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Feb 24 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Jocelyn Newman, Circuit Court Judge
Thomas McGee, III, Circuit Court Judge
Daniel Coble, Circuit Court Judge

Case No. 2025-00164

Rhonda Meisner, Appellant,

vs.

Grant Meisner; Grant Meisner, MD, LLC; Sheila Robinson;
Erwin Mangubat, MD; Moore, Taylor, & Thomas, P.A.;
Moore Taylor Law Firm, P.A.; Moore Bradley Myers Law Firm, PA;
Tricia L. Flowers; Flowers Consulting, LLC; Flowers Consulting, LLC;
Richard G. Whiting, Esquire; Law Offices of Richard G. Whiting, PA; and
John Doe, (1-10), Respondents.

RESPONDENT GRANT MEISNER’S MOTION TO DISMISS APPELLANT’S APPEAL

Respondent Grant Meisner moves the Court, pursuant to Rules 201, 203, 240 and 269 of the South Carolina Appellate Court Rules, for an order dismissing Appellant’s Appeal. This motion is made on the following grounds:

1. On March 18, 2022, Appellant Rhonda Meisner filed the complaint in this matter.
2. Grant Meisner answered and moved to dismiss on April 6, 2022.
3. On May 6, 2022, Ms. Meisner filed an amended complaint.
4. Grant Meisner answered the amended complaint on May 15, 2022.

5. On December 2, 2022, Chief Justice Jean H. Toal heard the motions of Respondent Meisner, in addition to motions filed by other parties in this case.
6. By order dated December 15, 2022, Chief Justice Toal granted the motions to dismiss.
7. The December 15, 2022, Order also disposed of certain motions to dismiss filed by Appellant concerning counterclaims asserted against her by several other parties.
8. On December 29, 2022, Appellant filed a Motion to Alter or Amend the trial court's December 15, 2022, Order.
9. By order filed on January 10, 2023, Chief Justice Toal denied Appellant's Motion to Alter or Amend that order.
10. Appellant belatedly filed a Notice of Appeal on February 15, 2023, attempting to appeal the January 10, 2023, order.
11. On June 6, 2023, this Court dismissed that appeal as untimely.
12. On July 28, 2023, this Court granted in part the Respondent's motion for costs ordering Appellant to pay \$1,000.00 in attorney's fees.
13. Appellant has failed to remit such payment to the Respondent.
14. On November 27, 2023, Appellant filed five separate *Lis Pendens* against Grant Meisner encumbering property set forth in those descriptions including Tax Map Numbers 10100-02-12; 10100-02-46; 10100-02-47; 15208-01-36; and a fifth *Lis Pendens* which did not contain a tax map number. These five *Lis Pendens* were filed November 27, 2023, even though the case had been dismissed against Grant Meisner at that time.

15. On December 6, 2023, Respondent Grant Meisner filed a Motion for Dissolution of Lis Pendens, and Sanctions. The motion was based on the fact that Grant Meisner was no longer a party to the lawsuit and that the lawsuit did not allege at all a controversy regarding ownership of the property.
16. On August 8, 2024, Grant Meisner's motion to dissolve the five *Lis Pendens* was heard by The Honorable Daniel Coble.
17. On August 22, 2024, Judge Coble issued an order finding there was no pending action against Grant Meisner and no basis upon which to file the *Lis Pendens*. The order further found that the original allegations in the complaint did not implicate the title to property and therefore a *Lis Pendens* was an inappropriate filing in the matter. The five *Lis Pendens* were dissolved by this order.
18. On September 6, 2024, Appellant filed a motion to reconsider Judge Coble's August 22, 2024, order. Judge Coble denied this motion to reconsider on September 13, 2024.
19. On September 30, 2024, Appellant filed a notice of appeal of previous orders as follows:

Rhonda Meisner appeals the Order of the Honorable Justice Jean Toal dated August 19, 2024 denying the Motion to Alter and Amend pursuant to Rule 60 filed December 1, 2023 that attempted to get a ruling on the SCRCP Rule 60b filed on January 11, 2023 and the previously filed Motion to Alter and Amend pursuant to Rule 52 and Rule 59 along with the underlying orders entered on December 15, 2022 and December 20, 2022. Appellant received written notice of entry of this order August 23, 2024 and this appeal is filed within 30 days of receipt of the order.”

This notice did not attach or reference Judge Coble’s order of August 22, 2024, dissolving the *Lis Pendens*, or his order of September 13, 2024, denying Appellant’s motion to reconsider.

20. On November 18, 2024, Appellant filed a Motion to Alter or Amend seeking to have the trial court modify Judge Thomas McGee’s Order of November 5, 2024, dismissing Defendants Tricia L. Flowers and Flowers Consulting, LLC from the lawsuit. Appellant’s motion was for “an Order modifying the facts/discussion section and reconsideration of his Order dismissing claims against Tricia Flowers and Flowers Consulting, LLC.”
21. By order filed on December 27, 2024, The Honorable Thomas W. McGee, III denied Plaintiff’s motion.
22. Appellant filed her Notice of Appeal from that order on January 27, 2025. In addition to appealing Judge McGee’s Order, Appellant includes on Page 2 of her notice that she is also appealing “the Interlocutory Orders of the Honorable Judge Coble dismissing the *lis pendens* on the properties, Denial of the Motion for Sanctions (at this time)....” Judge Coble’s order was filed August 22, 2024. Appellant’s Notice of Appeal was filed one hundred fifty-eight days after the order was issued, and one hundred thirty-seven days after the motion for reconsideration was denied.
23. Appellant’s claims against the Respondent were resolved on August 22, 2024, when the *Lis Pendens* were dissolved. Appellant cannot now attempt to appeal that decision.

24. The Respondent is entitled to an order dismissing Appellant's Appeal as a matter of law.
25. The Respondent is further entitled to recover his attorney's fees and costs incurred as a result of this frivolous appeal.

This motion is based upon the pleadings filed in this action, the applicable common and statutory law, and the memorandum filed herewith.

Respectfully submitted,

s/James Edward Bradley
James Edward Bradley, SC Bar #66130
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West Columbia, South Carolina 29169
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Attorney for Respondent Grant Meisner

West Columbia, South Carolina
February 24, 2025

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vs.

Grant Meisner; Grant Meisner, MD, LLC; Sheila Robinson;
Erwin Mangubat, MD; Moore, Taylor, & Thomas, P.A.;
Moore Taylor Law Firm, P.A.; Moore Bradley Myers Law Firm, PA;
Tricia L. Flowers; Flowers Consulting, LLC; Flowers Consulting, LLC;
Richard G. Whiting, Esquire; Law Offices of Richard G. Whiting, PA; and
John Doe, (1-10), Respondents.

**MEMORANDUM IN SUPPORT OF RESPONDENT GRANT MEISNER’S MOTION TO
DISMISS APPELLANT’S APPEAL**

Pursuant to Rules 201, 240, and 269 of the South Carolina Appellate Court Rules,
Respondent Grant Meisner submits this Memorandum in support of his Motion to Dismiss
Appellant’s Appeal.

BACKGROUND

On December 2, 2022, Chief Justice Jean H. Toal heard the Defendants’ motions to dismiss
in addition to motions filed by other parties in this case. By order dated December 15, 2022, retired
Chief Justice Toal granted the motion to dismiss of the Defendants Grant Meisner, Grant Meisner,
MD, LLC, Sheila Robinson, Moore Taylor & Thomas, PA, Moore Taylor Law Firm, PA, and

Moore Bradley Myers Law Firm, PA. The December 15, 2022 Order also disposed of certain motions to dismiss filed by Appellant concerning counterclaims asserted against her.

On December 20, 2022, retired Chief Justice Toal dismissed Moore Bradley Myers a/k/a Moore Taylor Thomas, PA a/k/a Moore Taylor Law Firm, PA.

On December 29, 2022, Appellant filed a Motion to Alter or Amend the trial court's December 15, 2022 Order. By order filed on January 10, 2023, retired Chief Justice Toal denied Appellant's Motion to Alter or Amend that order. Appellant filed her Notice of Appeal on February 15, 2023, attempting to appeal the January 10, 2023, Order. (*See Meisner v. Meisner, et al.*, Appellate Case No. 2023-000232, Ct. App. Feb. 15, 2023.) On June 6, 2023, this Court dismissed that appeal as untimely. (June 6, 2023, Order.) On July 28, 2023, this Court granted in part the Respondents' motions for costs ordering Appellant to pay \$1,000.00 in attorney's fees. (July 28, 2023, Order.) Appellant has failed to remit such payment.

On November 27, 2023, Appellant filed five separate *Lis Pendens* against Grant Meisner encumbering property set forth in those descriptions including Tax Map Numbers 10100-02-12; 10100-02-46; 10100-02-47; 15208-01-36; and a fifth *Lis Pendens* which did not contain a tax map number. These five *Lis Pendens* were filed November 27, 2023, even though the case had been dismissed against Grant Meisner at that time.

Respondent Meisner filed a Motion for Dissolution of *Lis Pendens* and Sanctions on December 6, 2023. This motion was based on the fact that Grant Meisner was no longer a party to the lawsuit and that the lawsuit did not allege at all a controversy regarding ownership of the property.

The Honorable Daniel Coble heard the motion to dissolve the five *Lis Pendens* and for sanctions on August 8, 2024. He issued his order on August 22, 2024, finding there was no pending

action against Grant Meisner and no basis upon which to file the *Lis Pendens*. The order further found that the original allegations in the complaint did not implicate the title to property and therefore a *Lis Pendens* was an inappropriate filing in the matter. The five *Lis Pendens* were dissolved by this order.

On September 6, 2024, Appellant filed a motion to reconsider Judge Coble's August 22, 2024, order. Judge Coble denied this motion to reconsider on September 13, 2024.

On September 30, 2024, Appellant filed a notice of appeal of previous orders as follows:

Rhonda Meisner appeals the Order of the Honorable Justice Jean Toal dated August 19, 2024 denying the Motion to Alter and Amend pursuant to Rule 60 filed December 1, 2023 that attempted to get a ruling on the SCRCR Rule 60b filed on January 11, 2023 and the previously filed Motion to Alter and Amend pursuant to Rule 52 and Rule 59 along with the underlying orders entered on December 15, 2022 and December 20, 2022. Appellant received written notice of entry of this order August 23, 2024 and this appeal is filed within 30 days of receipt of the order.”

This notice did not attach or reference Judge Coble's order of August 22, 2024, dissolving the *Lis Pendens*, or his order of September 13, 2024, denying Appellant's motion to reconsider.

On November 18, 2024, Appellant filed a Motion to Alter or Amend seeking to have the trial court modify Judge Thomas McGee's Order of November 5, 2024, dismissing Defendants Tricia L. Flowers and Flowers Consulting, LLC from the lawsuit. Appellant's motion was for “an Order modifying the facts/discussion section and reconsideration of his Order dismissing claims against Tricia Flowers and Flowers Consulting, LLC.”

By order filed on December 27, 2024, The Honorable Thomas W. McGee, III denied Plaintiff's motion.

Appellant filed her Notice of Appeal from that order on January 27, 2025. In addition to appealing Judge McGee's Order, Appellant includes on Page 2 of her notice that she is also appealing “the Interlocutory Orders of the Honorable Judge Coble dismissing the *lis pendens* on

the properties, Denial of the Motion for Sanctions (at this time)...” Judge Coble’s order was filed August 22, 2024, and the denial of the Appellant’s motion for reconsideration was filed on September 13, 2024.

ARGUMENT

Appellant’s Appeal is Frivolous

Appellant’s claims against the Respondent were resolved on December 15, 2022, and December 20, 2022, when the trial court granted Respondent’s motion to dismiss. Although Appellant attempted to appeal that order, she did not do so in a timely manner. Consequently, on June 6, 2023, this Court dismissed that appeal. The trial court’s dismissal of Appellant’s claims may not be re-litigated in this appeal.

Despite the dismissal of Respondent Meisner from the lawsuit, as well as the dismissal of the appeal, Appellant then filed five *Lis Pendens*. The *Lis Pendens* were dissolved by Judge Coble’s order of August 22, 2024, which found that there was no pending action against Grant Meisner and no basis upon which to file the *Lis Pendens*. The Order further stated that the original allegations in the complaint did not implicate the title to property and therefore a *Lis Pendens* was an inappropriate filing in the matter.

In addition, on September 6, 2024, Appellant filed a motion to reconsider Judge Coble’s August 22, 2024, order which was denied on September 13, 2024.

Appellant filed her notice of appeal on January 27, 2025. Appellant now attempts to improperly expand the scope of this appeal to include the unappealable Order of August 22, 2024. Appellant’s Notice of Appeal was filed one hundred fifty-eight days after Judge Coble’s order was issued (and one hundred thirty-seven days after ruling on the motion for reconsideration).

Appellant cannot revive her long resolved claims. Her appeal is clearly frivolous, it must be dismissed, and the Respondent is entitled to recover his attorney's fees and costs as a result.

CONCLUSION

Based upon the foregoing authorities and arguments, Respondent Grant Meisner respectfully submits that he is entitled to an order dismissing Appellant's appeal as a matter of law.

Respectfully submitted,

s/James Edward Bradley

James Edward Bradley, SC Bar #66130
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Attorney for Respondent Grant Meisner

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Tricia L. Flowers; Flowers Consulting, LLC; Flowers Consulting, LLC;
Richard G. Whiting, Esquire; Law Offices of Richard G. Whiting, PA; and
John Doe, (1-10), Respondents.

**AFFIDAVIT OF JAMES EDWARD BRADLEY IN SUPPORT OF RESPONDENT
GRANT MEISNER’S MOTION TO DISMISS APPELLANT’S APPEAL**

PERSONALLY APPEARED BEFORE ME, James Edward Bradley, who, being duly
sworn, states as follows:

1. I represent Respondent Grant Meisner in the above-referenced matter.
2. Respondent Grant Meisner filed a Motion to Dismiss Plaintiff's Complaint on April 6, 2022, a copy of which is attached as **Exhibit A.**
3. Retired Chief Justice Jean H. Toal heard this motion on December 2, 2022.
4. Additional motions were also heard at this time.

5. Respondent Grant Meisner's motion to dismiss was granted by order filed on December 15, 2022, a copy of which is attached as **Exhibit B.**

6. On December 29, 2022, Appellant filed a motion to alter or amend the trial court's Order, a copy of which is attached as **Exhibit C.**

7. Chief Justice Toal denied Appellant's motion to alter or amend by order filed on January 10, 2023, a copy of which is attached as **Exhibit D.**

8. Appellant filed her Notice of Appeal on February 15, 2023, concerning the January 10, 2023, order. *See* Appellant Case No. 2023-000232

9. On June 6, 2023, this Court dismissed Appellant's appeal as untimely.

10. On July 28, 2023, this Court granted in part the Respondents' motions for costs ordering Appellant to pay \$1000.00 in attorney's fees.

11. On November 27, 2023, Appellant filed five separate *Lis Pendens* against Respondent even though the case had been dismissed against Respondent Grant Meisner on December 15, 2022. Copies of the *Lis Pendens* are attached as **Exhibit E.**

12. On December 6, 2023, Respondent Grant Meisner filed a Motion for Dissolution of *Lis Pendens*, and Sanctions. The motion was based on the fact that Grant Meisner was no longer a party to the lawsuit and that the lawsuit did not allege at all a controversy regarding ownership of the property. A copy of the Motion is attached as **Exhibit F.**

13. On August 8, 2024, Respondent Grant Meisner's motion to dissolve the five *Lis Pendens* was heard by The Honorable Daniel Coble.

14. Judge Coble issued an order on August 22, 2024, dissolving the five *Lis Pendens*, finding there was no pending action against Respondent Grant Meisner and no basis upon which to file the *Lis Pendens*. A copy of this Order is attached as **Exhibit G.**

15. Appellant filed a motion to reconsider on September 6, 2024, which Judge Coble denied on September 13, 2024. A copy of this Order is attached as Exhibit H.

16. On September 30, 2024, Appellant filed a Notice of Appeal of retired Chief Justice Toal's August 19, 2024, Order. This notice did not reference or attach Judge Coble's Order of August 22, 2024, dissolving the *Lis Pendens*, nor did it reference or attach Judge Coble's Order of September 13, 2024, denying Appellant's motion to reconsider.

17. On November 18, 2024, Appellant filed a Motion to Alter or Amend Judge Thomas McGee's Order of November 5, 2024, which dismissed Defendants Tricia L. Flowers and Flowers Consulting, LLC from the lawsuit.

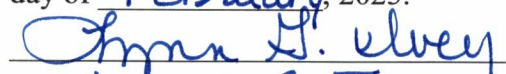
18. Judge McGee denied the Appellant's motion on December 27, 2024.

19. Appellant then filed a Notice of Appeal on January 27, 2025, appealing Judge McGee's order. On Page 2 of her notice, she states that she is also appealing "the Interlocutory Orders of the Honorable Judge Coble dismissing the lis pendens on the properties, Denial of the Motion for Sanctions (at this time)...."

20. The Order issued by Judge Coble was filed August 22, 2024, and the denial of the motion for consideration was filed on September 13, 2024. Appellant is attempting to appeal that decision over one hundred and thirty-seven days later.

FURTHER AFFIANT SAYETH NAUGHT.


James Edward Bradley

SWORN to before me this 24th
day of February, 2025.

LYNN G. IVEY (P.S.)
Notary Public for South Carolina
My Commission expires: 1/10/33



S. Jahue Moore†
James Edward Bradley†
Sheila McNair Robinson
Christian G. Spradley
William H. Edwards
S. Jahue Moore, Jr.
William B. Fortino
Ralph Nichols Riley, Jr.
John C. Bradley, Jr.
Lester McGill Bell, Jr.

February 24, 2025

Melissa K. Moore
Sierra D. Carini
Lawrence D. Turner
Emily E. Collins
Erin R. Conroy

Retired
J. Mark Taylor**
Robert D. Hazel†
C. David Sawyer, Jr.†
Bill C. Coleman (1916-2019)
Stanley L. Myers* (1976-2023)

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211
Via US Mail and Email: ctappfilings@sccourts.org

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Re: Rhonda Meisner vs. Grant Meisner; Grant Meisner, MD, LLC; Sheila Robinson; Erwin Mangubat, MD; Moore, Taylor, & Thomas, P.A.; Moore Taylor Law Firm, P.A.; Moore Bradley Myers Law Firm, PA; Tricia L. Flowers; Flowers Consulting, LLC; Flowers Consulting, LLC; Richard G. Whiting, Esquire; Law Offices of Richard G. Whiting, PA; and John Doe, (1-10).
Ct. App. No. 2025-00164

Dear Ms. Kitchings:

I hope you are well. We are filing a Motion for Dismissal, Memorandum in Support, and Affidavit in the above referenced matter by email today. Our firm check in the amount of \$50 is being mailed to your office under cover of this letter.

Please contact our office with any questions or concerns. Thank you for your assistance with this matter.

Sincerely,

Lynn G. Ivey
Assistant to James Edward Bradley

Enclosure

cc: Rhonda Meisner (US Mail and Email, with enclosures)
James E. Parham, Esq. (Email only, with enclosures)
Michael C. Tanner, Esq. (Email only, with enclosures)
Stephanie H. Burton, Esq. (Email only, with enclosures)

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