at that time and will be prepared to rule from the bench at the close of testimony and argument of counsel on all motions and matters to come before me at that time.

As I understand, Plaintiff's appeal, they seek a hearing on the merits.

I will await the memo from counsel for the Defendants to support their position upon its receipt.

I hope that this message is clear to all involved.

Mikell R. Scarborough
Master In Equity
Charleston County
100 Broad St., Ste.266
Charleston, SC 29401
(843) 958-5070

From: Walker Willcox <walker@walkerwillcoxlaw.com>

Sent: Tuesday, April 28, 2026 7:42 AM

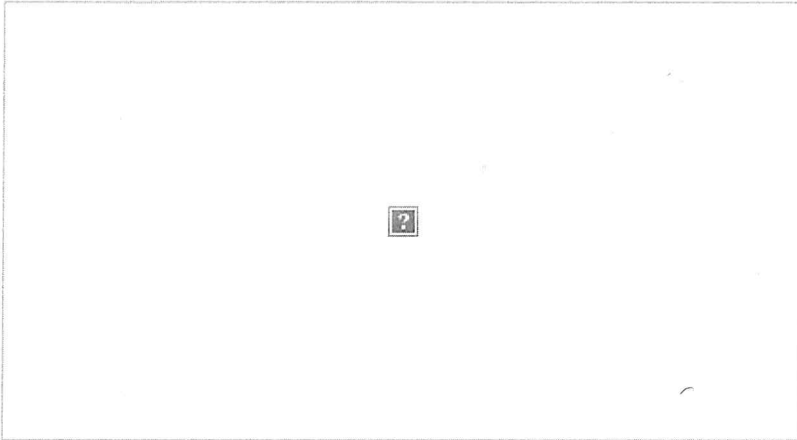
To: Dean Hayes <Dean.Hayes@mccabetrotter.com>; Mikell Scarborough <master@charlestoncounty.org>; Valerie Giovanoli <Valerie.Giovanoli@mccabetrotter.com>

Cc: Theron Coetzee <Theron.Coetzee@mccabetrotter.com>; MIELawClerk <MIELawClerk@charlestoncounty.org>; Martha S. Dennis <MDennis@charlestoncounty.org>

Subject: RE: Brownswood Farms POA v Corey Prescott, et al. (1501 Thoroughbred Blvd) / 2023CP1002555 / MTB File 20135.12

CAUTION: This email originated outside of Charleston County. Do not click links or open attachments from unknown senders or suspicious emails. If you are not sure, please contact IT helpdesk.

I want to point out that Plaintiff caused this problem by filing a Rule 59 motion and then an appeal later the same day. Plaintiff knew filing the appeal was wrong, but it filed the appeal anyway to interfere with the closing. The Court of Appeals has released jurisdiction, and my plan is to file a motion to enforce the order. I will try to get that motion filed in the next day or two.



From: Dean Hayes <Dean.Hayes@mccabetrotter.com>

Sent: Monday, April 27, 2026 6:17 PM

To: Walker Willcox <walker@walkerwillcoxlaw.com>; Mikell Scarborough <master@charlestoncounty.org>; Valerie Giovanoli <Valerie.Giovanoli@mccabetrotter.com>

Cc: Theron Coetzee <Theron.Coetzee@mccabetrotter.com>; MIELawClerk <MIELawClerk@charlestoncounty.org>; Martha S. Dennis <MDennis@charlestoncounty.org>

Subject: RE: Brownswood Farms POA v Corey Prescott, et al. (1501 Thoroughbred Blvd) / 2023CP1002555 / MTB File 20135.12

Judge Scarborough:

Attached please find the remittitur dated April 22, 2026, from the South Carolina Court of Appeals remitting this matter to the Charleston County Master-in-Equity. On that same date, counsel received notice that this case has been scheduled for trial before the Master-in-Equity on May 19–20, 2026.

Plaintiff respectfully renews its request again for a ruling on its pending Rule 59(e) motion. As the Court is aware, the absence of a ruling places Plaintiff in a difficult and prejudicial procedural posture: without a decision on the motion, Plaintiff is unable to meaningfully assess appellate options or incorporate the Court's reasoning into its trial preparation. In this respect, the timing of the ruling directly impacts both Plaintiff's trial strategy and its ability to preserve and pursue appellate rights. In light of the scheduled trial date, Plaintiff respectfully requests that the Court issue a ruling on or before May 5, to allow adequate time to address any implications of the Court's decision in advance of trial. If the Court prefers to hear argument on the motion, Plaintiff is available at the Court's convenience and will promptly coordinate a hearing.

Out of respect for the Court's schedule, Plaintiff raises one additional consideration. If a ruling on the motion cannot be issued within this timeframe, Plaintiff will evaluate whether to

withdraw the motion in order to preserve its ability to seek appellate review prior to trial. We must ensure that our client's procedural rights are not inadvertently compromised.

We appreciate the Court's attention to this matter.

Thank you.

Dean

Dean A. Hayes
Shareholder
McCabe, Trotter & Beverly, P.C.
4500 Fort Jackson Blvd., Suite 335
Columbia, SC 29209
Main: (803) 724-5000
Direct: (803) 724-5006
Fax: (803) 724-5001
Email: dean.hayes@mccabetrotter.com



From: Dean Hayes

Sent: Thursday, April 9, 2026 5:23 PM

To: 'Walker Willcox' <walker@walkerwillcoxlaw.com>; 'Mikell Scarborough' <master@charlestoncounty.org>; Valerie Giovanoli <Valerie.Giovanoli@mccabetrotter.com>

Cc: Theron Coetzee <Theron.Coetzee@mccabetrotter.com>; 'MIELawClerk' <MIELawClerk@charlestoncounty.org>; 'Martha S. Dennis' <MDennis@charlestoncounty.org>

Subject: RE: Brownswood Farms POA v Corey Prescott, et al. (1501 Thoroughbred Blvd) / 2023CP1002555 / MTB File 20135.12

Judge Scarborough:

Good afternoon. Attached is a copy of the court of appeal's order dismissing Brownswood Farm Property Owners Association, Inc.'s appeal because the 59(e) motion is still pending. We would appreciate your ruling on the Association's Rule 59(e) motion as soon as possible. Please let us know if you need anything further.

Thank you.

Dean

Dean A. Hayes
Shareholder
McCabe, Trotter & Beverly, P.C.
4500 Fort Jackson Blvd., Suite 335
Columbia, SC 29209
Main: (803) 724-5000
Direct: (803) 724-5006
Fax: (803) 724-5001
Email: dean.hayes@mccabetrotter.com



From: Dean Hayes

Sent: Wednesday, April 1, 2026 4:13 PM

To: 'Walker Willcox' <walker@walkerwillcoxlaw.com>; Mikell Scarborough <master@charlestoncounty.org>; Valerie Giovanoli <Valerie.Giovanoli@mccabetrotter.com>

Cc: Theron Coetzee <Theron.Coetzee@mccabetrotter.com>; MIELawClerk <MIELawClerk@charlestoncounty.org>; Martha S. Dennis <MDennis@charlestoncounty.org>

Subject: RE: Brownswood Farms POA v Corey Prescott, et al. (1501 Thoroughbred Blvd) / 2023CP1002555 / MTB File 20135.12

Judge Scarborough:

We received the check, but we have not cashed it since we filed the 59(e) motion and the appeal. Pursuant to the Court's instructions, we believe the check should be deposited with the Court.

I understand your thought that the order releasing the lien is an interlocutory order, and we agree that you're probably correct about it being interlocutory. However, we believe the order affects a substantial right of our client and is therefore immediately appealable. The covenants, which are a contract between the parties, provided that the debt owed to our client was secured by a lien on the property. In our opinion, releasing the lien substantially altered our client's rights in this case. Obviously, a debt secured by a lien on real property is more likely to be collectable than an

unsecured debt. The attached case, *RM Contractors, LLC v. Wiggins*, is a 2024 North Carolina case that supports our position.

As for the statement that I was unable to provide a definitive amount owed at the time of the hearing, I respectfully disagree with that statement. I've attached a copy of the transcript, and a review of pages 14 through 16 of the transcript show I wasn't given an opportunity to provide a current payoff. Over my objections, the Court used the payoff I provided to Mr. Willcox on July 12, 2023. The July 12, 2023, payoff was part of an email exhibit attached to my memorandum and was submitted only to refute Mr. Willcox's claim that he requested a payoff and didn't receive one for several months.

We respectfully request that the Court rule on our Rule 59(e) motion so that we can pursue our appeal.

Please let me know if you have any questions.

Thank you.

Dean

Dean A. Hayes
Shareholder
McCabe, Trotter & Beverly, P.C.
4500 Fort Jackson Blvd., Suite 335
Columbia, SC 29209
Main: (803) 724-5000
Direct: (803) 724-5006
Fax: (803) 724-5001
Email: dean.hayes@mccabetrotter.com



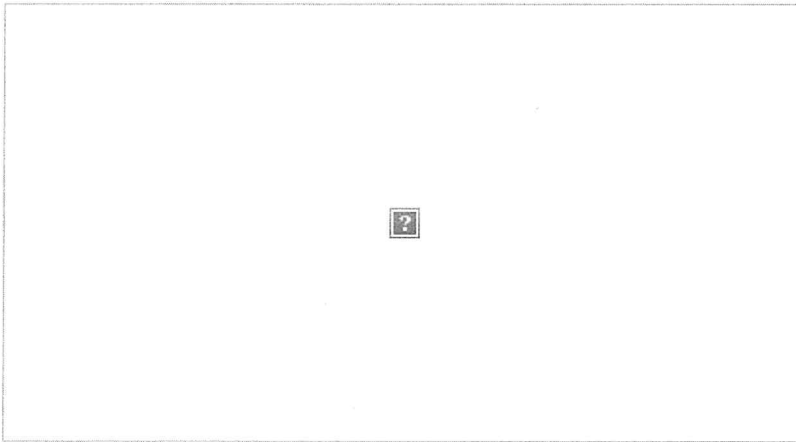
From: Walker Willcox <walker@walkerwillcoxlaw.com>
Sent: Tuesday, March 31, 2026 4:56 PM
To: Mikell Scarborough <master@charlestoncounty.org>; Valerie Giovanoli

<Valerie.Giovanoli@mccabetrotter.com>

Cc: Dean Hayes <Dean.Hayes@mccabetrotter.com>; Theron Coetzee
<Theron.Coetzee@mccabetrotter.com>; MIELawClerk <MIELawClerk@charlestoncounty.org>;
Martha S. Dennis <MDennis@charlestoncounty.org>

Subject: RE: Brownswood Farms POA v Corey Prescott, et al. (1501 Thoroughbred Blvd) /
2023CP1002555 / MTB File 20135.12

Thank you Judge Scarborough. The Prescotts sent payment to McCabe Trotter as is shown in the attached letter, and the letter and payment were received on March 20. However, the lien was not released. Instead, the Plaintiff filed the Rule 59 motion and Notice of Appeal. My hope is that the Plaintiff will dismiss the appeal, and we can move to enforce the March 16, 2026, Order requiring the Plaintiff to release the lien.



From: Mikell Scarborough <master@charlestoncounty.org>

Sent: Tuesday, March 31, 2026 4:47 PM

To: Walker Willcox <walker@walkerwillcoxlaw.com>; Valerie Giovanoli
<Valerie.Giovanoli@mccabetrotter.com>

Cc: Dean Hayes <Dean.Hayes@mccabetrotter.com>; Theron Coetzee
<Theron.Coetzee@mccabetrotter.com>; MIELawClerk <MIELawClerk@charlestoncounty.org>;
Martha S. Dennis <MDennis@charlestoncounty.org>

Subject: RE: Brownswood Farms POA v Corey Prescott, et al. (1501 Thoroughbred Blvd) /
2023CP1002555 / MTB File 20135.12

Dear Counsel:

I have been copied on your correspondence about this ruling and spoken with my staff who are added to this email chain.

The court's Form 4 ruling was intended to be an interlocutory order until the matter could be set for trial.

Mr. Hayes was unable to provide a definitive amount of the lien amount claimed due at the hearing– pending the proposed sale of the property which was set for last Friday as I recall – so

a figure was set based upon the only figure in the record in support of the lien.

I am informed that the matter was set for trial on May 19-20, 2026. Those dates are still available if the parties desire to try the case to a conclusion in the near future. I do not expect an earlier date to get you before the court to entertain the 59 e motion.

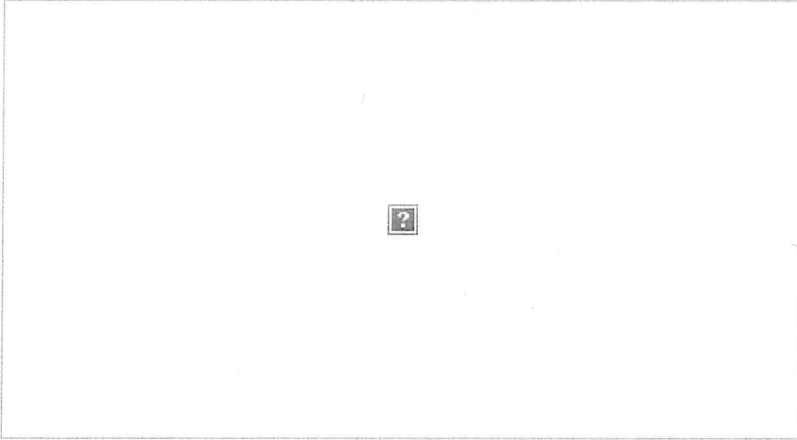
I am hopeful the parties can come to an agreement to proceed to trial at that time – with live witnesses and proof of the lien amount claimed due. If not, I will entertain the 59 e motion at that time.

Mikell R. Scarborough
Master In Equity
Charleston County
100 Broad St., Ste.266
Charleston, SC 29401
(843) 958-5070

From: Walker Willcox <walker@walkerwillcoxlaw.com>
Sent: Tuesday, March 31, 2026 9:16 AM
To: Valerie Giovanoli <Valerie.Giovanoli@mccabetrotter.com>; Mikell Scarborough <master@charlestoncounty.org>
Cc: Dean Hayes <Dean.Hayes@mccabetrotter.com>; Theron Coetzee <Theron.Coetzee@mccabetrotter.com>
Subject: RE: Brownswood Farms POA v Corey Prescott, et al. (1501 Thoroughbred Blvd) / 2023CP1002555 / MTB File 20135.12

CAUTION: This email originated outside of Charleston County. Do not click links or open attachments from unknown senders or suspicious emails. If you are not sure, please contact IT helpdesk.

To respond to this email, the holding in Hudson v. Hudson does not apply when a party files a Rule 59 motion before it files a notice of appeal, which is what happened in this case. Hudson v. Hudson, 290 S.C. 215, 216, n. 1, 349 S.E.2d 341, 342, n.1 (1986). Regardless, even if the holding applies, which is denied, the Plaintiff must notify the Court of Appeals and dismiss the appeal. Id. We contend the Plaintiff filed the notice of appeal to attempt to stop or at a minimum frustrate the sale of the Prescotts' house.



From: Valerie Giovanoli <Valerie.Giovanoli@mccabetrotter.com>
Sent: Monday, March 30, 2026 7:45 PM
To: Walker Willcox <walker@walkerwillcoxlaw.com>; master@charlestoncounty.org
Cc: Dean Hayes <Dean.Hayes@mccabetrotter.com>; Theron Coetzee <Theron.Coetzee@mccabetrotter.com>
Subject: RE: Brownswood Farms POA v Corey Prescott, et al. (1501 Thoroughbred Blvd) / 2023CP1002555 / MTB File 20135.12

Good evening, Judge, Mr. Wilcox,

We would respectfully request a ruling on our 59e motion, pursuant to Hudson v. Hudson, 290 S.C. 215, 216, 349 S.E.2d 341, 341 (1986) (“[t]he service and filing of a Notice of Appeal before the filing of timely post-trial motions under Rule 59 by any party does not deprive the lower court of jurisdiction to consider the motions.”).

Thank you,
Valerie

Valerie Garcia Giovanoli
Managing Shareholder
McCabe, Trotter & Beverly, P.C.
4500 Fort Jackson Blvd, Suite 335
Columbia, SC 2920

<https://mccabetrotter.com/>

Helping you is our goal—your 5-star review helps others find us too! Share your experience here: <https://g.page/r/CRMUDVXyA5mCEAE/review>



From: Walker Willcox <walker@walkerwillcoxlaw.com>
Sent: Thursday, March 26, 2026 3:25 PM
To: Valerie Giovanoli <Valerie.Giovanoli@mccabetrotter.com>; master@charlestoncounty.org
Cc: Dean Hayes <Dean.Hayes@mccabetrotter.com>; Theron Coetzee <Theron.Coetzee@mccabetrotter.com>
Subject: RE: Brownswood Farms POA v Corey Prescott, et al. (1501 Thoroughbred Blvd) / 2023CP1002555 / MTB File 20135.12

The Plaintiff purported to serve the attached Notice of Appeal this morning. I assume that means Plaintiff believes the March 16 order is final and the Rule 59 motion is moot.

I note that the Plaintiff included the closing attorney's assistant in the email, which we contend was an attempt by Plaintiff to block the sale of the Defendants' home, despite the Court's Order.

Defendants delivered payment of the lien amount to McCabe Trotter last week.



From: Valerie Giovanoli <Valerie.Giovanoli@mccabetrotter.com>
Sent: Thursday, March 26, 2026 1:00 AM
To: master@charlestoncounty.org
Cc: WWillcox@willcoxlaw.com; Dean Hayes <Dean.Hayes@mccabetrotter.com>; Theron Coetzee <Theron.Coetzee@mccabetrotter.com>; ljones@cipollacox.com
Subject: Brownswood Farms POA v Corey Prescott, et al. (1501 Thoroughbred Blvd) /

Dear Judge Scarborough,

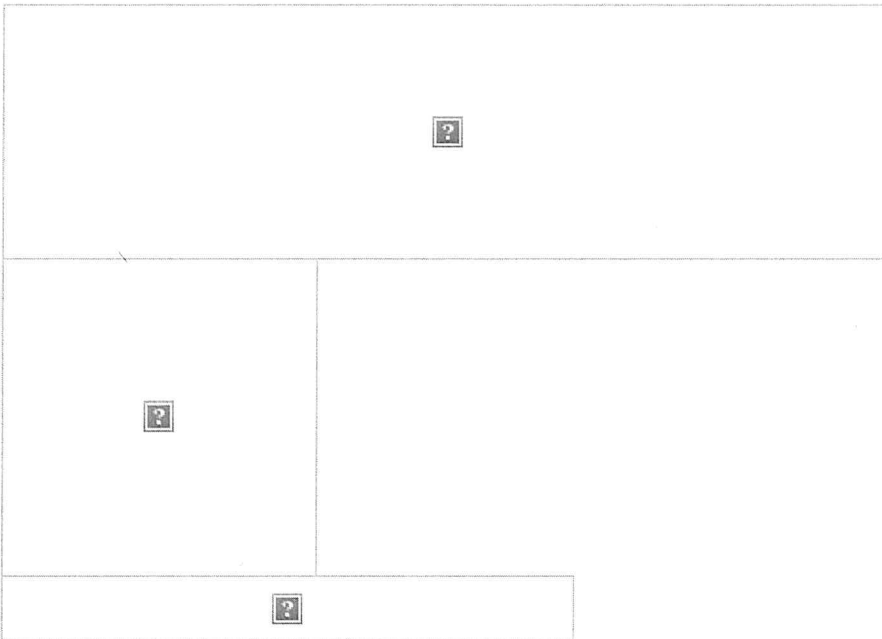
Pursuant to Rule 59(g), SCRPC, please find attached Plaintiff's Rule 59e motion to reconsider, in the above referenced matter. The motion has been filed through the court's e-filing portal. Opposing counsel is copied here.

Thanks,
Valerie

Valerie Garcia Giovanoli
Managing Shareholder
McCabe, Trotter & Beverly, P.C.
4500 Fort Jackson Blvd, Suite 335
Columbia, SC 2920

<https://mccabetrotter.com/>

Helping you is our goal—your 5-star review helps others find us too! Share your experience here: <https://g.page/r/CRMUDVXyA5mCEAE/review>



NOTICES

PRIVILEGED AND CONFIDENTIAL: This electronic message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may

contain information that is attorney-client privileged, may be confidential work product, or may be exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is wrongful, is strictly prohibited, and may subject you to civil liability. If you have received this communication in error, please immediately notify us by telephone at 803-724-5000 or by return e-mail, and destroy any copies (electronic, paper, or otherwise) that you may have of this communication.

DEBT COLLECTOR: This firm collects debts for our clients who are creditors. Any information obtained will be used for that purpose. However, if you have previously received a discharge in bankruptcy, this message is not and should not be construed as an attempt to collect a debt, but only as an attempt to enforce a lien.

To opt out of future emails please respond to optout@mccabetrotter.com with a subject of Opt-Out.

NOTICES

PRIVILEGED AND CONFIDENTIAL: This electronic message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may contain information that is attorney-client privileged, may be confidential work product, or may be exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is wrongful, is strictly prohibited, and may subject you to civil liability. If you have received this communication in error, please immediately notify us by telephone at 803-724-5000 or by return e-mail, and destroy any copies (electronic, paper, or otherwise) that you may have of this communication.

DEBT COLLECTOR: This firm collects debts for our clients who are creditors. Any information obtained will be used for that purpose. However, if you have previously received a discharge in bankruptcy, this message is not and should not be construed as an attempt to collect a debt, but only as an attempt to enforce a lien.

To opt out of future emails please respond to optout@mccabetrotter.com with a subject of Opt-Out.

NOTICES

PRIVILEGED AND CONFIDENTIAL: This electronic message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may contain information that is attorney-client privileged, may be confidential work product, or may be exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is wrongful, is strictly prohibited, and may subject you to civil liability. If you have received this communication in error, please immediately notify us by telephone at 803-724-5000 or by return e-mail, and destroy any copies (electronic, paper, or otherwise) that you may have of this communication.

DEBT COLLECTOR: This firm collects debts for our clients who are creditors. Any information obtained will be used for that purpose. However, if you have previously received a discharge in bankruptcy, this message is not and should not be construed as an attempt to collect a debt, but only as an attempt to enforce a lien.

To opt out of future emails please respond to optout@mccabetrotter.com with a subject of Opt-Out.

NOTICES

PRIVILEGED AND CONFIDENTIAL: This electronic message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may contain information that is attorney-client privileged, may be confidential work product, or may be exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is wrongful, is strictly prohibited, and may subject you to civil liability. If you have received this communication in error, please immediately notify us by telephone at 803-724-5000 or by return e-mail, and destroy any copies (electronic, paper, or otherwise) that you may have of this communication.

DEBT COLLECTOR: This firm collects debts for our clients who are creditors. Any information obtained will be used for that purpose. However, if you have previously received a discharge in bankruptcy, this message is not and should not be construed as an attempt to collect a debt, but only as an attempt to enforce a lien.

To opt out of future emails please respond to optout@mccabetrotter.com with a subject

of Opt-Out.

NOTICES

PRIVILEGED AND CONFIDENTIAL: This electronic message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may contain information that is attorney-client privileged, may be confidential work product, or may be exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is wrongful, is strictly prohibited, and may subject you to civil liability. If you have received this communication in error, please immediately notify us by telephone at 803-724-5000 or by return e-mail, and destroy any copies (electronic, paper, or otherwise) that you may have of this communication.

DEBT COLLECTOR: This firm collects debts for our clients who are creditors. Any information obtained will be used for that purpose. However, if you have previously received a discharge in bankruptcy, this message is not and should not be construed as an attempt to collect a debt, but only as an attempt to enforce a lien.

To opt out of future emails please respond to optout@mccabetrotter.com with a subject of Opt-Out.

NOTICES

PRIVILEGED AND CONFIDENTIAL: This electronic message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may contain information that is attorney-client privileged, may be confidential work product, or may be exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is wrongful, is strictly prohibited, and may subject you to civil liability. If you have received this communication in error, please immediately notify us by telephone at 803-724-5000 or by return e-mail, and destroy any copies (electronic, paper, or otherwise) that you may have of this communication.

DEBT COLLECTOR: This firm collects debts for our clients who are creditors. Any information obtained will be used for that purpose. However, if you have previously received a discharge in bankruptcy, this message is not and should not be construed as

an attempt to collect a debt, but only as an attempt to enforce a lien.

To opt out of future emails please respond to optout@mccabetrotter.com with a subject of Opt-Out.

NOTICES

PRIVILEGED AND CONFIDENTIAL: This electronic message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may contain information that is attorney-client privileged, may be confidential work product, or may be exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is wrongful, is strictly prohibited, and may subject you to civil liability. If you have received this communication in error, please immediately notify us by telephone at 803-724-5000 or by return e-mail, and destroy any copies (electronic, paper, or otherwise) that you may have of this communication.

DEBT COLLECTOR: This firm collects debts for our clients who are creditors. Any information obtained will be used for that purpose. However, if you have previously received a discharge in bankruptcy, this message is not and should not be construed as an attempt to collect a debt, but only as an attempt to enforce a lien.

To opt out of future emails please respond to optout@mccabetrotter.com with a subject of Opt-Out.

NOTICES

PRIVILEGED AND CONFIDENTIAL: This electronic message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may contain information that is attorney-client privileged, may be confidential work product, or may be exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is wrongful, is strictly prohibited, and may subject you to civil liability. If you have received this communication in error, please immediately notify us by telephone at 803-724-5000 or by return e-mail, and destroy any copies (electronic, paper, or otherwise) that you may have of this communication.

DEBT COLLECTOR: This firm collects debts for our clients who are creditors. Any information obtained will be used for that purpose. However, if you have previously received a discharge in bankruptcy, this message is not and should not be construed as an attempt to collect a debt, but only as an attempt to enforce a lien.

To opt out of future emails please respond to optout@mccabetrotter.com with a subject of Opt-Out.

NOTICES

PRIVILEGED AND CONFIDENTIAL: This electronic message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may contain information that is attorney-client privileged, may be confidential work product, or may be exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is wrongful, is strictly prohibited, and may subject you to civil liability. If you have received this communication in error, please immediately notify us by telephone at 803-724-5000 or by return e-mail, and destroy any copies (electronic, paper, or otherwise) that you may have of this communication.

DEBT COLLECTOR: This firm collects debts for our clients who are creditors. Any information obtained will be used for that purpose. However, if you have previously received a discharge in bankruptcy, this message is not and should not be construed as an attempt to collect a debt, but only as an attempt to enforce a lien.

To opt out of future emails please respond to optout@mccabetrotter.com with a subject of Opt-Out.

NOTICES

PRIVILEGED AND CONFIDENTIAL: This electronic message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may contain information that is attorney-client privileged, may be confidential work product, or may be exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is wrongful, is strictly prohibited, and may subject you to civil liability. If you have received this communication in error, please immediately notify us by telephone at 803-724-5000 or by return e-mail, and destroy any copies (electronic, paper, or otherwise) that you may have of this communication.

DEBT COLLECTOR: This firm collects debts for our clients who are creditors. Any information obtained will be used for that purpose. However, if you have previously received a discharge in bankruptcy, this message is not and should not be construed as an attempt to collect a debt, but only as an attempt to enforce a lien.

To opt out of future emails please respond to optout@mccabetrotter.com with a subject of Opt-Out.

RECEIVED

May 29 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

Appeal from Charleston County

Mikell R. Scarborough, Master-in-Equity

Civil Case No.: 2023-CP-10-02555

Appellate Case No.: 2026-001151

Brownswood Farms Property Owners Association, Inc,.....Appellant

v.

Corey B. Prescott and Corey S. Prescott, Respondents.....Respondents

CERTIFICATE OF SERVICE

On May 29, 2026, counsel for the Respondents served the Memorandum on Timeliness on all parties or their respective counsel by email only using the address(es) listed below:

Dean Anthony Hayes
Email: Dean.Hayes@mccabetrotter.com
Valerie Garcia Giovanoli
Email: Valerie.Giovanoli@mccabetrotter.com
4500 Fort Jackson Blvd.
Suite 335
Columbia, SC 29209
Attorneys for Appellant

Walker H. Willcox
Attorney for Respondents