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Aug 05 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM OCONEE COUNTY
Court of Common Pleas

Hon. Patrick C. Fant, III, Circuit Court Judge

Appellate Case No. 2026-001361

American Pharma Machinery, LLC. Appellant,

Vs.

Clements Electrical, Inc., Alton Frederick Clements, Jr., Janet Gay Clements, Jason Dix,
Nicholas Behringer, Sherry L. Burgess, Nicholson H. Jerry, Francesco Majia Armando Frank,
Melissa C. Chastain, Jared Adam Pierce. Respondents.

MOTION FOR EXTENSION

NOW INTO COURT COMES the Appellant, American Pharma Machinery, LLC, by and through undersigned counsel and herby moves this Court for an Order granting an extension of time to file a return to the Respondent's Motion To Dismiss pursuant to Rule 263(b), SCACR.

This motion hereof is based on the following:

Dorothy Pierce is the owner of the Appellant American Pharma Machinery, LLC (the "LLC") and she currently resides in Uganda. The LLC was represented by Ashaley Christian Boatwright at the hearing which is the subject of this appeal. An order (the "Order"), as referenced in Respondents' Motion to Dismiss, was entered on March 18, 2026. Mr. Boatwright did not notify Mrs. Pierce of the results of the hearing or the entry of the Order despite attempts by Mrs. Pierce to contact him. Presumably, Mr. Boatwright was otherwise occupied dealing with matters relating to events which resulted in his interim suspension by the Supreme Court of South

Carolina on June 10, 2026. Mrs. Pierce ultimately obtained the Order from the Oconee County Clerk of Court on May 14, 2026 and filed the Notice of Appeal on June 12, 2026.

Respondents filed the Motion to Dismiss on July 15, 2026 and the undersigned counsel (“Counsel”) received notice of a deficiency letter transmitted to Respondents’ counsel on July 17, 2026. Counsel anticipated receiving notice of the date Respondents’ deficiency was cured. Receiving none, Counsel contacted the Clerk of Court on July 30, 2026, and was informed that the deficiency was cured on July 17, 2026, but that the Court had not ruled on Respondents’ motion. Subsequently, Counsel obtained a copy of the first page of Respondents’ motion with stamped received dates by the Court of both July 15, 2026 and July 22, 2026. It thus appears there is some confusion concerning the date Respondents’ deficiency was cured.

Additionally, during the time in which the Motion To Dismiss was pending, I have not had reliable access to my computer files due to issues with a replacement computer. Furthermore, I have had to attend to previously scheduled family obligations that could not be rescheduled. Moreover, additional time is required to fully and adequately respond to Respondent’s Motion To Dismiss based on the fact that I am in the process of obtaining an affidavit and other relevant information from Mrs. Pierce in Uganda. Accordingly, Counsel certifies that this motion is not interposed for delay and is submitted for good cause. Therefore, I request that the Court allow a delayed filing of Appellant’s Return to the Motion and an extension of the time to file the Return until August 20, 2026.

WHEREFORE in consideration of the foregoing, Appellant hereby respectfully moves this Court for an extension of time to file its Return to Respondent’s Motion To Dismiss, for delayed acceptance by the Court of such filing, and to hold all deadlines regarding the deadline in

abeyance until this Court renders case decision on the motion *sub judice*. Appellant also moves for such other and further relief as the Court deems just and proper.

I SO MOVE!

By: s/ **John E. Chambers, Jr.**
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Attorney For Appellant

5th August, 2026
Greenville, South Carolina

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PROOF OF SERVICE

I, John E. Chambers, Jr., do hereby certify that on **5th August, 2026**, I have served the
Respondents in the above captioned action on the date set forth herein, with a true copy of the
Appellant's **Motion For Extension** via email to counsel's email address as indicated by the AIS.

Parties Served:

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[SIGNATURE PAGE TO FOLLOW]

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5th August, 2026

Greenville, South Carolina