The South Carolina Court of Appeals

Debra Hoffman, Trustee of The Hoffman Family Trust,
Appellant,

v.

Graham Barugh; Weeks & Irvine, LLC; and Does 1 to 50, Defendants,

of which Graham Barugh is the Respondent.

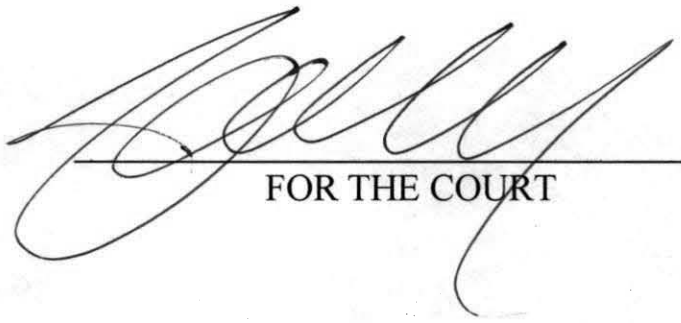
Appellate Case No. 2026-001160

ORDER

On May 15, 2026, Appellant filed a notice of appeal from an order granting attorney's fees and costs to Respondent and an order denying Appellant's motion for reconsideration. On July 23, 2026, Appellant filed a motion to hold the appeal in abeyance and remand to the circuit court to allow Appellant to file a motion pursuant to Rule 60 of the South Carolina Rules of Procedure. On July 27, 2026, Appellant filed a supplement to the motion. Appellant states a remand is necessary to allow Appellant to file a Rule 60 motion to address alleged fraud on the court. No return was filed. After careful consideration, we grant Appellant's motion for leave to file a Rule 60 motion. *See* Rule 60, SCRCP ("During the pendency of an appeal, leave to make the motion must be obtained from the appellate court."). Although we grant Appellant's motion, we leave it to the circuit court to determine, in the first instance, if the error complained of by Appellant constitutes fraud.

Within fifteen days of the date of this order, Appellant shall file and serve her Rule 60 motion. Further, Appellant must provide this court with status updates every thirty days until the circuit court resolves the motion, and Appellant shall provide this court with the circuit court's ruling on the motion within ten days of receipt of the circuit court's written order. Appellant's failure to provide status updates or to provide this court with a copy of the circuit court's written order will result in dismissal of this appeal.

We hold this appeal in abeyance pending the circuit court's resolution of the motion.



_____ J.
FOR THE COURT

Columbia, South Carolina

FILED
Aug 19 2026

cc:
Bruce Robert Hoffman, Esquire
Evan Abell Carter, Esquire
Honorable Jocelyn Newman
Jerri Ann Roseneau