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Oct 26 2026
SC Court of Appeals

IN THE COURT OF APPEALS
STATE OF SOUTH CAROLINA

Robert Barnett, as Trustee of the RH 401(k) Plan,
Respondent,

V.

Erica Lynn Davis, Austin J. Davis,
and
Signature Gain Express Trust, DTE 06/22/2022 (An Irrevocable Express Trust Organization),
Harol Alezu Lozano Moran, Sole Trustee, Defendants,
of which Erica Lynn Davis and Austin J. Davis are the Appellants.

Appellate Case No. 2025-002218

NOTICE OF MAILING OF FILING FEE AND REQUEST FOR RECOGNITION OF TIMELY COMPLIANCE

TO THE HONORABLE SOUTH CAROLINA COURT OF APPEALS:

Appellants Erica Lynn Davis and Austin J. Davis, appearing as self represented appellants, respectfully provide notice concerning payment of the filing fee identified in the Court's deficiency notice.

1. Notice of Mailing. On October 26, 2026, the deadline specified for curing the filing-fee deficiency, Appellants placed into the custody of the United States Postal Service a USPS money order, bearing serial number ending in **59940**, for payment of the required filing fee, addressed to the Clerk of the South Carolina Court of Appeals.

2. Mailing Information. The mailing originated from ZIP Code 29681, Simpsonville, South Carolina, on October 26, 2026, with an anticipated delivery date of October 29, 2026. Appellants retain the USPS documentation evidencing the mailing and identifying the payment instrument.

3. Applicable Appellate Rule. Rule 262(a)(2), SCACR, expressly recognizes the date of mailing as the filing date for qualifying documents deposited in the United States mail, properly addressed to the appellate clerk with sufficient first-class postage. Appellants respectfully invoke this rule with respect to this Notice and request that the Court consider the documented October 26, 2026 mailing date in determining timely compliance with the filing-fee deficiency notice.

4. Good-Faith Compliance. Appellants acted within the prescribed deadline to cure the identified deficiency and did not intend to delay payment or appellate proceedings. The

anticipated October 29 delivery date reflects postal transit time rather than any additional delay attributable to Appellants.

5. Request for Recognition. Appellants respectfully request that the Court recognize the documented mailing of the filing fee on October 26, 2026, determine that the deficiency was timely cured upon receipt and acceptance of the payment, or otherwise grant such relief as necessary to prevent postal transit time from prejudicing Appellants' pending appeal.

REQUEST FOR RELIEF

WHEREFORE, Appellants respectfully request that this Court:

1. Accept this Notice as evidence of the timely mailing of the filing-fee payment;
2. Consider October 26, 2026, as the operative date of Appellants' attempted compliance with the deficiency notice;
3. Recognize the filing-fee deficiency as cured upon receipt and acceptance of the USPS money order; and
4. Grant such further relief as justice and the applicable appellate rules permit.

Respectfully presented,

Erica Lynn Davis, Appellant

Austin J. Davis, Appellant

131 Roundtree Drive
Simpsonville, South Carolina 29681

Date: October 26, 2026

Signature

Date: _____