

SOUTH CAROLINA COURT OF APPEALS

Appellate Case No. 2025–001299

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Jun 19 2026

**ATTIA ELBADAWY and LYNNE CHATLOS,
Appellants,**

SC Court of Appeals

v.

**D.R. HORTON, INC.,
Respondent,**

and

**DORCHESTER COUNTY,
Third-Party Respondent.**

EMERGENCY MOTION REQUESTING CLARIFICATION REGARDING PENDING MOTIONS AND APPELLANTS' DEADLINE AND TO STRIKE RESPONDENT D.R. HORTON, INC. LATE INITIAL BRIEF AND RESPONDENT'S DESIGNATION MATTER IN THE RECORD ON APPEAL

Comes now the Appellants, Attia Elbadawy and Lynne Chatlos, proceeding pro se, and respectfully request clarification from this Honorable Court regarding several pending motions and the Appellants' deadlines. Because several motions remain pending, the

Appellants' reply brief deadline in response to Respondents D.R. Horton, Inc.'s Initial Brief may be affected by those unresolved motions.

The Appellants respectfully request clarification and guidance from the Court regarding how they should proceed.

On April 17, 2026, the Appellants filed a Motion to Correct the Caption and Supplement the Record on Appeal. In that motion, the Appellants requested that Dorchester County be properly reflected in the caption and that all filings, exhibits, affidavits, and evidence submitted prior to the Motion to Reconsider in the lower court be included within the Designation of Matter on Appeal and the record to be reviewed by this Court. To date, the Appellants have not received a ruling or other direction regarding that motion.

On May 8, 2026, Respondent D.R. Horton, Inc. filed a Motion for Extension of Time to File its Initial Brief. The Appellants filed an objection the same day. The Appellants are unaware of any order granting or denying the requested extension.

On May 13, 2026, Respondents, D.R. Horton filed a Motion to Vacate the Temporary Injunction. On June 9, 2026, the Court entered an Order granting that motion and vacating the injunction.

Thereafter, on June 12, 2026, Respondent D.R. Horton filed its Initial Brief and Designation of Matter on Appeal. Respondent D.R. Horton, Inc

included the June 9,2026 Order vacating the injunction within its Designation of Matter. The Appellants respectfully object to the inclusion of the June 9,2026 Order within Respondent's Designation of Matter on Appeal because it was not part of the lower court record.

And ask the Court to remove it from the Designation of Matter on Appeal.

The Appellants subsequently filed a Motion to Strike Respondent's Initial Brief as untimely. The Appellants also filed a Motion to Compel Dorchester County to file an Initial Brief. To the best of the Appellants' knowledge, both motions remain pending.

Accordingly, the Appellants respectfully request clarification regarding:

1. The status of the April 17, 2026 Motion to Correct the Caption and Supplement the Record;
2. The status of the May 8, 2026 Motion for Extension of Time, to which the Appellants objected;
3. The status of the Appellants' Motion to Strike Respondent's Initial Brief;
4. The status of the Appellants' Motion to Compel Dorchester County to file its Initial Brief;
5. Whether the June 12,2026 Initial Brief filed by Respondents, D.R. Horton, Inc was deemed timely; and
6. Whether the deadline for the Appellants' Reply Brief is presently running, or whether briefing deadlines will be held in abeyance pending

resolution of the outstanding motions.

The Appellants respectfully request clarification before any additional briefing deadlines expire so that they may fully comply with the Court's rules and orders.

Respectfully submitted,

Attia Elbadawy

Attia Elbadawy

Pro Se Appellant

Lynne Chatlos

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing

Emergency Motion was served on June 19, 2026, upon the following:

Respondent, D.R. Horton, Inc.

Kenison, Dudley & Crawford, LLC

Mark Bible

325 W. McBee Avenue, Suite #301

Greenville, SC 29601

AND

Third-Party Respondents, Dorchester County

Dorchester County Attorney's Office

Bradley Mitchell

201 Johnston Street

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Appellants,

Attia Elbadawy Attia Elbadawy

AND

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June 19, 2026