

108684

RESPONDENT'S MOTION FOR LEAVE TO FILE REPLY BRIEF OUT OF TIME

Respondent, **Florence Heyward Davis**, appearing **pro se**, respectfully moves this Honorable Court for leave to file her Respondent's Reply Brief out of time pursuant to the South Carolina Appellate Court Rules and the Court's inherent authority to manage its docket. In support of this Motion, Respondent respectfully states:

1. Respondent has acted diligently throughout these appellate proceedings and respectfully requests leave to file her Reply Brief out of time so that the Court may consider a complete and fully supported response to the issues raised by Appellant.
2. Following Appellant's filings, Respondent devoted substantial time to researching, drafting, and filing a **Motion to Dismiss the Appeal or, in the Alternative, Motion for Supersedeas Bond and Other Protective Relief**. Preparation of those motions required extensive review of the appellate record, the Circuit Court proceedings, and the South Carolina Appellate Court Rules.
3. In preparing those filings, Respondent was required to review, organize, and accurately cite a **Record on Appeal exceeding two hundred (200) pages**, together with numerous appellate filings, court orders, motions, and procedural documents. Because portions of the record initially available to Respondent were incomplete, Respondent was required to obtain and verify documents through alternate sources, including materials available through the South Carolina Court of Appeals docket, in order to ensure that quotations, procedural history, and record citations were accurate.
4. Respondent is proceeding **pro se** and has made every effort to comply fully with the South Carolina Appellate Court Rules. Preparation of the Reply Brief required careful analysis of numerous legal issues, including:
 - the 2012 Durable Power of Attorney;
 - multiple recorded deeds;
 - Attorney D. Nathan Davis's affidavit;
 - the hearing transcript;
 - Judge Jennifer B. McCoy's Summary Judgment Order;
 - the South Carolina Probate Code;
 - the Uniform Power of Attorney Act; and
 - controlling South Carolina appellate authority.

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SC Court of Appeals

Because of the volume of the record and the legal issues presented, additional time was reasonably necessary to prepare an accurate, properly supported Reply Brief.

5. Respondent has acted in good faith and has not sought delay for any improper purpose. Rather, Respondent seeks only to provide this Court with a complete and accurate brief supported by appropriate citations to the Record on Appeal and controlling South Carolina law.

6. Granting this Motion will not unfairly prejudice Appellant. Conversely, denying Respondent leave to file the Reply Brief could substantially prejudice Respondent by preventing full presentation of the legal issues necessary for this Court's review.

7. South Carolina appellate courts favor resolving appeals on their merits whenever practicable. Allowing the Reply Brief to be filed out of time will assist the Court by ensuring that it has the benefit of complete briefing before rendering its decision.

8. This request is particularly appropriate because Respondent has consistently acted diligently despite proceeding without counsel and despite the unusual procedural history of this appeal, including repeated review of the Record on Appeal, appellate docket materials, and numerous filings necessary to protect Respondent's interests during the pendency of this appeal.

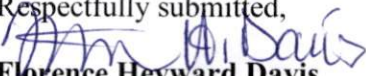
WHEREFORE

WHEREFORE, Respondent Florence Heyward Davis respectfully requests that this Court:

1. Grant Respondent leave to file her Reply Brief out of time;
2. Direct the Clerk of Court to accept the Reply Brief as timely filed;
3. Consider the Reply Brief together with the other materials submitted in this appeal; and
4. Grant such other and further relief as this Court deems just and proper.

"The requested extension was necessitated not by inattention, but by Respondent's diligent efforts to accurately review and cite an extensive appellate record, prepare multiple substantive motions, and present the Court with a complete and accurate response supported by the Record on Appeal and controlling South Carolina law."

Respectfully submitted,


Florence Heyward Davis

Respondent, Pro Se

Certificate of Service

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

George S. Jenkins, Appellant,

v.

Florence Heyward Davis, Respondent.

Appellate Case No. 2024-001929

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a true and correct copy of the following documents:

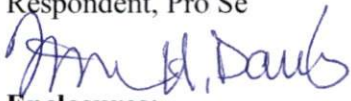
- Respondent's Motion for Leave to File Reply Brief Out of Time;
- Respondent's Reply Brief; and
- this Certificate of Service,

upon the Appellant, **George S. Jenkins**, by depositing the same in the United States Mail, first-class postage prepaid (or by other authorized method of service), addressed to the Appellant at his address of record.

This the 10th day of July, 2026.

Respectfully submitted,

Florence Heyward Davis
Respondent, Pro Se



Enclosures:

1. Motion for Leave to File Reply Brief Out of Time
2. Respondent's Reply Brief
3. Certificate of Service

Florence Heyward Davis
14 Ridge Square NW

Suite 300

C/o DCUL Office 308

Washington, DC 20016

July 10, 2026

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

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SC Court of Appeals

Re: *George S. Jenkins v. Florence Heyward Davis*
Appellate Case No. 2024-001929

RE: Filing of Respondent's Motion for Leave to File Reply Brief Out of Time

Dear Clerk:

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

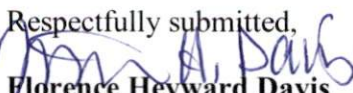
1. Respondent's Motion for Leave to File Reply Brief Out of Time;
2. Respondent's Reply Brief;
3. Certificate of Service.

Respondent respectfully requests that the enclosed Motion be submitted to the Court for consideration and that, upon entry of an order granting the Motion, the enclosed Reply Brief be accepted as filed.

The Motion explains that Respondent, proceeding **pro se**, devoted substantial time to preparing and filing a Motion to Dismiss or, in the Alternative, Motion for Supersedeas Bond and Other Protective Relief. Preparation of those filings required extensive review and citation of an appellate record exceeding 200 pages, together with review of appellate docket materials and related court filings to verify the procedural history and record citations. Respondent respectfully submits that the brief delay resulted from diligent efforts to present the Court with an accurate and thoroughly supported Reply Brief rather than from any lack of diligence or intent to delay these proceedings.

Respondent appreciates the Clerk's attention to this matter.

Respectfully submitted,


Florence Heyward Davis
Respondent, Pro Se

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ORIGIN 10:NNKA (843) 364-6578
JELANI DAVIS

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WASHINGTON, DC 20016
UNITED STATES US

SHIP DATE: 10 JUL 26
ACTWT: 0.15 LB
CAD: 6570083/R09A2710

10 CLERK OF COURT
SOUTH CAROLINA COURT OF APPEALS
1220 SENATE STREET

COLUMBIA SC 29201

(000) 000-0000

REF:

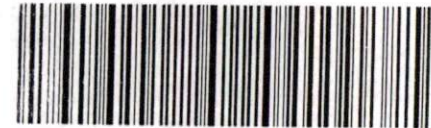
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TUE - 14 JUL 5:00P
** 2DAY **

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SC-US CAE



Part # 15627446-02020-IMP 06/27