

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENWOOD COUNTY
Court of Common Pleas
Charles B. Simmons, Jr., Special Referee

RECEIVED

Oct 23 2026

SC Court of Appeals

App. Case No. 2026-002044

Edgefield Holdings, LLCRespondent,

v.

John W. Polasky, Pucketts Ferry Homeowners Association, Inc., Greenwood County,
South State Bank, N.A.,.....Defendants,

Of which John W. Polasky is the.....Appellant.

APPELLANT'S RETURN TO MOTION
FOR EXPEDITED BRIEFING AND DISPOSITION

Appellant hereby submits this return to the Respondent's motion that seeks an expedited briefing schedule and expedited disposition of this appeal. Appellant partially consents to this motion and partially opposes it.

Because of differences in how the parties read substantive law, Appellant does not perceive any emergency is posed by this appeal proceeding on a typical schedule; however, Appellant understands why Respondent believes one is. Appellant agrees that briefing of this appeal may be accomplished more quickly than is typical.

Accordingly, Appellant does not object to an expedited schedule, so long as Appellant's counsel has at least ten days to complete Appellant's brief after the order setting the expedited schedule and at least five days following the service on him of Respondent's brief to complete the reply brief.

Appellant does not consent to any curtailment of rights to seek rehearing, rehearing *en banc*, and certiorari in the event of an adverse opinion being issued by this court. What is at issue in this case is important and involves whether the plain language of statutes and Supreme Court precedent may be properly disregarded because of the presence of a contrary statement that was obviously dicta (i.e., obviously not a statement on the issues decided) in an opinion of this court. Depending on the outcome before this court, review by the Supreme Court may be appropriate to settle this case's central questions definitively, as Supreme Court precedent is involved and there is evidently some confusion by the bench and bar.

Appellant consents to an expedited schedule as noted above. Appellant opposes any attempt to limit the parties' rights to seek rehearing or petition for a writ of certiorari. Appellant leaves to this court whether to impose limits on when it may issue an opinion in this case.

Respectfully submitted,

/s/ Andrew S. Radeker

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Common Pleas Case No. 2025-CP-24-00155

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v.

John W. Polasky, Pucketts Ferry Homeowners Association, Inc., Greenwood County,
South State Bank, N.A.,.....Defendants,

Of which John W. Polasky is the.....Appellant.

PROOF OF SERVICE

I certify that I have served the foregoing return to motion for expedited briefing
and disposition on the date given below by emailing it to opposing counsel at the
address(es) noted below.

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Respectfully submitted,

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October 23, 2026