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Jul 24 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

The Honorable R. Scott Sprouse,
Circuit Court Judge

Appellate Case No. 2026-000024
Case No. 2025-CP-04-01469

Falcon Real Estate Lending, LLC.....Appellant,

v.

Anderson County Planning Commission.....Respondent.

**RESPONDENT ANDERSON COUNTY PLANNING COMMISSION'S MOTION TO
HOLD APPEAL IN ABEYANCE**

Pursuant to Rule 240(a), SCACR, counsel for Respondent Anderson County Planning Commission hereby moves for an order holding all deadlines in this appeal in abeyance. Counsel for Appellant consents to this motion. On Tuesday, July 21, 2026, the Anderson County Council approved a Memorandum of Understanding that resolves the issues raised in Appellant's appeal. However, the parties need additional time to prepare a suitable settlement agreement and release before this appeal can be dismissed. Accordingly, Respondent requests that all deadlines, including the July 29th deadline for Respondent's Initial Response Brief, be held in abeyance for forty-five (45) days. The parties will promptly inform the Court when they have finalized the terms set forth in the Memorandum of Understanding.

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By: *s/ Todd Russell Flippin*

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Planning Commission*

Spartanburg, South Carolina

July 24, 2026

Other Counsel of Record:

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PROOF OF SERVICE

The undersigned hereby certifies that on the 24th day of July, 2026, he has served counsel for Appellant with a copy of the Respondent Anderson County Planning Commission's **MOTION TO HOLD APPEAL IN ABEYANCE** by electronically mailing copies of the same to the following addresses:

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July 24, 2026

VIA ELECTRONIC MAIL ONLY ctappfilings@sccourts.org

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

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SC Court of Appeals

RE: *Falcon Real Estate Lending, LLC v. Anderson County Planning Commission*
App. Case No. 2026-000024
Our File No. 19155

Dear Ms. Kitchings:

Enclosed please find for filing Respondent Anderson County Planning Commission's Motion to Hold Appeal in Abeyance and Proof of Service in the above referenced matter. The \$50.00 filing check will be delivered via U.S. Mail on Monday, July 27th along with a courtesy copy of the brief.

Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,

s/ Todd Russell Flippin

Todd Russell Flippin

Enclosures

cc: Carter R. Massingill, Esq. (Via E-Mail Only - cmassingill@gwblawfirm.com)
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