

THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

APPEAL FROM SPARTANBURG COUNTY
Court of Common Pleas

R. Keith Kelly, Circuit Court Judge

Appellate Case No. 2016-002552

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SC Court of Appeals

Walter L. Pepperman, II, and T. Ann Pepperman,
v.
Henry H. Edwards, and Pamela J. Edwards,

Appellants,
Respondents.

MOTION CONCERNING COMPLETION
OF BRIEFING ON APPEAL

Walter L. Pepperman, II
T. Ann Pepperman
165 Old Melvin Hill Rd.
Campobello, S.C. 29322
(864-592-2978)
Appellants Pro Se

July 3, 2017

Pursuant to SCAR 240, appellants hereby move the Court for an Order requiring the completion of briefing on the captioned appeal. The grounds for this motion are as follows:

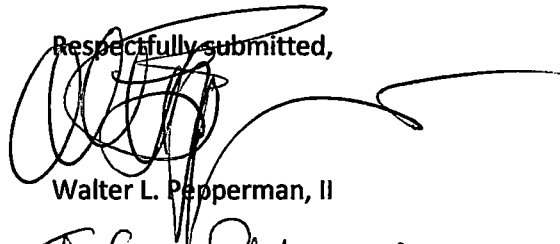
1. Appellants served and filed their appeal in this Court with a cover letter dated December 20, 2016, requesting reversal of a Decision and Order of the Court of Common Pleas dated September 9, 2016, (received by appellants on December 16, 2016), wherein that Court found the existence of a latent defect in the roof of a horse barn built by respondents and sold to appellants, but then refused to apply settled South Carolina law to appellants' claim in that regard, resulting in a ruling in favor of respondents. That Court also incorrectly construed respondents' Property Condition Disclosure in connection with the sale of the underlying property by respondents to appellants, with the same result.
2. Appellants proceeded to serve and file their initial brief and designation with a cover letter dated January 17, 2017.
3. Appellants had not ordered the transcript of the Common Pleas Court hearing because there was no need for it since the issues on appeal involved legal errors on the face of that Court's decision.
4. Nevertheless, the Clerk of this Court raised the matter of the transcript, and respondents refused to agree it was not needed, without in any respect explaining why.
5. Accordingly, in order to move this matter forward, appellants went to the needless expense of ordering the transcript, the original of which was received by them on May 30, 2017. There has been no indication that respondents ordered a copy.
6. On May 31, 2017, appellants notified the Clerk that the transcript had been received, and requested action to proceed with this appeal. To date, nothing has been done to require respondents to file their initial brief and designation.
7. Since the filing of this appeal, appellants have been advised on three separate occasions

that, pending certain actions to be performed on their part, their appeal could be dismissed. However, no action has been taken to enforce this Court's rules against respondents.

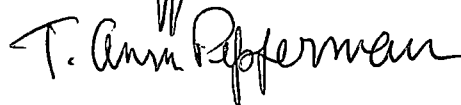
8. All of the foregoing statements are based upon the record in the Clerk's office, and appellants do not believe any further separate supporting memorandum is necessary. Appellants adopt the contents of this Motion as their memorandum.

WHEREFORE, appellants respectfully request that this Court enter an Order either fixing a date certain for the filing of respondents' initial brief and designation, or finding that respondents have waived the filing of an initial brief and directing such further action as the Court deems appropriate.

Respectfully submitted,



Walter L. Pepperman, II

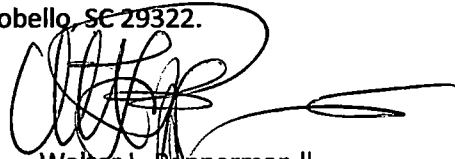


T. Ann Pepperman
165 Old Melvin Hill Rd.
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(864) 592-2978
Appellants Pro Se

July 3, 2017

CERTIFICATE OF SERVICE

I, Walter L. Pepperman II, do hereby certify that I am an appellant in the foregoing matter and that, on July 3, 2017, I served upon respondents, Henry H. Edwards and Pamela J. Edwards, appellants' Motion Concerning Completion Of Briefing, by depositing two copies thereof in the United States Mail, postage prepaid, addressed to them at 2081 Red Radford Road, Campobello, SC 29322.



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165 Old Malvin Hill Rd.
Campobello, SC 29322
(864) 592 2978
Appellant, Pro Se

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SC Court of Appeals

July 3, 2017


Jenny Abbott Kitchings, Clerk
The South Carolina Court of Appeals
P. O. Box 11629
Columbia SC 29211

Re: Walter L. Pepperman II, and T. Ann Pepperman, Appellants, v. Henry H. Edwards, and Pamela J. Edwards, Respondents, Appellate Case No. 2016-002552.

Dear Clerk Kitchings:

I am delivering to you herewith for filing in the captioned matter the original and six copies of appellants' Motion Concerning The Completion Of Briefing On Appeal, with Certificate of Service, and a check for the filing fee of \$25.

Respectfully yours,


Walter L. Pepperman II
165 Old Melvin Hill Road
Campobello, SC 29322
Appellant

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SC Court of Appeals

cc: Henry H. Edwards, and Pamela J. Edwards, Respondents. w/enc.

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