

The South Carolina Court of Appeals

Attia Elbadawy and Lynne Chatlos, Appellants,

v.

D.R. Horton, Inc., Respondent.

Appellate Case No. 2025-001299

ORDER

On April 17, 2026, Appellants filed a motion to supplement the record on appeal with material filed with the circuit court prior to the circuit court ruling on their motion to reconsider. Respondent did not file a return. After careful consideration, we grant Appellants motion to supplement the record on appeal to the extent that Appellants may include any matters presented to the circuit court. *See* Rule 210(c), SCACR ("The Record on Appeal shall include all matter designated to be included by any party under Rule 209 and shall comply with the requirements of Rule 267. The Record shall not, however, include matter which was not presented to the lower court or tribunal.").

On May 8, 2026, Respondent moved for an extension of time to file its initial brief and designation of matter on or before June 12, 2026. Appellants filed a return opposing the motion. Respondent did not file a reply; however, Respondent filed its initial brief and designation of matter on June 12, 2026. On June 15, 2026, Appellants filed a motion to strike and remove Respondent's initial brief. The motion also sought for Dorchester County to be included in the caption of this case. Respondent did not file a return. After careful consideration, we deny Appellant's motion to strike and remove Respondent's initial brief and grant the motion for an extension of time and accept Respondent's June 12, 2026 initial brief and designation of matter as filed. Further, we deny Appellants' request to add Dorchester County to the case caption.

On June 19, 2026, Appellant filed a motion titled "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 of Matter in the Record on Appeal," seeking a ruling on the motions addressed above, which were pending before this court at the time the June 19, 2026 motion was filed. Respondent did not file a return. After careful consideration, based on the rulings above, this court denies the June 19, 2026 motion as moot. Appellants shall serve and file their initial reply brief, if any, within ten days of the date of this order.

On June 22, 2026, Appellants filed an "Emergency Motion to Consolidate Appeals," seeking to consolidate Appellate Case Number 2025-001299 and Appellate Case Number 2026-001187. Respondent did not file a return. After careful consideration, we deny the motion to consolidate; however, nothing prevents this court from consolidating the case at a later time.



J.

FOR THE COURT

Columbia, South Carolina

cc:

Attia Elbadawy

Lynne Chatlos

Mark Anthony Bible, Jr., Esquire

John T. Crawford, Jr., Esquire

FILED
Jul 16 2026