

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

The Honorable Perry H. Gravely, Circuit Court Judge

Appellate Case No. 2025-0024299

Lower Court Case No. 2022-CP-23-00240

RECEIVED

Aug 06 2026

SC Court of Appeals

DiscoverFresh Foods, Inc.....Respondent,

v.

Jesus Concepcion, Kendry S. Tavarez a.k.a. Kendry Solange Feliz, and National Risk
Solutions, LLC, Defendants, of which Jesus Concepcion is the Appellant.

PROOF OF SERVICE

Pursuant to SCACR Rule 262(c)(3), I certify that I have caused the **Final Brief of Respondent** to be served upon the following Appellant of record by email address of record, U.S. Mail, and FedEx and Supreme Court Order dated May 29, 2020, addressed as follows:

Jesus Concepcion, 524137-A5-38
Spartanburg County Detention Center
950 California Avenue
Spartanburg, South Carolina 29303
solangefeliz07@gmail.com

(Signature Page Follows)

TIMMONS BROGDON LAW FIRM, LLC

By: /s/ Sarah Anderson Timmons

Sarah Anderson Timmons [SC Bar # 100007]

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Greenville, SC 29601

Telephone: (864) 906-0289

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***Counsel for Respondent DiscoverFresh Foods,
Inc.***

Greenville, South Carolina

August 6, 2026

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Aug 06 2026

SC Court of Appeals

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GREENVILLE, SC 29604
TIMMONSBROGDON.COM

August 6, 2026

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

VIA E-Mail (ctappfilings@sccourts.org) & FEDEX

RE: DiscoverFresh Foods, Inc. v. Jesus Concepcion, et al.

Appellate Case No. 2025-002429

Lower Court Case No. 2022-CP-23-00240

Dear Clerk of Court,

I am in receipt of a letter from the Clerk of Court regarding the timeliness of Respondent's Final Brief. Respondent respectfully submits its Final Brief and submits this letter for the Court's consideration on why the Court should accept Respondent's Final Brief.

On June 9, 2026, Appellant submitted the initial Record on Appeal. On July 13, 2026, the Court of Appeals sent a letter to Appellant *pro se* indicating that there were deficiencies in the Record on Appeal. On July 23, 2026, Appellant filed the Amended Record on Appeal, which changed the page numbers of the Record on Appeal along with a letter indicating that he was incarcerated and requested leave to file the corrected record belatedly. Respondent did not object to same out of courtesy to the fact that Appellant was incarcerated. Respondent has only been in receipt of the Final Record of Appeal since July 23, 2026 and was waiting on same to submit its Final Brief so that its Final Brief matched the Final Amended Record on Appeal. Appellant's letter with the Amended Record on Appeal providing a complete record indicated that the pagination for the record had changed. Furthermore, Respondent never received a paper copy of the Final Brief via mail.

Upon review of the Amended Record on Appeal, there are documents referenced in Respondent's Brief that were not included in the Amended Record on Appeal. By way of example, Respondent's Initial Brief references the letter in which Appellant attempted to make a *pro se* appearance but acknowledged he was notified of the Order for Entry of Default that Respondent referenced in its Initial Brief on page 5 and dated December 21, 2023, which was included in Respondent's

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Designation of Matter to be Included on Appeal, which was not included in Appellant's Record on Appeal, and which Respondent was waiting to see if they were corrected in the Amended Record on Appeal. (*See* Respondent's Initial Brief, p. 3.)

Therefore, Respondent respectfully requests this Court accept and consider Respondent's Final Brief. Respondent apologizes for any oversight in this matter.

Respectfully submitted,

A handwritten signature in cursive script that reads "Sarah Timmons".

SARAH TIMMONS

CC: Jesus Concepcion