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Jul 31 2026

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Beaufort County
Court of Common Pleas

Carmen T. Mullen, Circuit Court Judge

Appellate Case No. 2025-002399
Circuit Court Case No. 2025-CP-07-00718

Geraldine White,

Appellant

v.

John R. C. Bowen and Kori Brett McKeithan,

Respondents.

MOTION TO EXPEDITE APPEAL

CLEMENT RIVERS, LLP
Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis, Jr. (SC Bar No. 12084)
Kara S. Grevey (SC Bar No. 101742)
Russell G. Hines (SC Bar No. 72100)
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Attorneys for Respondent John R. C. Bowen

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS

Respondent, John R. C. Bowen , by and through undersigned counsel, respectfully moves this Court pursuant to Rule 240, SCACR, for an order expediting consideration of this appeal.

In support of this Motion, Respondent states as follows:

1. This appeal arises from an Order Granting Summary Judgment entered by the Honorable Carmen T. Mullen on November 24, 2025 in the Court of Common Pleas for Beaufort County, South Carolina. (Exhibit A.)

2. Appellant Geraldine White filed a Notice of Appeal on November 25, 2025.

3. The appeal concerns the enforcement of an Order of Judgment filed August 22, 2018 against Ms. White. (Exhibit B.) The Judgments tab of the Public Index associated with the 2018 matter reflects this judgment. (Exhibit C.)

4. The deadline for enforcing the 2018 judgment is in August 2028; consequently, Respondent faces substantial prejudice if this appeal remains pending for an extended period. Respondent may be unable to enforce the judgment or may suffer significant impairment of rights associated with enforcement of the judgment.

5. The prejudice to Respondent is not speculative. Delayed resolution of the appeal threatens to deprive Respondent of the practical benefit of the judgment obtained below.

6. Expedited consideration will promote judicial economy and will not unfairly prejudice Appellant. Respondent does not seek to abridge any substantive rights of Appellant, but merely requests that the appeal be considered on an accelerated schedule due to the unique circumstances set forth herein.

7. Good cause therefore exists for expedited treatment of this appeal.

WHEREFORE, Respondent respectfully requests that this Court enter an Order:

- (a) expediting consideration of this appeal;
- (b) establishing an accelerated briefing schedule;
- (c) advancing the matter for consideration at the earliest practicable time; and
- (d) granting such other and further relief as the Court deems just and proper.

*[Signature page for Motion to Expedite Appeal,
Civil Action No. Appellate Case No. 2025-002399]*

Respectfully submitted,

CLEMENT RIVERS, LLP

By: s/Graydon V. Olive, IV
Stephen L. Brown (SC Bar No. 66468)
D. Jay Davis, Jr. (SC Bar No. 12084)
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Attorneys for Respondent John R. C. Bowen

Charleston, South Carolina

July 31, 2026

STATE OF SOUTH CAROLINA)

COUNTY OF BEAUFORT)

Geraldine White,)

Plaintiff,)

v.)

John R. C. Bowen and Kori Brett
McKeithan,)

Defendants.)

IN THE COURT OF COMMON PLEAS

FOURTEENTH JUDICIAL CIRCUIT

CASE NO. 2025-CP-07-00718

**ORDER GRANTING DEFENDANT JOHN
R. C. BOWEN'S MOTION FOR SUMMARY
JUDGMENT**

This matter came before the Court on October 28, 2025, on Defendant John R.C. Bowen's Motion to Dismiss, or in the alternative, Motion for Summary Judgment. Plaintiff Geraldine White appeared in person, pro se. Kara S. Grevey, Esq. appeared for Defendant Bowen ("Attorney Bowen").

PROCEDURAL BACKGROUND

On March 24, 2025, Plaintiff filed a Summons and Petition for *Ex Parte* Emergency Injunctive Relief against John R. C. Bowen, an attorney who represented a party previously adverse to her. Specifically, Attorney Bowen represented Benny Hudson Seafood Corp in a prior 2018 matter, bearing Case No. 2018-CP-07-00793 ("*the 2018 Action*"), against Geraldine White and Craig White. In that matter, Attorney Bowen obtained an Order of Judgment in the amount of \$201,723.27 jointly and severally against Geraldine and Craig White on behalf of his client, Benny Hudson Seafood Corp., following a damages hearing heard by Judge Marvin Dukes, III. Despite being provided notice, Ms. White failed to appear at the damages hearing.

EXHIBIT

A

After the judgment was entered, Ms. White attempted to set aside the entry of default. In support of that effort she filed a Memorandum of Points and Authorities she stated to the Court that the “Defendants [were] the owner of the subject boat, names Poppas Grace.” She also filed a separate Declaration and Affidavit. At no point during the 2018 Action proceedings did she deny ownership of the shrimp boat. After a full and fair opportunity to be heard, Judge Dukes subsequently denied Ms. White’s Motion to Set Aside Entry of Default. Ms. White then appealed, and the Court of Appeals dismissed her appeal.

In the instant action, Plaintiff has sought emergency, injunctive relief against Attorney Bowen. She has alleged that Attorney Bowen knowingly and deceptively misrepresented facts in his pleadings before Judge Dukes in the 2018 Action, wherein it was alleged that Plaintiff was an owner of the shrimp boat at issue. Despite Attorney Bowen having secured a valid judgment in that action, Plaintiff contends that Attorney Bowen has improperly used judgment obtained in the 2018 Action to seize her percentage share of proceeds of the sale of the White Family Trust property. As it relates to Attorney Bowen, she has sought a temporary restraining order against Attorney Bowen, as well as an order to stay the enforcement of the judgment against Ms. White.

At the hearing on Defendant’s Motion to Dismiss, or in the alternative, for Summary Judgment, Plaintiff disputed the validity and the amount of the judgment against her. Counsel for Attorney Bowen maintained that the judgment was valid and secured after proper use of legal process, that Attorney Bowen was immune from liability to third parties for actions taken with the scope of his representation, and that Plaintiff’s action should be dismissed.

LEGAL STANDARD

Rule 56(c), SCRCP, provides that a circuit court shall grant summary judgment “if the pleadings, depositions, answers to interrogatories, and admissions on file, together with the

affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law.” *Beneficial Fin. I, Inc. v. Windham*, 431 S.C. 256, 264–65, 847 S.E.2d 793, 798 (Ct. App. 2020). When a motion for summary judgment is made and supported as provided in Rule 56, SCRCP, “an adverse party may not rest upon the mere allegations or denials of his pleading, but his response, by affidavits or as otherwise provided in this rule, must set forth specific facts showing that there is a genuine issue for trial. If he does not so respond, summary judgment, if appropriate, shall be entered against him.” S.C.R. Civ. P. 56(e). The court must view the facts in the light most favorable to the non-moving party, and when reasonable minds cannot differ on plain, palpable, and indisputable facts, summary judgment should be granted. *Windham*, 431 S.C. at 265, 847 S.E.2d at 798.

FINDINGS

The Court has considered the arguments of Ms. White and Attorney Bowen and has reviewed the pleadings in this action and the 2018 Action. After careful consideration, the Court hereby GRANTS Attorney Bowen’s Motion for Summary Judgment for the following reasons.

I. The Judgment in the 2018 Action is Valid and Binding.

It is a general principle in this state that one circuit court judge does not have the authority to set aside the order of another, which is essentially what Ms. White is asking this Court to do. *Enoree Baptist Church v. Fletcher*, 287 S.C. 602, 604, 340 S.E.2d 546, 547 (1986); *see also Steele v. Charlotte, Columbia & Augusta R.R.*, 14 S.C. 324, 330 (1880). Judge Marvin Dukes, III, issued the Order of Judgment in the 2018 Action on August 22, 2018. There is no evidence that statements made by Attorney Bowen on behalf of his client were knowingly false or that would warrant reopening this previously decided case. Indeed, when the Plaintiff moved to set aside the entry of default in the 2018 Action, she did not dispute her ownership of the vessel involved. Therefore,

there was no misrepresentation, nor any evidence of misrepresentation, by Mr. Bowen in taking that position for his client. Accordingly, there is no genuine dispute that the judgment obtained by Attorney Bowen on behalf of Benny Hudson Seaford Corp. in the 2018 Action is valid and binding. The Plaintiff's Petition is therefore dismissed.

II. The Attorney Immunity Doctrine Applies to Attorney Bowen.

In addition, it is well-settled law in South Carolina that “an attorney is immune from liability to third persons arising from the performance of his professional activities as an attorney on behalf of and with the knowledge of his client.” *Gaar v. N. Myrtle Beach Realty Co.*, 287 S.C. 525, 528, 339 S.E.2d 887, 889 (Ct. App. 1986). “Immunity is a function of the fact that an attorney acting within the scope of representation is not acting on his or her own behalf, but on the client's behalf.” *Hager v. McCabe, Trotter & Beverly, P.C.*, 869 S.E.2d 886, 889 (Ct. App. 2022).

First, Plaintiff's Petition clearly shows that Attorney Bowen's actions relate to his professional duties as an attorney representing his client, Benny Hudson Seaford Corp., in the 2018 Action. Second, there is no evidence before this court indicating that any actions Mr. Bowen took were outside of his duties as an attorney for Benny Hudson Seaford Corp. It is evident that Plaintiff aims to hold Attorney Bowen responsible for statements made in pleadings and before the Court in the 2018 Action. Since Plaintiff's claims unquestionably stem from Attorney Bowen's actions and statements made in his role as an attorney, he is immune from liability to third parties. *Id.* Attorney Bowen is therefore entitled to judgment as a matter of law, as he is immune from liability for his conduct in the 2018 Action. Consequently, Ms. White's Petition is dismissed.

AND IT IS SO ORDERED!

Charleston, South Carolina

November _____, 2025

Carmen T. Mullen
Presiding Judge



Beaufort Common Pleas

Case Caption: Geraldine White VS John R C Bowen , defendant, et al

Case Number: 2025CP0700718

Type: Order/Dismissal

So Ordered

s/Carmen T Mullen 2142

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	CASE NO. 2018-CP-07--00793
COUNTY OF BEAUFORT	)	
 BENNY HUDSON SEAFOOD CORP	)	
	)	
Plaintiff,	)	
	)	
vs.	)	ORDER OF JUDGMENT
	)	
GERALDINE WHITE AND CRAIG	)	
WHITE,	)	
	)	
Defendants.	)	
_____	)	

This matter came before me on August 21, 2018 pursuant to the authority granted to me to hold damages hearings and to hear and decide motions in civil jury matters by Order of The Supreme Court of South Carolina dated December 20, 2017. Present at the hearing were John R.C. Bowen, Esquire, the attorney for the plaintiff, and Mrs. Barbara Hudson, President of the plaintiff corporation. No appearance was made by defendant Geraldine White or defendant Craig White. Prior to commencing the hearing, and after the appointed time therefore, I thrice called the names of the defendants in the halls of the Beaufort County Courthouse without response.

Pursuant to Rule 55(b) of the South Carolina Rules of Civil Procedure and upon the plaintiff's Motion for Default Order, the court finds that:

1. On April 16, 2018, Plaintiffs brought this action against defendants Geraldine White and Craig White alleging gross negligence on the part of the defendants resulting in the sinking of the White's¹ boat at the plaintiff's commercial dock facility. The Complaint seeks actual damages, punitive damages, and pre-judgment interest.

¹ According to the pleadings, the 35' boat is owned by Geraldine White and the Captain and manager in control of the vessel was Craig White who brought it to plaintiff's dock.

EXHIBIT

B

2. According to the well pled allegations of the Complaint, Craig White, the captain and manager of the boat, contacted plaintiff's President, Barbara Hudson, prior to Hurricane Matthew and requested permission to bring the boat to plaintiff's commercial dock. Hudson unequivocally denied the request. Nevertheless, and while plaintiff's representatives were away from Hilton Head Island during the mandatory evacuation, Craig White brought the boat to the dock where it sank during the storm. Thereafter, and continuing through today, the owner and manager of the boat have failed and refused to mark or remove the wreck as required by law, and have been grossly negligent in their failures. As a consequence, plaintiff has been denied the use of the commercial dock and has lost earnings and incurred other damages.

3. Plaintiff served Geraldine White personally by delivery of the Summons and Complaint to her at 141 Lamotte Dr. Hilton Head Island, SC on April 16, 2018. Defendant Craig White was personally served by the Beaufort County Sheriff's Office at 132 Squire Pope Road, Hilton Head Island, SC on April 24, 2018. Affidavits of Service for each defendant are part of the court's file on this matter.

4. No answer was filed nor was any appearance made by counsel of behalf of either defendant, and both Geraldine White and Craig White are in default.

5. On May 30, 2018, the Plaintiff filed Affidavits of Default as well as a Motion for Default Judgment. The Affidavits and Motion were served on the defendants on June 14, 2018 as further appears from the Certificate of Service which is in the Court's file. No response was made by or on behalf of the defendants.

6. The court scheduled a hearing for August 21, 2018 as evidenced by the Notice of Hearing sent to the defendants on July 27, 2018, which notice is a part of the Court's file.

7. On August 21, 2018, a hearing was held before me for the purpose of taking

testimony on the damages. Appearing at the hearing were John R.C. Bowen, Esquire, counsel for the plaintiff, as well as the plaintiff's president, Barbara Hudson. No appearance was made by the defendants or any counsel on their behalf.

8. Ms. Hudson testified that she is the president of the plaintiff corporation, and that she has been actively involved in its operation and management since approximately 1973. She further testified that she had denied defendants' request to place their thirty-five foot (35') boat at her dock, and that while she was away from Hilton Head during the mandatory evacuation for Hurricane Matthew, Mr. White brought the boat to plaintiff's dock, and tied it to the dock where it sank. She then testified that she had contacted Geraldine White and Craig White on numerous occasions thereafter to demand that the boat be removed, however they had made no effort to remove the wreck which was blocking her commercial dock and rendering it inaccessible to other vessels.

9. Ms. Hudson introduced an estimate to remove the defendants' boat from ShoreShapers, Inc. of Charleston, SC in the amount of \$25,000.00, and this exhibit was admitted into evidence.² She further testified that the company had incurred total damages of \$146,880.00 as a result of the defendants' gross negligence, and delineated as follows:

- A. Lost earnings from dockage charges - \$12,880.00
- B. Lost Revenue on shrimp sales - \$104,000.00³
- C. Cost of wreck removal - \$30,000.00

² This estimate was based on the removal of two boats; however Hudson testified that if only the White boat was removed, the cost would be \$30,000.00.

³ She testified that this figure was derived from the average catch of 1,000 lbs per week delivered to her dock by the average shrimp boat. Since her dock has been unavailable as of this date for 52 weeks of the 2016, 2017, and 2018 seasons, 52,000 lbs. of product had to be purchased elsewhere at a cost of \$2.00 per pound more for a total loss of \$104,000.00.

NOW, THEREFORE, upon motion of the plaintiffs and consideration of the pleadings, the Court's file, evidence, and testimony of the plaintiff's representative,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED THAT:

1. Plaintiff is entitled to an award of: (1) actual damages in the amount of \$146,880.00; (2) pre-judgment interest on the cost of wreck removal from October 8, 2016 through the date hereof in the amount of \$4,843.27⁴; and, (3) Punitive damages of \$50,000.00 for defendants' willfulness and gross negligence for a total judgment of \$201,723.27.

2. The Plaintiffs shall have judgment against and recover from defendants Geraldine White and Craig White jointly and severally the sum of \$201,723.27 plus interest at the legal rate from the date hereof until the judgment is paid.

AND IT IS SO ORDERED.

Marvin H. Dukes, III Special Circuit
Court Judge

Beaufort, South Carolina
August ____, 2018

⁴ 145 days in 2016 at 7.50%, 365 days in 2017 at 7.75%, and 233 days in 2018 at 8.5%

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF BEUFORT
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2018 CP-07-00793

BENNY HUDSON SEAFOOD CORP

GERALDINE WHITE

PLAINTIFF(S)

CRAIG WHITE

DEFENDANT(S)

Submitted by: JOHN R. C. BOWEN, ESQUIRE

Attorney for : ☒ Plaintiff ☐ Defendant
or
☐ Self-Represented Litigant

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. ☐ See Page 2 for additional information.
- ☐ **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:

ORDER INFORMATION

This order ☒ ends ☐ does not end the case.

Additional Information for the Clerk : _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
BENNY HUDSON SEAFOOD CORP	GERALDINE WHITE & CRAIG WHITE	\$201,723.27
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: Title abstractors and researchers should refer to the official court order for judgment details.**

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

Circuit Court Judge

Judge Code

Date

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20____ to attorneys of record or to parties (when appearing pro se) as follows:

John R. C. Bowen, Esquire

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

Court Reporter:

E-Filing Note: In E-Filing counties, 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 judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRPC.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.



Beaufort Common Pleas

Case Caption: Benny Hudson Seafood Corp VS Geraldine White , defendant, et al

Case Number: 2018CP0700793

Type: Order/Judgment by Default and Form 4

So Ordered:

s/Marvin H. Dukes III #3069



Beaufort County Fourteenth Judicial Circuit Public Index



[Beaufort County Home Page](#) [South Carolina Judicial Department Home Page](#) [SC.GOV Home Page](#)

Switch View

Benny Hudson Seafood Corp VS Geraldine White , defendant, et al

Case Number:	2018CP0700793	Court Agency:	Beaufort County Common Pleas	Filed Date:	04/16/2018
Case Type:	Common Pleas	Case Sub Type:	Person Inj/Other 399	File Type:	Non-Jury
Status:	Ended	Assigned Judge:			
Disposition:	Ended by Judgment/Dismissal-Arbit/Mediat	Disposition Date:	08/22/2018	Disposition Judge:	Dukes, Marvin H III
Original Source Doc:		Original Case #:			
Judgment Number:	2018CP0700793	Court Roster:			

Case Parties

Judgments

Tax Map Information

Associated Cases

Actions

Financials

For:	Benny Hudson Seafood Corp	Against:	White, Geraldine	Judg. Amount:	\$202,173.27	Judgment Date:	08/22/2018
Description:	Judgment/Judgment	Disposition:		Disp. Date:		Date Entered/Last Changed	08/22/2018 - 08/30/2019
Notes:	None						
Judgment Details							
Claims Code		Detail Desc.		Detail Amount		Detail Date	
JGM		Judgment		\$201,723.27		08/22/2018	
CST		SC Court of Appeals Motion for Costs Granted		\$450.00		08/28/2019	

For:	Benny Hudson Seafood Corp	Against:	White, Craig	Judg. Amount:	\$202,173.27	Judgment Date:	08/22/2018
Description:	Judgment/Judgment	Disposition:		Disp. Date:		Date Entered/Last Changed	08/22/2018 -- 08/30/2019
Notes:	None						
Judgment Details							
Claims Code		Detail Desc.		Detail Amount		Detail Date	
JGM		Judgment		\$201,723.27		08/22/2018	
CST		SC Court of Appeals Motion for Costs Granted		\$450.00		08/28/2019	

EXHIBIT

C

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Jul 31 2026

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS**

Appeal from Beaufort County
Court of Common Pleas

Carmen T. Mullen, Circuit Court Judge

Appellate Case No. 2025-002399
Circuit Court Case No. 2025-CP-07-00718

Geraldine White,

Appellant

v.

John R. C. Bowen and Kori Brett McKeithan,

Respondents.

PROOF OF SERVICE

CLEMENT RIVERS, LLP
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Attorneys for Respondent John R. C. Bowen

I, Graydon V. Olive, IV, of Clement Rivers, LLP, attorneys for Respondent John R. C. Bowen, hereby certify that their **MOTION TO EXPEDITE APPEAL** was served on all other parties to this appeal on July 31, 2026, via email (see attached) or US mail to their following parties/counsel of record:

Joseph DuBois, joe@libertyoaklaw.com
Liberty Oak Law Firm, LLC
Attorney for Kori Brett McKeithan

Geraldine White, whitegeraldine91@gmail.com
141 Lamotte Drive #A3
Hilton Head Island, SC 29926
pro se Appellant

Respectfully submitted,
CLEMENT RIVERS, LLP

By: s/Graydon V. Olive, IV
Graydon V. Olive, IV (SC Bar No. 105319)
Attorneys for Appellants

Charleston, South Carolina

July 31, 2026

Justman, Aimee

From: Justman, Aimee
Sent: Friday, July 31, 2026 3:17 PM
To: joe@libertyoaklaw.com; Geraldine White
Cc: Brown, Stephen L.; Olive, IV, Graydon; Davis, Jay; Grevey, Kara S.; Hines, Russell
Subject: Appeal 2025-002399 – White v. Bowen – CR250372 – Motion to Expedite Appeal
Attachments: White - Motion.pdf; White - Motion Exhibit A.pdf; White - Motion Exhibit B.pdf; White - Motion Exhibit C.pdf

Attached for service on you in the above-referenced matter, please find a Motion to Expedite Appeal.

A paper copy is being placed in the US Mail for Ms. White.

Thank you,

Aimee Justman
Paralegal and Group Coordinator
Commercial Litigation & Appellate Group
Clement Rivers, LLP
Phone: (843) 720-5460
Fax: (843) 579-1385
MatterId:

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Jul 31 2026

SC Court of Appeals



CLEMENT RIVERS, LLP

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