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APR 29 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BARNWELL COUNTY
Court of Common Pleas

Clifton Newman, Circuit Court Judge

Case No. 2018-CP-06-00383

United States of AmericaRespondent,

v.

Edgar Payton, Willie Payton, Hattie Payton, F. Hamilton Dicks, III,
the United States of America, acting through the Small Business
Administration, successors in interest to Still & Williams, Inc.,
SC Electric & Gas Co., and David Payton Defendants,

Of Whom, Edgar Payton isAppellant,


MOTION TO STAY APPEAL

Walker H. Willcox #72608
Katherine McLean Ryan #101063
Willcox, Buyck & Williams, P.A.
P.O. Box 1909
Florence, S C 29503-1909
(843) 662-3258 - Tel.
Attorneys for Respondent

The Respondent, United States of America, moves the Court that the appeal against it be stayed for six months. The basis for the Motion is the H.R. 1319, the American Rescue Plan Act of 2021 (“ARPA”) which became Public Law No: 117-2 on March 11, 2021. Section 1005 provides debt relief to Farm Service Agency direct and guaranteed loan borrowers who are socially disadvantaged farmers. Respondent seeks a six month stay in the proceedings until the ramifications of how the ARPA applies to Defendants can be fully assessed. All of parties who have appeared in this action have consented to the request for a six month stay, with the exception of the Small Business Administration, from whom Respondent has not received a response regarding its consent for a stay.

Respectfully submitted,

WILLCOX, BUYCK & WILLIAMS, P.A.

BY: 
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Attorneys for Respondent

Florence, South Carolina
April 27, 2021

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the United States of America, acting through the Small Business
Administration, successors in interest to Still & Williams, Inc.,
SC Electric & Gas Co., and David Payton Defendants,

Of Whom, Edgar Payton is Appellant,

PROOF OF SERVICE

I certify that on April 27, 2021, I served the **Respondent's Motion to Stay Appeal** on the *Defendants*, through their attorneys of record, by depositing a copy of same in the United States Mail, postage prepaid, to:


Daniel W. Williams
PO Box 616
Barnwell, SC 29812
Attorney for Appellant

Martha M. Rivers, Esquire
RIVERS LAW, LLC
12923 Main Street
Williston, SC 29853

Matthew J. Modica
Assistant United States Attorney
151 Meeting St., Suite 200
Charleston, SC 29401

Jay E. Bressler
SCANA Services, Inc.
220 Operation Way, Mail Code C222
Cayce, SC 29033

WILLCOX, BUYCK WILLIAMS, P.A.

By: 
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Attorneys for Respondent

April 27, 2021

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SC Court of Appeals

HONORABLE JENNY ABBOTT KITCHINGS
CLERK OF COURT
SOUTH CAROLINA COURT OF APPEALS
PO BOX 11629
COLUMBIA, SC 29211

Re: United States of America v. Edgar Payton, Willie Payton, Hattie Payton, F. Hamilton Dicks, III, the United States of America, acting through the Small Business Administration, successors in interest to Still & Williams, Inc., SC Electric & Gas Co., and David Payton
Civil Case No: 2018-CP-06-00383

Dear Ms. Kitchings:

Enclosed please find an original and six copies of Respondent's Motion to Stay Appeal and Proof of Delivery in connection with the above appeal. Also enclosed is our firm's check in the amount of \$50.00 for the filing of this Motion. Please file the original and return a filed copy to me in the enclosed envelope.

Should you have any questions or concerns, please contact me at (843) 662-3258.

With kindest regards,

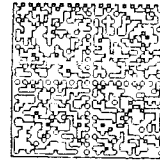


Katherine McLean Ryan
Email: kryan@WillcoxLaw.com

Enclosures

Cc: Daniel W. Williams
Martha M. Rivers
Matthew J. Modica
Jay E. Bressler

FIRST-CLASS



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Williams, P.A. Since 1895

Post Office Box 1909
Florence, SC 29503

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To:

HONORABLE JENNY ABBOTT KITCHINGS
CLERK OF COURT
SOUTH CAROLINA COURT OF APPEALS
PO BOX 11629
COLUMBIA, SC 29211

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