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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 America .....Respondent,

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 is .....Appellant,

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**MOTION TO STAY APPEAL**

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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. A stay in the appeal was previously granted pursuant to this Court's Order dated June 3, 2021. 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. The ramifications of how the ARPA applies to Defendants have not yet been finalized. Respondent therefore seeks a six month stay in the proceedings. 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 and SC Electric & Gas Co, from whom Respondent has not received a response regarding their consent for a stay.

Respectfully submitted,

WILLCOX, BUYCK & WILLIAMS, P.A.

BY:

  
Walker H. Willcox #72608  
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*Attorneys for Respondent*

Florence, South Carolina  
February 18, 2022

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Administration, successors in interest to Still & Williams, Inc.,  
SC Electric & Gas Co., and David Payton ..... Defendants,

Of Whom, Edgar Payton is .....Appellant,

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**PROOF OF SERVICE**

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I certify that on February 18, 2022, 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*

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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: 

Walker H. Willcox #72608  
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PO Box 1909  
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***Attorneys for Respondent***

February 18, 2022

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Wm. Reynolds Williams♦  
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E. Lloyd Willcox, II  
Tracy L. Wright  
J. Scott Kozacki  
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Paula A. Sartor  
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♦ Certified Mediator

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February 18, 2022

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

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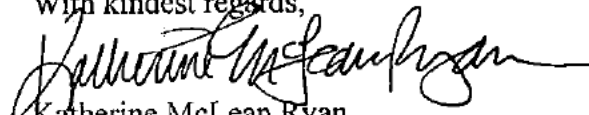
Re: United States of America v. Edgar Payton, Willie Payton, Hattie Payton, F. Hamilton Dicks, III, the United States of America, acting through the Small Business Administration, successors in interest to Still & Williams, Inc., SC Electric & Gas Co., and David Payton  
Civil Case No: 2018-CP-06-00383

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.

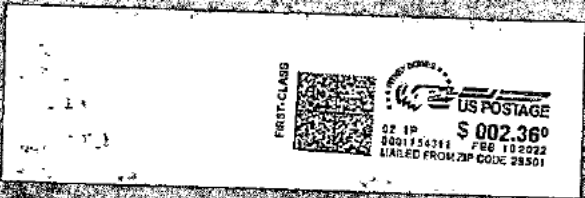
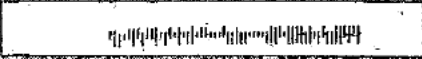
With kindest regards,



Katherine McLean Ryan  
Email: kryan@WillcoxLaw.com

Enclosures

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



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02 1P  
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800154311  
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MAILED FROM ZIP CODE 29501

Willcox, Buyck &  
Williams, P.A. Since 1895  
Post Office Box 1909  
Florence, SC 29503

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TO:  
HONORABLE JENNY ABBOTT KITCHINGS  
CLERK OF COURT  
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COLUMBIA, SC 29211

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