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**Jul 19 2024**

**SC Court of Appeals**

IN THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM LANCASTER COUNTY  
Court of Common Pleas

Brian M. Gibbons, Circuit Court Judge

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Appellate Case No. 2024-000557

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Roberta Moore, ..... Appellant,

v.

Rebecca Giesler, ..... Respondent.

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**RESPONDENT'S MOTION TO DISMISS APPEAL  
AND MEMORANDUM IN SUPPORT THEREOF**

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THE CLOUD LAW FIRM, LLC

Jennifer M. Cloud, Esquire

1467 Ebenezer Road

Rock Hill, SC 29732

(803) 693-5721

*Attorney for Respondent*

**NOW COMES** Respondent Rebecca Giesler, by and through her undersigned counsel, and hereby moves this Court to dismiss this appeal in its entirety pursuant to South Carolina Appellant Court Rules (“SCACR” or the “Rules”) 208, 240, and 260. This Motion is based on the hearing transcripts of the Circuit Court, Appellant’s Request for Appeal, Appellant’s Notice of Appeal, Appellant’s Initial Brief, and the supporting memorandum hereto. Respondent states the grounds of her motion as follows:

### **INTRODUCTION**

Respondent Rebecca Giesler filed a Motion for Summary Judgement on January 8, 2024, and said motion was heard by the Circuit Court on February 12, 2024. On March 5, 2024, the Circuit Court granted summary judgment in favor of Respondent and ordered Respondent’s counsel to submit a formal order within 10 days of the Form 4 Order. On March 8, 2024, Respondent’s counsel emailed two formal, proposed order to the Honorable Judge Brian Gibbons, stating that because the Form 4 Order did not specify whether summary judgment was granted for both the Appellant’s Complaint and Respondent’s Counterclaim, or solely against Appellant’s Complaint. After failing to receive a reply, Respondent’s counsel forwarded the proposed orders to the trial court administrator on March 26, 2024, and she advised to electronically file both orders and Judge Gibbons could review and sign the correct one. On the same day, Judge Gibbons signed an Order in favor of Respondent as to Appellant’s Complaint in its entirety and in favor of Respondent’s counterclaim of breach of contract against Appellant.

Appellant filed a Request for Appeal with this Court on April 2, 2024. (Apr. 2, 2024, Notice of Appeal). On April 19, 2024, this Court sent a letter confirming receipt of her appeal and assigning an appellate case number, along with a link to the Rules, and an advisement that all filing must comply with the Rules. (Apr. 19, 2024, Notice of Appeal Letter). On the same day, this Court sent

a deficiency letter to Appellant because she had failed to file a copy of the notice of appeal with the Circuit Court; failed to tender the filing fee for the appeal; and failed to comply with the Rules as to the formatting of her request for appeal. (Apr. 19, 2024, Deficiency Letter). On August 26, 2024, Appellant provided proof of payment of the filing fee and of filing a corrected Notice of Appeal with the Circuit Court. (Apr. 26, 2024, Correction Letter).

On April 29, 2024, this Court sent a notice letter to Appellant advising that the time to order the Circuit Court's transcript had expired and that Appellant must provide proof that the transcript was timely ordered or file a motion to order the transcripts outside of the Rules' deadlines. (Apr. 29, 2024, Time to Order Transcript Expired Letter). On May 8, 2024, Appellant filed a motion to allow for late ordering of the transcript arguing irrelevant points of contention as to why this Court should allow the late ordering. (May 8, 2024, Motion to Allow Late Ordering of Transcript). Despite the flaws in the transcript motion, Respondent did not argue against said motion because the failure to order the transcripts were procedural in nature. Appellant timely requested all transcripts thereafter and this Court granted the motion to allow for the late ordering. (*See* May 16, 2024, Transcript Documents-Transcript Ordered; May 22, 2024, Transcript Documents- Other Correspondence; May 30, 2024, Transcript Documents- Other Correspondence (Emails Regarding Transcript); and June 4, 2024, Transcript Documents-Transcript Delivered – Direct Appeal; and June 6, 2024, Order Allowing Late Ordering of Transcript).

On July 5, 2024, Appellant filed her initial brief. (Jul. 5, 2024, App. Initial Brief). Appellant's initial brief is incomplete; fails to comply with formatting rules set out under Rule 208, SCACR; states erroneous facts; cites cases and statutes from Arizona and California; lists inappropriate reasons for appeal that are not based in law; provides no support for her appeal; and is so lacking in substance that Respondent is unable to provide a meaningful response.

Appellant further failed to file a designation of matter to be included in the record on appeal. On July 17, 2024, Appellant received yet another deficiency letter from this Court advising that the designation of matter must be filed within ten days, or the appeal would be dismissed for failure to comply with the Rules. (July 17, 2024, Deficiency Letter).

Based upon the above, and Respondent's inability to appropriately respond to this appeal, this appeal should be dismissed. In the alternative, Respondent respectfully requests that this Court issue an Order requiring Appellant to resubmit her brief and designation of matter to comply with the South Carolina Rules of Appellate procedure.

### ARGUMENT

**I. The appeal should be dismissed because Appellant has consistently and materially failed to comply with the South Carolina Appellate Court Rules and failed to preserve any purported issues for appellate review.**

This Court should dismiss Appellant's appeal given her repeated failure to comply with the Rules. Pursuant to Rule 260(a), SCACR, "[w]henver it appears that an appellant . . . has failed to comply with the requirements of these Rules, the clerk shall issue an order of dismissal, which shall have the same force and effect as an order of the appellate court." Rule 260(a), SCACR.

"[T]he South Carolina Appellate Court Rules are not mere technicalities but provide the parties and this Court with an orderly mechanism through which to guide appeals in this State." *Henning v. Kaye*, 307 S.C. 436, 437, 415 S.E.2d 794, 794 (1992). "Though South Carolina affords . . . the opportunity to appeal, the right to an appeal may be lost through a variety of actions by an appellant, such as: (1) failure to timely serve a notice of appeal under Rule 203, SCACR; (2) failure to serve and file an initial brief and designation of matter under Rule 208(a)(4), SCACR. . ." *State v. Serrette*, 375 S.C. 650, 652, 654 S.E.2d 554, 555 (Ct. App. 2007). Furthermore, the burden is on the appellant to provide the appellate court with an adequate record for review. *State v. Williams*, 321 S.C. 455, 464 n.4, 469 S.E.2d 49, 54 n.4 (1996). All litigants, whether pro se or represented

by counsel, are held to the same standards and are expected to adhere to the Rules of the Court. *See State v. Barnes*, 407 S.C. 27, 31, 753 S.E.2d 545, 547 (2014).

A. Appellant's Brief fails to comply with the South Carolina Appellate Court Rules.

Appellant's initial brief (the "Brief") substantially fails to comply with Rule 208, SCACR, and based upon said failure, Appellant's appeal should be dismissed in its entirety.

Pursuant to Rule 208, SCACR, an appellant's brief shall contain (1) a table of contents and cases; (2) statements of issues on appeal; (3) a statement of the case (4) the applicable standard of review; (5) legal argument(s); and (6) a conclusion. *See* Rule 208(b)(1)(A)-(F).

1. *Appellant's Table of Contents do not accurately reference the section(s) to the pages of the Brief and fail to list the argument outline.*

The table of contents should have page references for each section of the brief. *See* Rule 208(b)(1)(A), SCACR. The table of authorities shall list cases referenced within the brief, in alphabetical order; statutes; and any other authority cited, with references to the pages of the brief where they are cited. *Id.*

Appellant's Brief includes a table of contents with the correct listed section therein; however, the pages referenced on the table of contents are incorrect and there are no page references for the argument section or conclusion. The table of authorities list two cases, which are not in alphabetical order and are not binding or persuasive. Appellant provides no context in the body of her brief as to what legal arguments these authorities are being used to support. Appellant further lists South Carolina Rules of Civil Procedure ("SCRCP"), Rule 56, and CCP 2019.030 as referenced statutes. There are no page references to where these authorities appear in the Brief.

2. *Appellant's Statements of Issue on Appeal and Standard of Review fail to comply with the Rules.*

Pursuant to Rule 208(b)(1)(B), an appellant's brief shall contain a concise and direct statement of each of the issues presented for review. *See* Rule 208(b)(1)(B), SCACR. "Broad general statements may be disregarded by the appellate court." *Id.* Further, "[t]he Brief shall contain a section with the heading "Standard of Review," which shall concisely set forth the applicable standard of review with citations to relevant case law establishing the standard." Rule 208(b)(1)(D), SCACR.

Appellant's Brief list four statements of issue for this appeal, none of which are direct, concise, or appropriate for review. Based on the Brief's statements of issues, the Appellant is attempting to appeal a summary judgment grant because (1) the court case was continued at some point; (2) Respondent's counsel allegedly did not file 'paperwork' on time; (3) Respondent's counsel did not include all contracts in request for summary judgment grant; and (4) Respondent's counsel erred in formal paperwork indicating there were no objections to interrogatories, but the interrogatories were cumulative and duplicative. (*See* App. Initial Brief, pg. ii). Appellant fails to list an issue on appeal that concerns the Circuit Court and its decision. Appellant's issues on appeal deal with whether Respondent's counsel erred in one way or another, which is not a basis for appeal under these circumstances.

The Brief contains a section entitled "Standard of Review," however the language listed fails to set forth any applicable standard of review. The Brief cites 18 U.S. Code § 1341 and S.C. Code § 16-17-640, criminal codes concerning fraud and blackmail, and states because of the stated statutes, the case should be reinstated. (*See* App. Initial Brief, pg. iv).

Without these required contents, it is impossible for Respondent to frame a response for her initial brief and designation of matter to be included in the record on appeal. The deficiencies in

Appellant's brief also make it impossible for this Court to decipher what error(s) Appellant asserts were made by the trial court.

3. *Appellant's Statement of the Case is incomplete, lists erroneous information, and fails to comply with the Rules.*

Rule 208(b)(1)(C), SCACR, states, in pertinent part:

The statement shall contain a concise history of the proceedings, insofar as necessary to an understanding of the appeal. The statement shall not contain contested matters and shall contain, as a minimum, the following information: the date of the commencement of the action or matter; the nature of the action or matter; the nature of the defense or of the response; the action of the court. . . the date(s) of trial or hearing; the mode of trial; . . . the date and nature of the order, judgment or decision appealed from; the date of the service of the notice of appeal; the date of and description of such orders, judgments, decisions and proceedings of the lower court. . . that may have affected the appeal, or may throw light upon the questions involved in the appeal . . . matters stated or alleged in appellant's statement shall be binding on appellant.

Rule 208(b)(1)(C), SCACR.

The Brief's statement of the case is wholly deficient, as it fails to state pertinent dates and other necessary facts to provide a synopsis necessary to understand the case and subsequent appeal. The Brief further provides erroneous information regarding the disposition of the case.

Although not thorough, the Brief's first two paragraphs are mostly accurate and provide the posture of the case up and until the Circuit Court's ruling on Respondent's 12(b)(6) motion. Appellant then states,

On February 12th, 2024 another Motion to Dismiss was heard by the Honorable Judge Gibbons. At that time the Respondent's counsel and The Honorable Judge Gibbons was given a written list of objections to the Respondent's Interrogatories which was counsel's basis for dismissal.

(App. Initial Brief, pg. iii). This statement is erroneous because Respondent's counsel filed a motion for summary judgment, not an additional motion to dismiss, and the basis of the summary judgment motion was based upon Rule 56, SCRCF, and Rule 36, SCRCF, as Appellant failed to object, or otherwise respond, to any request for admissions within 30 days.

Respondent's counsel never referred to Appellant's interrogatories, with the exception of informing the Circuit Court that no discovery responses, including interrogatories, were served upon Respondent, or her counsel, within the required time frame. (Feb. 12, 2024, Transcript, pg. 2). Appellant provided a deficient response to Respondent's interrogatories at the conclusion of the summary judgment hearing. To date, no objections have been received by Respondent or Respondent's counsel concerning the request for admissions.

Moreover, the Brief fails to provide the date and nature of the summary judgment order and the date of the service of the notice of appeal, as specifically required under the Rules.

*4. Appellant's Legal Arguments lack case law, statutory law, and arguments supporting this appeal.*

An appellant has the burden of presenting an adequate record on appeal. *See Harkins v. Greenville Cnty.*, 340 S.C. 606, 616. 533 S.E.2d 886, 891 (2000). "The brief shall be divided into as many parts as there are issues to be argued. At the head of each part, the particular issue to be addressed shall be set forth in distinctive type, followed by **discussion** and citations of authority." Rule 208(b)(1)(E), SCACR. (emphasis added).

The Brief lists four statements under the "Argument" section, which are set forth in all capitalized terms and separated into paragraphs. (*See App. Initial Brief*, pg. v). The arguments, however, start and end with the enumerated statements. The Brief fails to list any discussion or citations of authority under any argument. The Brief is simply an outline with no substantive arguments or law providing support to the arguments contained therein.

The Brief fails to articulate arguments for which an appeal can stand. Said failure is fatal to Appellant's appeal, as Appellant has not provided support for the appeal in the Brief and fails to provide a substantive argument for which Respondent can properly respond.

5. *Appellant's Brief fails to reference the record.*

The Rules further provide, “[t]he brief shall contain references to the transcript, pleadings, orders, exhibits, or other materials which may be properly included in the Record on Appeal [see Rule 210(c)] to support the salient facts alleged. References shall also be made to where relevant objections and rulings occurred in the transcript.” Rule 208(b)(4), SCACR.

The Brief contains no references to the transcript, pleadings, orders, exhibits, or other materials. The only reference contained in the Brief is for CCP 2019.030, a California civil procedure rule. (*See generally* App. Initial Brief, pg. i, ii, and v).

6. *Appellant failed to file a designation of matter to be included in the record on appeal.*

“At the same time a party serves his initial brief(s) . . . he shall also serve on all parties to the appeal a Designation of Matter to be Included in the Record on Appeal which shall set forth with specificity those parts of the transcript, pleadings, orders, exhibits, or other materials which he proposes to include in the record on appeal.” Rule 209(a), SCACR.

In this case, Appellant failed to file a designation of matter to be included in the record on appeal and failed to move for an extension of time to do so. Appellant has received a deficiency notice from this Court to file the designation to be compliant with the Rules. Despite the time provided by this Court to cure this deficiency has not yet expired, this failure is another instance of Appellant’s consistent non-compliance with the Rules.

Based upon the foregoing, this appeal should be dismissed for continuous violations under the Rules. To further provide support under this motion, Respondent turns to the *Henning* Court, where the respondents moved to dismiss an appeal claiming that the appellant’s initial brief failed to comply with the applicable appellate court rules. *Henning*, 307 S.C. at 437, 415 S.E.2d 794. The court in *Henning* found:

Appellant's brief fails to comply with the [then applicable appellate court rules] in the following particulars: the components of the brief are incorrectly organized and labeled, the issues are not distinctively headed, the table of authorities is not alphabetized or referenced to the body of the brief, the statement of the case contains contested matter and omits required information, and the arguments contain no citations to the record or to the cases listed in the table of authorities.

Counsel is advised that the South Carolina Appellate Court Rules are not mere technicalities but provide the parties and this Court with an orderly mechanism through which to guide the appeals in this State. It is incumbent upon counsel to provide material that complies with the Rules and facilitates appellate review.

*Id.* The Court further ruled that “[a]lthough this Court would be ***completely justified in dismissing this appeal*** based on appellant’s numerous violations of the Rules, we decline to do so and deny the motion to dismiss. *Id.* (emphasis added).

In *Henning*, the appellant’s brief failed to follow formatting guidelines and did not provide any citations in or to the record. Here, the flaws and deficiencies in Appellant’s Brief go well beyond mere technicalities. The Brief fails to comply with nearly every subsection of Rule 208, SCACR, and fails to properly set forth arguments and appropriate reasoning for this appeal. The Brief does not contain enough information to sufficiently state the issues on appeal and does not allow Respondent proper notice of the issues being appealed to sufficiently answer and defend against the appeal.

For all the foregoing reasons, this appeal should be dismissed in its entirety. In the alternative, this Court should issue an Order directing Appellant to resubmit her initial brief and designation of matter complying with the Rules.

B. This appeal should be dismissed because Appellant did not preserve any argument concerning any purported late filing issues or discovery issues for appellate review.

South Carolina appellate courts do not follow the “plain error” standard when sitting in review of a trial court's decision. *State v. Sheppard*, 391 S.C. 415, 421, 706 S.E.2d 16, 19 (2011) (“[T]he plain error rule does not apply in South Carolina state courts.”). “Instead, a party must have a

contemporaneous and specific objection to preserve an issue for appellate review.” *Id.* “[I]t is a litigant's duty to bring to the court's attention any perceived error, and the failure to do so amounts to a waiver of the alleged error.” *State v. Geer*, 391 S.C. 179, 193, 705 S.E.2d 441, 448 (Ct. App. 2010) (quoting *S.C. Dep't of Transp. v. First Carolina Corp. of S.C.*, 372 S.C. 295, 301, 641 S.E.2d 903, 907 (2007)). “One primary purpose of our issue preservation rules is to ‘give the trial court a fair opportunity to rule.’” *State v. Morales*, 439 S.C. 600, 609, 889 S.E.2d 551, 556 (2023). “It is axiomatic that an issue cannot be raised for the first time on appeal, but must have been raised to and ruled upon by the trial judge to be preserved for appellate review.” *Wilder Corp. v. Wilke*, 330 S.C. 71, 76, 497 S.E.2d 731, 733 (1998).

Pursuant to Appellant’s Request for Appeal and subsequent Notice of Appeal, the issues listed are: (1) counsel failed to file a formal order within the specified 10 day deadline given by the Court; (2) request for discovery was for items already a matter of public record and discovery request was unreasonable cumulative and duplicative; (3) Respondent’s summary judgment motion or memorandum omitted a contract addendum that was part of the public record; and (4) summary judgment should not have been granted based “on the material evidence given to show that a criminal act of extortion was in question.” (*See* April 2, 2024, Request for Appeal and April 26, Notice of Appeal).

As for the first issue, Respondent’s counsel timely emailed two formal, proposed orders to Judge Gibbons on March 8, 2024. (March 8, 2024, Email to Judge Gibbons). Even had this assertion been true, Appellant failed to bring this matter to the attention of the Circuit Court before filing this appeal and the Circuit Court further signed the Order after the provided 10-day deadline. Appellant provides no authority as to why the summary judgment grant should be reversed even if Respondent’s counsel failed to comply with the 10-day deadline.

As for the second issue, Appellant never objects to Respondent’s discovery request, neither in writing to Respondent’s counsel, nor orally during any hearing in the Circuit Court. During the February 12, 2024, hearing, Appellant makes no objection to the discovery requests served upon her, and the only mention of discovery by Appellant is when she asks the Court whether she can submit her response to the interrogatories to Respondent’s counsel. (Feb. 12, 2024, Transcript, pg. 6-7).

As for the third issue, Appellant lists no action taken by the Circuit Court, but objects to Respondent’s arguments and exhibits in her memorandum in support of summary judgment. Further, even if this Court gave deference to the exact language of Appellant’s issue, Appellant herself states that the contract was part of the record.

Pursuant to Rule 56, SCRCP, “[t]he judgment sought shall be rendered forthwith if the **pleadings**, depositions, answers to interrogatories, and admissions on file . . . show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law.” Rule 56(c), SCRCP. Plaintiff’s Complaint contained the ‘omitted’ addendum as an exhibit, therefore, said exhibit was reviewed and considered in the Circuit Court’s decision. (Plt. Complaint, Ex. D). Even more, the Circuit Court specifically states that the ‘omitted addendum’ was going to be considered in the decision. (Feb. 12, 2024, Transcript pg. 7).

As to the fourth issue, Appellant argues a criminal act of extortion was taking place and because of that, summary judgment should not have been granted. This allegation is baseless and highly improper for a variety of reasons, but specifically for this appeal because the Circuit Court would not have jurisdiction to rule on whether a criminal act of extortion occurred, and as such, cannot be a basis for appeal.

On Appellant's corrected notice of appeal, Appellant rewords her fourth issue of appeal to state that summary judgment should not be granted because the Honorable Judge Gibbons ruled that sufficient facts existed in the Appellant's Complaint for the cause of breach of contract accompanied with a fraudulent act to withstand a Rule 12(b)(6) motion. (Apr. 26, 2024, Notice of Appeal). Appellant disregards the subsequent motion for summary judgment and the request for admissions being deemed admitted. Appellant cannot argue that because a cause of action withstood 12(b)(6) scrutiny, that any other subsequent action has no bearing on the cause of action because it was not previously dismissed.

Based upon the omission of any discussion and relevant authority to support her arguments, this appeal fails to state any appealable issue. Looking solely at the statements presented on Appellant's Request for Appeal, Notice of Appeal, and Brief, said issues cannot be reviewed by this Court because the purported issues were never brought to the attention of the Circuit Court. Appellant made no attempt to file any motions pursuant to Rule 59, SCRPC, and "[i]ssues on which the trial judge never ruled and which are not raised in a post-trial motion are not properly preserved for appeal." *Goddard v. Fairways Dev. Gen. P'ship*, 310 S.C. 408, 412, 426 S.E.2d. 828, 831 (Ct. App. 1993).

### **CONCLUSION**

For the foregoing reasons, Respondent respectfully requests that this appeal be dismissed or, in the alternative, that this Court issue an Order directing Appellant to resubmit her initial brief and designation of matter to be included in the record of appeal to conform to the Rules, and requests such other relief this Court deems just and proper.

**THE CLOUD LAW FIRM, LLC**

/s/ Jennifer M. Cloud

Jennifer M. Cloud, Esq.

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jennifer@cloudlawsc.com

SC Bar: 103939

*Attorney for Respondent*

July 19, 2024  
Rock Hill, South Carolina

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**Jul 19 2024**

**SC Court of Appeals**

IN THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

\_\_\_\_\_  
APPEAL FROM LANCASTER COUNTY  
Court of Common Pleas

Brian M. Gibbons, Circuit Court Judge

\_\_\_\_\_  
Appellate Case No. 2024-000557  
\_\_\_\_\_

Roberta Moore, ..... Appellant,

v.

Rebecca Giesler, .....Respondent.

\_\_\_\_\_  
**CERTIFICATE OF SERVICE**  
\_\_\_\_\_

The undersigned hereby certifies that on July 19, 2024, she served a copy of Respondent’s Motion to Dismiss Appeal and Memorandum in Support and Certificate of Service by Mail upon the person below be depositing the same in the U.S. Mail with proper postage affixed and addressed as follows:

Roberta Moore, Appellant  
3194 Pine Bluff Way  
Indian Land, SC 29707

s/ Jennifer M. Cloud, Esq.  
\_\_\_\_\_  
Jennifer M. Cloud, Esq.  
The Cloud Law Firm, LLC

*Attorney for Respondent*

**From:** Jennifer Payne <JPayne@lancastersc.net>  
**Sent:** Tuesday, March 26, 2024 10:51 AM  
**To:** Jennifer Cloud  
**Subject:** RE: Proposed Order 2023-CP-29-00493

Yes, please!



**Jennifer Payne, Clerk**  
Clerk of Court

Lancaster County Government  
PO Box 1809  
104 N Main St  
Lancaster, SC 29720

P:(803) 285-1581 F: (877) 220-4138  
JPayne@lancastersc.net

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**From:** Jennifer Cloud <jennifer@cloudlawsc.com>  
**Sent:** Tuesday, March 26, 2024 10:50 AM  
**To:** Jennifer Payne <JPayne@lancastersc.net>  
**Subject:** RE: Proposed Order 2023-CP-29-00493

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It was not because I wasn't sure whether a counterclaim was included in his order or not after he took the matter under advisement. Should I e-file both copies?

*Jennifer Cloud, Esq.*  
Jennifer Cloud, Esq.

Schedule a call:  
<https://calendly.com/jencloud>

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**From:** Jennifer Payne <JPayne@lancastersc.net>  
**Sent:** Tuesday, March 26, 2024 8:32 AM

**To:** Jennifer Cloud <[jennifer@cloudlawsc.com](mailto:jennifer@cloudlawsc.com)>  
**Subject:** RE: Proposed Order 2023-CP-29-00493

Was this e-filed to Judge Gibbons?



**Jennifer Payne, Clerk**  
Clerk of Court  
  
Lancaster County Government  
PO Box 1809  
104 N Main St  
Lancaster, SC 29720  
  
P:(803) 285-1581 F: (877) 220-4138  
[JPayne@lanastersc.net](mailto:JPayne@lanastersc.net)

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**From:** Jennifer Cloud <[jennifer@cloudlawsc.com](mailto:jennifer@cloudlawsc.com)>  
**Sent:** Monday, March 25, 2024 10:13 PM  
**To:** Jennifer Payne <[JPayne@lanastersc.net](mailto:JPayne@lanastersc.net)>  
**Subject:** FW: Proposed Order 2023-CP-29-00493

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—IT Helpdesk, [lanastersc.supportsystem.com](http://lanastersc.supportsystem.com)

Hi Ms. Payne,

I sent these orders to Judge Gibbons below but have not heard back from him. I am concerned they may have gone to his spam folder. Is there any chance that you can forward them to him to ensure that he does receive them, if he has not already?

Thank you!

-Jennifer Cloud, Esq.  
The Cloud Law Firm, LLC

---

**From:** Jennifer Cloud <[jennifer@cloudlawsc.com](mailto:jennifer@cloudlawsc.com)>  
**Date:** Friday, March 8, 2024 at 6:59 PM

To: [bgibbonscc@sccourts.org](mailto:bgibbonscc@sccourts.org) <[bgibbonscc@sccourts.org](mailto:bgibbonscc@sccourts.org)>

Subject: Proposed Order 2023-CP-29-00493

Good evening,

Please see attached two proposed orders for the above-referenced case. I was unsure whether summary judgment was granted as to the defendant's first counterclaim as well, so I drafted two orders.

Please let me know if you need anything else or would like any changes to the orders.

Thank you.

All the best,



*Jennifer M. Cloud, Esq.*

*Owner, Attorney at Law for North and South Carolina*

\*\*\*\*WE HAVE MOVED LOCATIONS; OUR NEW ADDRESS IS 1467 EBENEZER RD. ROCK HILL, SC 29732\*\*\*\*

P.O. Box 12257  
Rock Hill, SC 29731

Office: (803) 693-5721  
Fax: (803) 721-3822  
[jennifer@cloudlawsc.com](mailto:jennifer@cloudlawsc.com)

Please send all loan packages and closings documents to [adrienne@cloudlawsc.com](mailto:adrienne@cloudlawsc.com).

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