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October 14, 2026

VIA EMAIL (ctappfilings@sccourts.org)

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

RECEIVED
Oct 15 2026
SC Court of Appeals

Re: Shirley Castillo v. Canterbury Park at Lake Carolina Association, Inc.
Appellate Case No. 2026-001670

Dear Sir or Madam:

Following a telephone conversation with Ms. Emily Heid, Appeals Specialist, we understand that a letter is an appropriate way to bring the following to the Court's attention. We write respectfully about the Court's Order of October 14, 2026 dismissing this appeal (Exhibit A), which appears to rest on a misunderstanding of the procedural history in the circuit court. The Order states:

"Richland County also filed a motion to alter or amend. The circuit court granted Richland County's motion on August 5, 2026; rescinded its order granting summary judgment; and denied Canterbury's motion for summary judgment. . . . After careful consideration, we find the order appealed by Ms. Castillo and Mr. Cooper has been rescinded and the order appealed by Richland County is not immediately appealable. Accordingly, the appeal is dismissed."

With respect, the circuit court record differs from this account in three ways.

First, Richland County did not file a motion to alter or amend. The only post-judgment motions were the two that Ms. Castillo and Mr. Cooper filed under Rule 59(e), SCRPC, on May 27, 2026: one asking the circuit court to reconsider its order granting summary judgment to Canterbury Park (Exhibit B), and one asking it to reconsider its order granting summary judgment to Richland County (Exhibit C).

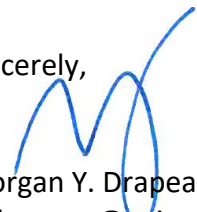
Second, the circuit court's August 5, 2026 order concerned Richland County alone (Exhibit D). It granted Ms. Castillo and Mr. Cooper's motion as to Richland County, found "genuine issues of material fact as to this Defendant," rescinded the May 6, 2026 order granting Richland County summary judgment, and denied Richland County's motion for summary judgment. It did not address Canterbury Park's motion. Because the circuit court entered both of its summary judgment orders on May 6, 2026, the August 5 order's reference to "its Order of May 6, 2026" could understandably be read as reaching both. The order's opening sentence, however, limits it to the order "granting Summary Judgment for Richland County."

Third, the order granting summary judgment to Canterbury Park has not been rescinded. The circuit court denied the motion to reconsider that order on June 30, 2026 (Exhibit E). That ruling did not end the case as a whole, but it did end the case as to Canterbury Park. Ms. Castillo and Mr. Cooper timely filed their notice of appeal on July 29, 2026, and that order remains in effect and is the order under review in this appeal. They filed their Initial Brief and Designation of Matter on October 8, 2026.

As to Richland County, the claims were returned to the circuit court's trial roster and may be called for trial the week of October 26, 2026. Richland County did not ask the circuit court to reconsider the August 5 order. It instead filed a notice of appeal from that order on October 9, 2026 (Exhibit F). On October 12, 2026, Ms. Castillo and Mr. Cooper moved to dismiss that appeal because an order denying summary judgment is not immediately appealable (Exhibit G). They agree with the Court that Richland County's appeal should be dismissed.

Ms. Castillo and Mr. Cooper therefore respectfully ask the Court to amend its October 14, 2026 Order so that it dismisses Richland County's appeal only and reinstates their appeal from the order granting summary judgment to Canterbury Park, or to clarify the Order as the Court finds appropriate. Should the Court prefer that this be raised by a motion to reinstate or a petition for rehearing, they will file it promptly. Thank you for your attention to this request.

Sincerely,



Morgan Y. Drapeau
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Enclosures: Exhibits A through G
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