

The South Carolina Court of Appeals

Edgefield Holdings, LLC, Respondent,

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.

Appellate Case No. 2026-002044

ORDER

On October 21, 2026, Respondent filed a motion for expedited briefing and disposition, explaining that the appeal will become moot before appellate review can be completed if the appeal proceeds under the ordinary appellate briefing schedule. Appellant filed a return, explaining he is not opposed to an expedited briefing schedule but objecting to any limitation of his right to seek rehearing or petition for a writ of certiorari. Respondent indicated it would not be filing a reply.

After careful consideration, we grant in part and deny in part Respondent's motion to expedite. A motion to expedite is generally premature if made before the record on appeal and final briefs are filed. *See Maner v. Maner*, 278 S.C. 377, 380, 296 S.E.2d 533, 535 (1982) (explaining that motions to expedite were premature in cases where the briefs remained outstanding). Because the parties have not served and filed the record on appeal and final briefs, Appellant's motion to expedite is denied without prejudice. However, we grant Respondent's request to set an expedited briefing schedule as follows: Appellant shall serve and file its initial brief and designation of matter within five days of the date of this order.¹

¹ On September 15, 2026—the day Appellant filed his notice of appeal—Appellant indicated no transcript would be ordered and that he understood his brief would be due in thirty days. As of the date of this order, no appellant's brief has been filed

Respondent shall serve and file its initial brief and designation of matter within seven days of service of Appellant's initial brief and designation of matter. Appellant shall serve and file any initial reply brief within four days of service of Respondent's initial brief and designation of matter. Thereafter, Appellant shall serve and file the record on appeal within five days, and the parties shall serve and file their final briefs within seven days of service of the record on appeal. If no reply brief is filed, Appellant shall serve and file the record on appeal within five days of service of Respondent's initial brief and designation of matter, and the parties shall serve and file their final briefs within seven days of service of the record on appeal. Furthermore, there shall be a presumption against granting extensions in this case.

Krista Lenth

J.

FOR THE COURT

Columbia, South Carolina

cc:

Andrew Sims Radeker, Esquire
James Graham Padgett, III, Esquire
Zachary Lee Weaver, Esquire
Lawrence Michael Hershon, Esquire

FILED
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and no motion to extend the time for filing Appellant's initial brief has been received.