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**Mar 24 2025**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

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APPEAL FROM OCONEE COUNTY

PlanetONE Packaging, LLC, Respondent,

V.

American Pharma Machinery, LLC, and Dorothy Piercea/k/a Dorothy Wells a/k/a Dorothy Aleweny a/k/a QueenDorothy Amolo, Defendants,

Of whom Dorothy Pierce a/k/a Dorothy Wells a/k/aDorothy Aleweny a/k/a Queen Dorothy Amolo is the Appellant.

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**Case No. 2023-CP-37-00232**

**Appellate Case No. 2025-00049**

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**RETURN TO RESPONDENT’S MOTION TO DISMISS**

Appellant, Dorothy Pierce, respectfully submits this response in opposition to Respondent’s Motion to Dismiss the appeal. Respondent’s motion is based on inaccurate claims regarding the timeliness, service, and validity of Appellant’s appeal

**SUMMARY OF FACTS AND MERITS OF APPELLANT’S APPEAL.**

- I. Appellant was improperly sued as an individual despite having no contractual obligation.
- II. Respondents failed to establish any legal grounds to impose personal liability on Appellant or to pierce the corporate veil.

- III. The Court's failure to consider Appellant's extraordinary circumstances, including her urgent travel abroad following the tragic death of her close friend, resulted in an unjust default judgment.
- IV. Appellant was deprived of her right to a fair hearing when Respondent withheld critical evidence and improperly served a lengthy Memorandum in Support of Damages and exhibits at the start of the hearing, leaving Appellant no meaningful opportunity to review the material or respond.
- V. Respondent's attorney engaged in fraudulent and defamatory conduct, including submitting a proposed order seeking \$276,000 in damages — a figure that directly contradicted Plaintiff's sworn testimony, in which Plaintiff's representative testified that they sought only a refund of \$22,788 plus attorney's fees.
- VI. Respondent's excessive and fraudulent damages claim was a clear misrepresentation of the evidence presented in court, designed to unjustly enrich Respondent.
- VII. Appellant took reasonable steps to mitigate Respondent's alleged damages by offering a \$9,000 support machine at no additional cost to assist with Respondent's production needs, proposing that Respondent keep both machines at no extra charge once their ordered machine was delivered, and ultimately offering a full refund plus attorney's fees to amicably resolve the dispute.
- VIII. Respondent failed to mitigate damages by rejecting Appellant's reasonable offers, choosing instead to escalate the matter through prolonged litigation, thereby disqualifying them from seeking excessive damages that could have been reasonably avoided.
- IX. Appellant was unfairly disadvantaged and effectively discriminated against by the South Carolina Supreme Court rule that permits attorneys to file and pay fees online while requiring pro se litigants to mail all original documents. This procedural imbalance resulted in Appellant's Motion to Dismiss being delayed and ultimately returned as undeliverable, directly contributing to the default judgment against her.
- X. Respondent's attorney exploited procedural technicalities by filing a Motion to Dismiss Appellant's appeal just one day after Appellant mailed her Notice of Appeal — a time frame that made it impossible for the mailed notice to have arrived, demonstrating bad faith and an attempt to mislead the Court.

- XI. The January 31, 2025 order was a final ruling on damages, and the February 26, 2025 order was a final ruling on attorney's fees, conclusively resolving all remaining matters in the case. Respondent's claim that these orders were interlocutory is baseless and an improper attempt to avoid appellate review.
- XII. After Appellant filed her Notice of Appeal on March 12, 2025, the judge instructed Respondent's attorney to draft a formal final order. To date, this order has not been signed or entered, leaving the case in procedural limbo. Appellant intends to amend her appeal accordingly once this final order is issued.

### **FACTUAL BACKGROUND**

1. The dispute originates from a contract entered into exclusively between PlanetONE Packaging, LLC (Respondent) and American Pharma Machinery, LLC (APM), a limited liability company. Appellant, Dorothy Pierce, was not a party to the contract in her personal capacity; rather, she acted solely as a company representative on behalf of APM. Under South Carolina law, individuals acting within the scope of their role in a limited liability company are protected from personal liability unless they have explicitly assumed such responsibility — which Appellant never did. Despite this legal protection and the absence of any personal involvement in the contract, Respondent wrongfully pursued legal action against Appellant individually, improperly holding her accountable for obligations that rested solely with APM.
2. Following the contract, American Pharma Machinery, LLC (APM) faced unavoidable delays that postponed the manufacturing process. Specifically, Bank of America experienced delays in transferring APM's initial deposit funds, which were required to purchase materials necessary to begin production of the capsule counting machine. After several weeks of delay, the transferred funds were returned to APM before they could be forwarded to the manufacturing partner, further delaying production. These circumstances were entirely beyond APM's control and were not caused by any negligence or wrongdoing on APM's part.
3. Despite these setbacks, APM proceeded with production once the deposit issues were resolved. Upon completion, APM recorded and sent a video of the machine's initial setup to Respondent for approval. Although the machine was not yet fully debugged and required additional adjustments to ensure optimal functionality, Respondent unexpectedly began

demanding a refund. This demand came after APM had already invested significant resources in producing the machine in accordance with the contract. Respondent's premature refund request ignored APM's ongoing efforts to resolve the remaining technical issues and ensure the machine's proper performance.

- a) Appellant made several reasonable attempts to resolve the dispute before trial:  
She offered to provide a support machine valued at \$9,000 at no additional cost to assist Respondent's production needs while their ordered machine was being prepared and delivered. This was not a replacement machine, but rather a temporary solution to minimize disruption to Respondent's operations.
  - b) She later proposed that Respondent keep both machines at no extra charge once the ordered machine was delivered, as an added measure of goodwill to resolve the dispute.
  - c) Despite these reasonable efforts, Respondent rejected the offer of a free support machine and instead chose to hire an attorney and pursue litigation, disregarding Appellant's attempts to resolve the matter amicably.
4. In May 2023, Appellant had to urgently travel to Uganda following the tragic assassination of her close friend, Col. Charles Okello Engola Macodwogo, a prominent Ugandan government official by his bodyguard on May 2, 2023, in Kampala, Uganda. This unexpected event required her immediate departure for burial.
  5. Before leaving for Uganda, Appellant was served with the Summons and Complaint. Due to her urgent travel plans, Appellant was unable to respond before her departure.
  6. On June 1, 2023, while still in Uganda, Appellant mailed her Motion to Dismiss through Posta Uganda to both the Court and Respondent's counsel. This motion was returned as undeliverable, a fact Appellant was unaware of until her return to the United States at the end of July 2023.
  7. Upon learning that her Motion to Dismiss had not been received, Appellant promptly informed the Court, filed a new motion to dismiss Respondent's complaint, and provided supporting evidence of her attempt to respond.

8. On October 31, 2023, during a hearing, the Court directed Appellant to provide proof of her attempted filing and mailing. Appellant provided receipts and tracking information to the respondent and the court. On November 8, 2023, Appellant's assistant, Oscar Ojok, submitted a sworn affidavit confirming that he personally mailed the Motion to Dismiss on June 1, 2023.
9. Despite providing this evidence, the Court disregarded Appellant's diligent efforts and entered a default judgment against her.
10. In January 2024, Appellant also offered a settlement of a full refund in machine cost plus attorney's fees to resolve the matter amicably. Respondent's lawyers indicated that they would talk to their client but showed little interest after this.
11. On January 22, 2025, Appellant requested that Respondent provide all exhibits, evidence, and documents they intended to present at the upcoming damages hearing. Despite this request, Respondent withheld these materials until the day of the hearing.
12. On January 29, 2025, on the day of the hearing of damages, Respondent's attorney improperly served Appellant with a lengthy Memorandum in Support of Damages and supporting exhibits in person at the start of the hearing. In this submission, Plaintiff's attorney included several baseless claims for damages that could not be verified, especially when served moments before the hearing began. This deprived Appellant of her right to review the material and prepare an informed response.
13. Appellant objected to this unfair tactic, but Judge McIntosh denied her objection without allowing her a meaningful opportunity to address the issue.
14. During the January 29, 2025 hearing, Respondent's representative, Ms. Karen Davidson, testified under oath that Respondent was only seeking a refund plus attorney's fees.
15. The exact refund amount testified to by Plaintiff's representative, Ms. Karen Davidson, during the January 29, 2025 hearing was **\$22,788.00**. Despite this, Respondent's counsel later submitted a proposed order seeking **\$276,000** in damages — which directly contradicted the evidence presented in court.

16. On March 5, 2025, Appellant emailed the Court seeking clarification on whether the January 31, 2025 Form 4 Order was considered final or if a formal order would follow. The Court never responded.
17. Due to the lack of response, Appellant filed a Notice of Appeal on March 12, 2025, to protect her appellate rights.
18. Respondent's attorney, Patrick Bradley, repeatedly sent defamatory and inflammatory emails directly to the judge. In one email dated March 14, 2025, Bradley falsely accused Appellant of attempting to "hide, disburse, or transfer assets" based on an unverified and unsubstantiated anonymous tip.
19. These defamatory accusations were designed to prejudice the Court against Appellant and discredit her defense without evidence.
20. Respondent's attorney also ignored **Rule 5(b)(3), SCRCP** by failing to provide Appellant with a copy of the proposed order for review before submitting it to the Court.
21. Respondent also violated **Rule 6(e), SCRCP** by failing to add the required five additional days for responses when service was made by mail, rendering their deadline claims inaccurate.
22. The Court denied Appellant's valid objection to Respondent's improper service tactics and failed to hold Respondent accountable for repeated procedural violations.
23. Despite Appellant's clear efforts to comply with legal procedures, the Court failed to consider her extraordinary circumstances, including her urgent travel abroad following a personal tragedy.
24. Appellant's diligent attempts to respond to the lawsuit, provide settlement options, and protect her legal rights were met with unjust decisions, improper legal tactics by Respondent, and defamatory conduct designed to discredit her.
25. Appellant's reasonable settlement offers, compliance with legal obligations, and documented attempts to respond to the lawsuit demonstrate her good faith, while Respondent's conduct reflects intentional manipulation, deception, and bad faith litigation.

## ARGUMENT

### I. Appellant's Notice of Appeal Was Timely Filed and Properly Served

Respondent's claim that Appellant's Notice of Appeal was untimely is unsupported by both the facts and South Carolina law. Under **Rule 203(b)(1), SCACR**, the 30-day time period to file a notice of appeal begins upon the **receipt of written notice of entry of the order**, not on the date the order is signed or mailed. The rule is clear and states:

*"A notice of appeal shall be served on all respondents within thirty (30) days after receipt of written notice of entry of the order or judgment."* – Rule 203(b)(1), SCACR.

In this case, Appellant received the January 31, 2025, order via ordinary mail on February 13, 2025. This date — not January 31, 2025 — properly triggers the 30-day appeal period. Consequently, Appellant's March 12, 2025, filing was timely.

### II. Respondent Failed to Provide Proof of Earlier Delivery

Respondent claims that the January 31, 2025, order was mailed on the same day it was issued. However, Respondent has failed to provide any proof of delivery to establish when Appellant actually received the order. South Carolina courts have long recognized that ordinary mail does not reliably confirm the exact date of receipt. In **Wigfall v. Tideland Utilities, Inc.**, 354 S.C. 100, 580 S.E.2d 100 (2003), the court held that when there is a dispute over the date an order is received, the burden is on the moving party to provide evidence of the actual delivery date.

Here, Respondent offers no tracking information or other verifiable proof confirming that Appellant received the order before February 13, 2025. Without such evidence, Respondent's assertion that the order was received earlier is speculative and unsupported. As the moving party seeking dismissal based on untimeliness, Respondent bears the burden of proof — a burden they have failed to meet.

### III. Rule 6(e), SCRCF Extends the Deadline for Mail Service

Respondent's reliance on **Rule 6(e), SCRCF** is misplaced. Rule 6(e) extends the response deadline by five additional days after a party has received the mailed order. Since Appellant received the order on February 13, 2025, her deadline to file a notice of appeal, including the five-day extension under Rule 6(e), was **March 19, 2025**. Appellant filed her Notice of Appeal

on March 12, 2025 — seven days before the deadline, making her appeal timely under South Carolina law.

#### **IV. Appellant Properly Served the Notice of Appeal in Accordance with Rule 203(b), SCACR**

Respondent's claim that Appellant failed to properly serve the Notice of Appeal is false and misleading. On March 12, 2025, Appellant deposited a copy of the Notice of Appeal in the United States Postal Service (USPS) mail addressed to Respondent's counsel, in full compliance with **Rule 203(b), SCACR**. South Carolina law expressly permits service by mail. See **Rule 5(b)(1), SCRPC**.

In addition to mailing the Notice of Appeal, Appellant also sent a **courtesy email** to Respondent's counsel on March 12, 2025, attaching the Notice of Appeal. While email service is not intended to replace formal service, this courtesy email provided Respondent with prompt notice of the filing as a professional gesture.

Despite these efforts, Respondent filed its **Motion to Dismiss** on **March 13, 2025** — just one day after Appellant mailed the Notice of Appeal. Under ordinary USPS timelines, it would have been impossible for Respondent to have received the mailed Notice of Appeal by this date. This confirms that Respondent's claim of non-service was knowingly false. Respondent's rush to file its motion demonstrates bad faith and an attempt to discredit Appellant.

#### **V. Orders of January 31, 2025, and February 26, 2025, Were Final and Not Interlocutory**

Respondent incorrectly argues that the January 31, 2025, and February 26, 2025, orders were interlocutory and not immediately appealable. This argument is unfounded. Under South Carolina law, an order that resolves the substantive rights of the parties is considered final and appealable. See **Tillman v. Tillman**, 420 S.C. 246, 249, 801 S.E.2d 757, 758 (Ct. App. 2017).

The January 31, 2025 order conclusively determined damages, stating:

*"DAMAGES AWARDED EXCLUDING ATTORNEY'S FEES..."*

This clear language demonstrates that the order was final concerning damages. The issue of attorney's fees is a **collateral matter** that does not affect the finality of the damages ruling. South Carolina law is clear that an order determining liability or damages — while reserving

only attorney's fees — is **final** and immediately appealable. See **Bowen v. Lee Process Systems Co.**, 431 S.C. 636, 848 S.E.2d 445 (Ct. App. 2020).

The February 26, 2025, order similarly resolved all remaining issues regarding attorney's fees, stating:

*"DEFENDANT'S REQUEST TO CROSS EXAMINE IS UNTIMELY AND THEREFORE DENIED. ORDER ISSUED WITHOUT A FORMAL HEARING. NO FORMAL ORDER IS REQUESTED."*

By declaring that “no formal order is requested,” the Court confirmed that all substantive issues had been resolved and no further action was required. Together, these two orders closed the case and rendered the judgment final under South Carolina law.

## **VI. Appellant's Appeal Is Meritorious and Warrants Judicial Review**

Appellant's appeal is based on several significant legal errors and procedural violations:

- i. **Appellant Was Improperly Sued as an Individual Despite Having No Contractual Obligation:** Respondent wrongfully pursued Appellant in her individual capacity despite the absence of any contractual obligation. South Carolina law clearly prohibits holding individuals personally liable for the debts of an LLC unless specific grounds for piercing the corporate veil are established. In *Sturkie v. Sifly*, 280 S.C. 453, 313 S.E.2d 316 (Ct. App. 1984), the court stated that “[t]he corporate veil may only be pierced if it is established that the corporate form was being used to perpetuate fraud or injustice.” Similarly, in *Columbia Furniture Co. v. Thiel*, 268 S.C. 218, 232 S.E.2d 417 (1977), the court emphasized that shareholders or corporate representatives are not personally liable unless they abuse the corporate structure. Respondent failed to provide evidence that Appellant misused the LLC structure or engaged in conduct that justifies piercing the corporate veil.
- ii. **Respondent Failed to Establish Any Grounds to Impose Personal Liability on Appellant:** The burden of proving grounds for piercing the corporate veil rests with the party seeking to hold an individual personally liable. In *Multimedia Publishing of S.C., Inc. v. Mullins*, 314 S.C. 551, 431 S.E.2d 569 (1993), the court held that a plaintiff must demonstrate that the defendant exercised such control over the LLC that the company was essentially an alter ego, and that the misuse of the corporate form resulted in fraud or

injustice. Respondent failed to meet this burden, and no evidence supports piercing the corporate veil.

- iii. **The Court's Failure to Consider Appellant's Extraordinary Circumstances Resulted in an Unjust Default Judgment:** Appellant's urgent travel abroad following the tragic assassination of her close friend, Col. Charles Okello Engola Macodwogo, was an extraordinary circumstance that warranted relief from a default judgment. In **Micronics, Inc. v. S.C. Dep't of Revenue**, 345 S.C. 506, 548 S.E.2d 223 (Ct. App. 2001), the court held that excusable neglect due to unforeseen circumstances may justify setting aside a default judgment. Likewise, in **Wham v. Shearson Lehman Bros., Inc.**, 298 S.C. 462, 381 S.E.2d 499 (Ct. App. 1989), the court vacated a default judgment where the party's failure to respond was caused by factors beyond their control. The court's refusal to acknowledge Appellant's circumstances and her diligent attempts to respond resulted in an unjust ruling.
- iv. **Appellant Was Deprived of a Fair Hearing Due to Respondent's Withholding of Evidence:** Appellant's due process rights were violated when Respondent withheld critical evidence and served an extensive Memorandum in Support of Damages at the start of the hearing. In **Goodson v. Am. Bankers Ins. Co.**, 295 S.C. 400, 368 S.E.2d 687 (Ct. App. 1988), the court held that a party is entitled to reasonable notice and an opportunity to respond to evidence before a ruling is entered. By withholding evidence and presenting it without warning, Respondent deprived Appellant of her right to fair notice and an opportunity to present her defense.
- v. **Respondent's Attorney Engaged in Fraudulent Conduct and Misrepresented Damages:** Respondent's attorney submitted a proposed order seeking \$276,000 in damages despite Plaintiff's sworn testimony that they were only seeking a refund of \$22,788 plus attorney's fees. This conduct constitutes a deliberate misrepresentation intended to mislead the court. In **Edwards v. Freeman**, 220 S.C. 58, 66 S.E.2d 232 (1951), the court held that presenting false or misleading information in judicial proceedings constitutes fraud upon the court and justifies appellate intervention. Respondent's excessive damages request clearly contradicts the evidence presented at trial and warrants reversal.
- vi. **Respondent's Damages Claim Was Excessive and Misleading:** Respondent's inflated damages claim was an intentional misrepresentation designed to mislead the court. In **Hendricks v. Clemson Univ.**, 353 S.C. 449, 578 S.E.2d 711 (2003), the court held that

fraudulent or exaggerated claims presented as fact warrant correction by the appellate court. Respondent's conduct clearly aligns with this standard.

- vii. **Appellant Took Reasonable Steps to Mitigate Respondent's Alleged Damages:** Appellant actively attempted to minimize Respondent's losses by offering a \$9,000 support machine at no additional cost, proposing that Respondent keep both machines at no extra charge, and later offering a full refund plus attorney's fees. In **Winchester v. Griffin, 298 S.C. 387, 380 S.E.2d 289 (Ct. App. 1989)**, the court held that a party who takes reasonable steps to mitigate damages should not be penalized when those efforts are ignored. Respondent's rejection of Appellant's reasonable offers further demonstrates that Respondent contributed to the prolonged litigation.
- viii. **Respondent Failed to Mitigate Damages:** Under South Carolina law, a party cannot recover excessive damages if they reject reasonable offers that could have minimized their losses. In **Floyd v. Horry Cnty. Sch. Dist., 351 S.C. 233, 569 S.E.2d 343 (Ct. App. 2002)**, the court stated that a party has a legal duty to mitigate their damages. Respondent's refusal to accept Appellant's offers disqualifies them from seeking excessive recovery.
- ix. **Appellant Was Unfairly Disadvantaged by Filing Rules for Pro Se Litigants:** Appellant faced an unfair procedural disadvantage because the South Carolina Supreme Court's rules permit attorneys to file electronically while requiring pro se litigants to mail all original documents. This procedural inequality caused Appellant's Motion to Dismiss to be delayed and ultimately returned as undeliverable. In **Ham v. Strickland, 354 S.C. 458, 581 S.E.2d 133 (Ct. App. 2003)**, the court recognized that procedural disadvantages for pro se litigants may undermine due process.
- x. **Respondent Exploited Procedural Technicalities to Mislead the Court:** Respondent's attorney filed a Motion to Dismiss Appellant's appeal just one day after Appellant mailed her Notice of Appeal, knowing that the mailed notice could not have reasonably arrived by that time. In **Tri-County Ice Cream, Inc. v. S.C. Nat'l Bank, 298 S.C. 24, 377 S.E.2d 474 (1989)**, the court held that courts may deny relief when a party exploits procedural rules in bad faith. Respondent's conduct here aligns with this standard.
- xi. **The January 31, 2025 Order and February 26, 2025 Order Were Final Orders:** The January 31, 2025 order conclusively ruled on damages, and the February 26, 2025 order conclusively resolved attorney's fees, ending all substantive issues. In **Elam v. S.C. Dep't of**

**Transp.**, 361 S.C. 9, 602 S.E.2d 772 (2004), the court held that an order is considered final if it resolves all substantive matters, even if a ministerial action, such as the signing of a formal order, remains pending.

- xii. **Pending Final Order Following Appellant’s Notice of Appeal:** After Appellant filed her Notice of Appeal on March 12, 2025, the judge instructed Respondent’s attorney to prepare a final order. As of this filing, that order remains unsigned. In **Coble v. Coble**, 330 S.C. 568, 500 S.E.2d 523 (Ct. App. 1998), the court clarified that where substantive issues are resolved but a final written order is delayed, a party may file a protective appeal to preserve appellate rights. Appellant intends to amend her appeal once the final order is signed.

## **VII. Appellant Will Amend Her Notice of Appeal Once the Final Order Is Signed**

Following Appellant’s timely filing of her Notice of Appeal on **March 12, 2025**, the Court instructed Respondent’s counsel to prepare a final order. As of the filing of this response, that final order has **not yet been signed**. Under South Carolina law, an appeal may proceed even if a final order has not yet been entered, so long as the substantive issues have been conclusively resolved. See **Elam v. S.C. Dep’t of Transp.**, 361 S.C. 9, 602 S.E.2d 772 (2004) (holding that an appeal may proceed if the court’s ruling resolved all substantive matters, even if additional ministerial actions, such as the signing of a formal order, remain pending).

In accordance with **Rule 203(f), SCACR**, Appellant intends to amend her Notice of Appeal to include the final order once it is entered. Rule 203(f) permits amendments to a notice of appeal if a subsequent final order is issued while an appeal is pending. Appellant's timely appeal effectively preserved her right to challenge all issues determined by the court, and the absence of the signed final order does not render her appeal defective.

Accordingly, Appellant respectfully requests that the Court deny Respondent’s Motion to Dismiss and allow her to amend her Notice of Appeal once the final order is entered.

## **PRAYER FOR RELIEF**

WHEREFORE, Appellant respectfully requests that this Court:

1. Deny Respondent's Motion to Dismiss the Appeal;
2. Declare that Appellant's Notice of Appeal was timely filed and properly served in accordance with Rule 203(b)(1), SCACR;
3. Recognize that the January 31, 2025 Order on Damages and the February 26, 2025 Order on Attorney's Fees were final orders, conclusively resolving all substantive issues in the case;
4. Hold that Respondent's claim of interlocutory orders is without merit;
5. Acknowledge that Appellant acted diligently in filing her appeal and seeking clarification on the finality of the orders;
6. Find that Respondent's excessive and fraudulent damages claim, coupled with their misrepresentation of sworn testimony, constitutes misconduct warranting appellate review;
7. Hold that Respondent's failure to mitigate damages and their rejection of Appellant's reasonable offers disqualifies them from claiming excessive damages;
8. Acknowledge that Appellant's Motion to Dismiss was delayed due to unfair procedural disadvantages faced by pro se litigants and consider this imbalance when determining relief;
9. Recognize that Respondent's attempt to exploit procedural technicalities and mislead the Court was made in bad faith;
10. Permit Appellant to amend her Notice of Appeal once the pending final order is signed by the Court;
11. Grant any such other and further relief as this Court deems just and proper.

Dated March 23, 2025

S/N Dorothy Pierce

DOROTHY PIERCE, Pro Se Plaintiff

750 Mourning Dove Lane, Seneca, SC 29678

**FORM 4**

**STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
IN THE COURT OF COMMON PLEAS**

**JUDGMENT IN A CIVIL CASE**

**CASE NO. 2023 CP-37-00232**

PLANETONE PACKAGING, LLC.

AMERICAN PHARMA MACHINERY , LLC.  
ET, AL.

PLAINTIFF(S)

DEFENDANT(S)

<b>Submitted by:</b>	<b>Attorney for :</b> <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant or <input type="checkbox"/> Self-Represented Litigant
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**DISPOSITION TYPE (CHECK ONE)**

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.  See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRCP;  Rule 41(a), SCRCP (Vol. Nonsuit);  Rule 43(k), SCRCP (Settled);  Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRCP;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

**IT IS ORDERED AND ADJUDGED:**  See attached order (formal order to follow)  Statement of Judgment by the Court:

**ORDER INFORMATION**

**DEFENDANT'S MOTION IS TREATED AS A MOTION TO CROSS EXAMINE COUNSEL ON ATTORNEY FEES. DEFENDANT'S REQUEST TO CROSS EXAMINE IS UNTIMELY AND THEREFORE DENIED. ORDER ISSUED WITHOUT A FORMAL HEARING. NO FORMAL ORDER IS REQUESTED.**

This order  ends  does not end the case.

<b>INFORMATION FOR THE JUDGMENT INDEX</b>		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$
If applicable, describe the property, including tax map information and address, referenced in the order:		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: Title abstractors and researchers should refer to the official court order for judgment details.**

**E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.**

\_\_\_\_\_  
Circuit Court Judge

\_\_\_\_\_  
Judge Code

\_\_\_\_\_  
Date

**For Clerk of Court Office Use Only**

This judgment was entered on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and a copy mailed first class or placed in the appropriate attorney's box on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to attorneys of record or to parties (when appearing pro se) as follows:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
**ATTORNEY(S) FOR THE PLAINTIFF(S)**

\_\_\_\_\_  
**ATTORNEY(S) FOR THE DEFENDANT(S)**

\_\_\_\_\_  
**CLERK OF COURT**

**Court Reporter:**

**E-Filing Note:** In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Fileers or who are appearing pro se. See Rule 77(d), SCRCP.

\_\_\_\_\_  
**ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.**

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



Oconee Common Pleas

**Case Caption:** Planetone Packaging Llc VS American Pharma Machinery Llc ,  
defendant, et al

**Case Number:** 2023CP3700232

**Type:** Order/Form 4

S/R. LAWTON McINTOSH

S/R.LAWTON McINTOSH

RECEIVED

Mar 12 2025

SC Court of Appeals

NOTICE OF APPEAL IN A CIVIL CASE  
THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM OCONEE COUNTY

Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

**CIRCUIT COURT CASE NO.: 2023-CP-37-00232**

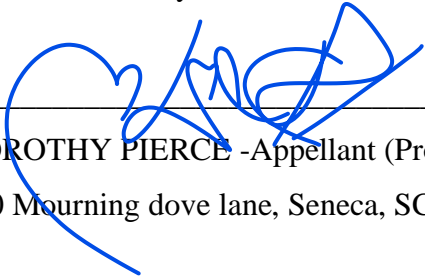
Dorothy Pierce..... Appellant.

V.

Planetone Packaging..... Respondent.

**NOTICE OF APPEAL**

This is to formally notify all concerned parties that the undersigned, as Appellant, hereby files a Notice of Appeal pursuant to the Orders issued by the Honorable Judge McIntosh on January 31, 2025, and February 26, 2025. The Plaintiff received the January 31, 2025, order on February 13, 2025, via ordinary mail, and the February 26, 2025, order on March 5, 2025.



\_\_\_\_\_  
DOROTHY PIERCE -Appellant (Pro se)

750 Mourning dove lane, Seneca, SC.29678.

**NOTICE OF APPEAL IN A CIVIL CASE**  
**THE STATE OF SOUTH CAROLINA**

In The Court of Appeals

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APPEAL FROM OCONEE COUNTY

Court of Common Pleas

R. Lawton McIntosh, Circuit Court Judge

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**CIRCUIT COURT CASE NO.: 2023-CP-37-00232**

Dorothy Pierce..... Appellant.

V.

Planetone Packaging..... Respondent.

**CERTIFICATE OF SERVICE**

I certify that on March 12<sup>th</sup>, 2025, I served the foregoing Notice of Appeal to the respondent utilizing Electronic Service as follows:

CHRISTOPHER B. MAJOR

cmajor@hsblawfirm.com

One north main 2<sup>nd</sup> floor

Greenville South Carolina 29601



---

Dorothy Pierce

750 Mourning Dove Lane, Seneca, SC 29678

Dorothypierce84@gmail.com

Pro se Plaintiff

FORM 4

STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE  
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2023CP3700232

Planetone Packaging LLC  
PLAINTIFF(S)

American Pharma Machinery LLC et al  
DEFENDANT(S)

Submitted by: R. Lawton McIntosh	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or
	<input type="checkbox"/> Self-Represented Litigant

**DISPOSITION TYPE (CHECK ONE)**

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.  See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRCP;  Rule 41(a), SCRCP (Vol. Nonsuit);  Rule 43(k), SCRCP (Settled);  Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRCP;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

**IT IS ORDERED AND ADJUDGED:**  See attached order (formal order to follow)  Statement of Judgment by the Court:

**ORDER INFORMATION**

**DAMAGES AWARDED EXCLUDING ATTORNEY’S FEES. PLAINTIFF IS TO FILE AN AFFIDAVIT FOR ATTORNEY’S FEES AND SERVE DEFENDANT WITHIN TEN (10) DAYS. DEFENDANT HAS THE RIGHT TO REQUEST CROSS EXAMINATION OF PLAINTIFF’S COUNSEL. SUCH REQUEST MUST BE MADE IN WRITING WITHIN FIVE (5) DAYS OF THIS ORDER BEING FILED.**

**MR. BRADLEY TO PREPARE A FORMAL ORDER SUBSEQUENT TO THE ISSUE OF ATTORNEY’S FEES BEING DETERMINED.**

This order  ends  does not end the case.

INFORMATION FOR THE JUDGMENT INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate “N/A” in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$
If applicable, describe the property, including tax map information and address, referenced in the order:		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest

or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: Title abstractors and researchers should refer to the official court order for judgment details.**  
**E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.**

_____	2155	_____
<b>Circuit Court Judge</b>	<b>Judge Code</b>	<b>Date</b>

**For Clerk of Court Office Use Only**

This judgment was entered on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and a copy mailed first class or placed in the appropriate attorney's box on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to attorneys of record or to parties (when appearing pro se) as follows:

_____	_____
_____	_____
<b>ATTORNEY(S) FOR THE PLAINTIFF(S)</b>	<b>ATTORNEY(S) FOR THE DEFENDANT(S)</b>
	<b>CLERK OF COURT</b>

**Court Reporter:**

**E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.**

**ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.**

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

\_\_\_\_\_  
\_\_\_\_\_  
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Oconee Common Pleas

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**Case Number:** 2023CP3700232

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S/R. LAWTON McINTOSH

S/R.LAWTON McINTOSH

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# ENGOLA EXECUTION! Here are the unanswered questions

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**PRESS STATEMENT**

(<https://redpepper.co.ug/wp-content/uploads/2024/09/tian-tang-statement.pdf>)

On Tuesday, 2 May, morning, the nation was shocked by the gunning down of junior Labour, Employment, and Industrial Relations minister, Rtd. Col. Charles Okello Engola.



(<https://www.roketelkom.co.ug/>)



**PRESS STATEMENT**

(<https://redpepper.co.ug/wp-content/uploads/2024/09/tian-tang-statement.pdf>)

PRIVACY

He was executed at his Central Uganda home located in Kyanja, a Kampala Capital City's suburb, by Private Wilson Sabiiti, one of the Uganda People's Defence Forces (UPDF) guards attached to his security detail.

Investigators are racing against time to ascertain the motive of the killer guard.

Job pay issues, mental disorder, depression have since been cited.

However, some close friends and relatives alike believe there could be more than meets the eye. That the version of events leaves more questions than answers as far the killer motive is concerned, according to Queen Dorothy Amolo, an international investor based in the United States who hails from Kamdini Town Council, Oyam South County, in Oyam District.

Amolo, who is the brain behind various community groups promoting wealth creation initiatives in Aber, Minakulu, Myene, Loro, Acaba, and Iceme Sub Counties, among others, described the gruesome murder of the late Minister Macodwogo as a direct hit on the development of young people, women, and vulnerable groups in Lango, Oyam District specifically.

"We had just concluded a partnership to bring a radio station to the people of Northern Uganda and several pieces of equipment for the community hospital that he founded in Oyam North—a plan we set in motion months ago," Amolo, who contested for the Oyam South County MP seat during 2021, said.

According to her, the whole story surrounding the murder of Col. Engola is absurd; it does not make sense and leaves more questions than answers.

Below are some of the questions that Amolo, like many others, has continued asking:



**Queen Dorothy Amolo**

How can a guard who worked with the minister for less than five weeks kill him in cold blood because of non-payment of allowance/salary? According to labour ministry spokesperson Frank Mugabi, the killer guard had just been deployed to the ministry and attached to the minister three weeks ago.

How much was this bodyguard owed, and who owed his allowance/salary? Eyewitnesses say the killer guard mentioned demanding shs4million from his employer(s). The ministry of defence/veteran affairs meets soldiers' pay. Those assigned to protect VIPs often get allowances from the people they protect directly or institutions their bosses are attached to. It is not clear whether it is Engola who was responsible for these allowances or the Labour ministry. But the question remains, if the allowance was meant to be paid by the minister himself, is a one-time missed payment sufficient ground to take his life? Did someone mismanage the killer guard's allowances as it is being alleged?

Where were other guards on the minister's security detail? There are reports that one of the guards around was unarmed and decided to run for his life? Why was he unarmed?

After executing the minister, the guard went while shooting in the air to a nearby salon and ended his life. If it was a case of mental disorder why didn't he randomly shoot at the onlookers and other people he met on the way?

Why did he go to a salon normally frequented by his deceased boss's wife immediately, not any other random shop or building? Eyewitnesses say the killer guard expected to find her boss's wife there but as luck would have it she had first passed by a nearby shop to pick some groceries. Did he also want to kill her and why?

Why was there a change in security detail? What was the background and history of the killer guard? Could he be part of rogue security elements aiming at tainting the image of the country? How long did he work for his previous boss (es)? What were the circumstances of his transfer? Who approved the transfer? Who wanted Col (Rtd) Charles Okello Engola Macodwogo, the Minister of State for Labour, Employment, and Industrial Relations, dead?

"These questions do not heap blanket blame on the UPDF as a body, nor do they blame the government of Uganda.

This message is geared towards finding the truth behind the reckless murder of the Minister of State for Labour, Employment, and Industrial Relations, a member of parliament from Oyam North constituency, a friend, a husband, a brother, a father, a grandfather, and a retired UPDF soldier," she notes.

Conclusively, Queen Dorothy Amolo suggests a deep and 360° investigation approach into the gruesome murder of the fallen retired UPDF cadre.

"We demand a thorough investigation. The dead bodyguard must be investigated in detail. All his movements, whom he spoke to within the last six months, his work history, his family, and all those who initiated and authorized his transfer to the minister, etc. This was not an ordinary suicidal murder. This was an execution. My

dear friend, you were a lion, the King of the Jungle. It is unfortunate that a rat took your life! May your dear soul rest in eternal peace,” Amolo expresses.

“

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# Amolo questions circumstances leading to shooting of Minister Charles Engola

**NEWS**



THU 04 MAY, 2023 11:25

BY MUHAMADI MATOVU

Queen Dorothy Amolo has wondered who might have approved the transfer of Private Wilson Sabiiti, the bodyguard who killed Minister of State for Labour, Employment, and Industrial Relations Charles Okello Engola in cold blood.

Engola, the Oyam North MP was killed by his bodyguard who had just worked with him for a month, according to authorities. The Minister was gunned down at his residence in Kyanja, Kampala.

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**> Museveni meets, apologises to late Engola, Zebra Ssenyange families**

Amolo, who is an international investor based in the United States and hails from Kamdini Town Council, Oyam South County, in Oyam District called for a deep and 360° investigation approach into the gruesome murder of the fallen Minister.



*Queen Dorothy Amolo*

She described the murder of the fallen minister as a direct hit on the development of young people, women, and vulnerable groups in Lango, Oyam district specifically.

"I am saddened and outraged by the reckless and pointless murder of my best friend, Col (Rtd) Charles Okello Engola Macodwogo, the Minister of State for Labour, Employment, and Industrial Relations on May 2, 2023," she said.

Amolo is the brain behind various community groups promoting wealth creation initiatives in Aber, Minakulu, Myene, Loro, Acaba, and Iceme Sub Counties.

"We had just concluded a partnership to bring a radio station to the people of Northern Uganda and several pieces of equipment for the community hospital that he founded in Oyam North, a plan we set in motion months ago," Amolo, who contested for the Oyam South County MP seat during 2021 said.

She said the whole story surrounding the murder of Col. Engola is absurd and it does not make sense and leaves more questions than answers.

***Below are some of the questions that Amolo, like many others, has continued asking:***

- How can a bodyguard who worked with the minister for less than five weeks kill him in cold blood because of non-payment of an allowance or salary?
- How much was this bodyguard owed, and who owed his allowance or salary?
- Isn't it the government of Uganda that pays salaries for UPDF officers and all bodyguards assigned to ministers?
- Isn't it the line ministry that is supposed to pay any allowance for aides and security officers assigned to ministers?
- If the allowance was meant to be paid by the minister himself, is a one-time missed payment sufficient ground to take the life of a man?

- How is the life of Minister Charles Okello Engola related to the non-payment of allowance or salary by the bodyguard's employer (the Government of Uganda)?
- What happened to his long-term bodyguard before this new murderer?
- Why was this suicidal maniac transferred to his security detail in the first place?
- What was the background and history of this deadly killer?
- Why would the bodyguard wait to be transferred to the minister, work for one month, and murder him in cold blood?
- Was the transfer an inside hit?
- Which individual was this UPDF soldier guarding before being transferred to "protect" Minister Charles Okello Engola?
- How long did he work for his previous boss?
- What were the circumstances of his transfer?

- **Who decided that this UPDF soldier be assigned to my friend, Hon. Charles Okello Engola?**
- **Who approved the transfer?**
- **Why didn't the bodyguard murder his previous boss?**
- **Who wanted Col (Rtd) Charles Okello Engola Macodwogo, the Minister of State for Labour, Employment, and Industrial Relations, dead?**

"These questions do not heap blanket blame on the UPDF as a body, nor do they blame the government of Uganda. This message is geared towards finding the truth behind the reckless murder of the Minister," she noted.

She called for a thorough investigation, adding that the dead bodyguard must be investigated in detail including all his movements, whom he spoke to within the last six months, his work history, his family, and all those who initiated and authorised his transfer to the minister.

"This was not an ordinary suicidal murder. This was an execution. My dear friend, you were a lion, the King of the jungle. It is unfortunate that a rat took your life. May your dear soul rest in eternal peace," Amolo expressed.

---

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STATE OF SOUTH CAROLINA

COUNTY OF OCONEE

PlanetONE Packaging, LLC,

Plaintiff,

v.

American Pharma Machinery, LLC, and  
Dorothy Pierce a/k/a Dorothy Wells a/k/a  
Dorothy Aleweny a/k/a Queen Dorothy  
Amolo,

Defendants.

IN THE COURT OF COMMON PLEAS

C.A. No.: 2023-CP-37-00232

**ORDER OF DEFAULT JUDGMENT**

Based on the facts set forth in the Affidavit of Default, the undisputed facts set forth in Plaintiff's Amended Complaint, Plaintiff's Motion for Default Judgment as to All Defendants (filed August 17, 2023), Plaintiff's Memorandum in Support of Plaintiff's Damages for the January 29, 2025 Damages Hearing (filed January 29, 2025), arguments of counsel, and the testimony of the Plaintiff at the January 29, 2025 Damages Hearing, Plaintiff's Affidavit of Attorney's Fees (filed January 31, 2025), and all other filings and facts on record in this matter, it appears to this Court that Defendants American Pharma Machinery, LLC and Dorothy Pierce a/k/a Dorothy Wells a/k/a Dorothy Aleweny a/k/a Queen Dorothy Amolo (collectively "Defendants") are in default and that Plaintiff is entitled to judgment against Defendants, jointly and severally, for the damages and relief sought in the Amended Complaint.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** that Defendants are in default.

**IT IS FURTHER ORDERED** that based on the evidence, pleadings, arguments of counsel, documents on file with the Court, and witness testimony, the Court finds and concludes that Plaintiff is entitled to an award of the following against Defendants, jointly and severally:

1. Actual damages in the amount of Twenty-Two Thousand Seven Hundred Eighty-Eight Dollars (\$22,788.00);
2. Reasonable attorneys' fees and costs in the amount of Thirty-Seven Thousand Seven Hundred Sixty-Six Dollars and Thirty-Three Cents (\$37,766.33);
3. For a total judgment amount of Sixty Thousand Five Hundred Fifty-Four Dollars and Thirty-Three Cents (\$60,554.33);
4. Plus interest at the statutory judgment rate commencing from the date of the disposition of the appeal in South Carolina Court of Appeals Case No.: 2025-000490, if the judgment is upheld, until paid in full.

**IT IS SO ORDERED.**

---

The Honorable R. Lawton McIntosh  
Tenth Judicial Circuit

\_\_\_\_\_, 2025  
Oconee, South Carolina

---

**Formal Order of Default Judgment 2023-CP-3700232**

1 message

**Dorothy Pierce** <dorothypierce84@gmail.com>

Wed, Mar 5, 2025 at 4:57 PM

To: "McIntosh, Lawton Secretary (Tammy Jennings)" <Imcintoshsc@sccourts.org>, "McIntosh, Lawton Law Clerk (Grace Kerley)" <Imcintoshlc@sccourts.org>, Amanda Watkins <awatkins@oconeesc.com>, "Major, Chris" <cmajor@hsblawfirm.com>, "Bradley, Patrick" <pbradley@hsblawfirm.com>

Judge,

I'm inquiring if there will be a formal order regarding this matter or the form 4 is treated as a final order regarding the default Judge and Damages.

If a formal order will be prepared, I need a copy of it sent to me via email for review as per SC Rule 5(b)(3) before being filed with the court.

Thank you

**DOROTHY PIERCE****Justice is not a Privilege but a Fundamental Human Right.****"TRUTH is TREASON in an EMPIRE of LIES"****750 Mourning Dove Lane, Seneca, SC.29678****Tel: 864-324-3247**

STATE OF SOUTH CAROLINA

COUNTY OF OCONEE

PlanetONE Packaging, LLC,

Plaintiff,

v.

American Pharma Machinery, LLC, and  
Dorothy Pierce a/k/a Dorothy Wells a/k/a  
Dorothy Aleweny a/k/a Queen Dorothy  
Amolo,

Defendants.

IN THE COURT OF COMMON PLEAS

C.A. No.: 2023-CP-37-00232

**ORDER OF DEFAULT JUDGMENT**

Based on the facts set forth in the Affidavit of Default, the undisputed facts set forth in Plaintiff's Amended Complaint, Plaintiff's Motion for Default Judgment as to All Defendants (filed August 17, 2023), Plaintiff's Memorandum in Support of Plaintiff's Damages for January 29, 2025 Damages Hearing (filed January 29, 2025), arguments of counsel and testimony of witness(es) at the January 29, 2025 Damages Hearing, Plaintiff's Affidavit of Attorney's Fees (filed January 31, 2025), and all other filings and facts on record in this matter, it appears to this Court that Defendants American Pharma Machinery, LLC, and Dorothy Pierce a/k/a Dorothy Wells a/k/a Dorothy Aleweny a/k/a Queen Dorothy Amolo (collectively "Defendants") are in default and that Plaintiff is entitled to judgment against Defendants, jointly and severally, for the damages and relief sought in the Amended Complaint.

IT IS THEREFORE, ORDERED, ADJUDGED AND DECREED that Defendants are in default.

IT IS FURTHER ORDERED that based on the evidence, pleadings, arguments of counsel, documents on file with the Court, and witness testimony, I find and conclude that Plaintiff is entitled to an award of the following against Defendants, jointly and severally:

- Actual damages in the amount of Seventy-Four Thousand Seven Hundred and Eighty-Eight Dollars (\$74,788.00), trebled under the South Carolina Unfair Trade Practices Act, for a total of Two Hundred and Twenty-Four Thousand, Three-Hundred and Sixty-Four Dollars (\$224,364.00), plus interest at the judgment rate from the date of this Order until paid in full; and
- Reasonable attorneys' fees and costs of Plaintiff, totaling Thirty-Seven Thousand Seven Hundred and Sixty-Six Dollars and Thirty-Three Cents (\$37,766.33), plus interest at the judgment rate from the date of this Order until paid in full.

For a total judgment amount of **Two-Hundred and Sixty-Two Thousand One-Hundred Thirty Dollars and Thirty-Three Cents (\$262,130.33)**, plus interest from the date of this Order at the judgment rate until paid in full.

IT IS SO ORDERED.

\_\_\_\_\_, 2025  
Oconee, South Carolina

\_\_\_\_\_  
The Honorable R. Lawton McIntosh  
Tenth Judicial Circuit

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**Proposed Order of Default Judgment (2023-CP-37-00232) - PlanetONE v. Pierce et. al.**

4 messages

**Bradley, Patrick** <pbradley@hsblawfirm.com>

Fri, Mar 14, 2025 at 6:05 PM

To: "McIntosh, Lawton Secretary (Tammy Jennings)" &lt;lmcintoshsc@sccourts.org&gt;

Cc: "McIntosh, Lawton Law Clerk (Kjursten Collier)" &lt;lmcintoshlc@sccourts.org&gt;, Amanda Watkins &lt;awatkins@oconeesc.com&gt;, "Major, Chris" &lt;cmajor@hsblawfirm.com&gt;, "Pack, Angie" &lt;apack@hsblawfirm.com&gt;, "Bailey, Kimberly" &lt;kbailey@hsblawfirm.com&gt;, Dorothy Pierce &lt;dorothypierce84@gmail.com&gt;

Judge McIntosh:

As requested in the Court's prior email and January Form 4 order, please find Plaintiff PlanetONE's **Proposed Order of Default Judgment** attached hereto for your consideration. We have filed a copy of this as well and served a copy on Ms. Pierce via U.S. Mail today.

As you know, on Wednesday (3/12) of this week, Ms. Pierce (copied here) yet again filed another interlocutory appeal in this matter, though service has not be effected on my client, PlanetONE. Regardless, yesterday (3/13), PlanetONE filed its motion to dismiss the appeal and we expect the Court of Appeals will act as they have in the past and remand the case back to you shortly for the entry of the order of default judgment against both defendants. In the meantime, we still wanted to provide you with this Proposed Order of Default Judgment so that upon remand we will be in a position to have your order entered as soon as possible.

Finally, regarding Ms. Pierce's comments below and my office's prior email about her assets, this week a series of deeds began to appear as pending on the Oconee County Register of Deeds website. We were informed about these (and possible other) transfers by an anonymous tip.

Thank you for your consideration of the attached proposed order. If you require any additional documentation or information from my office, please let us know.

Best,

Patrick Bradley

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Direct 864.240.4567 | pbradley@hsblawfirm.com

Haynsworth Sinkler Boyd, P.A.

ONE North Main, 2nd Floor | Greenville, SC 29601

Main 864.240.3200 | Fax 864.240.3300

[Web](#) | [Bio](#) | [vCard](#) | [Map](#) | [Linked In](#) | [Blog](#)

**From:** Dorothy Pierce <[dorothypierce84@gmail.com](mailto:dorothypierce84@gmail.com)>

**Sent:** Wednesday, March 12, 2025 4:34 PM

**To:** McIntosh, Lawton Secretary (Tammy Jennings) <[lmcintoshsc@sccourts.org](mailto:lmcintoshsc@sccourts.org)>

**Cc:** Bradley, Patrick <[pbradley@hsblawfirm.com](mailto:pbradley@hsblawfirm.com)>; McIntosh, Lawton Law Clerk (Kjursten Collier) <[lmcintoshlc@sccourts.org](mailto:lmcintoshlc@sccourts.org)>; Amanda Watkins <[awatkins@oconeesc.com](mailto:awatkins@oconeesc.com)>; Major, Chris <[cmajor@hsblawfirm.com](mailto:cmajor@hsblawfirm.com)>; Pack, Angie <[apack@hsblawfirm.com](mailto:apack@hsblawfirm.com)>; Bailey, Kimberly <[kbailey@hsblawfirm.com](mailto:kbailey@hsblawfirm.com)>

**Subject:** Re: Formal Order of Default Judgment 2023-CP-37-00232

Mr. Bradley,

Do you realize that you have just defamed me in court? Can you clearly explain exactly how I am **"currently in the process of attempting to hide, disburse, or transfer assets (including significant real property holdings in Oconee County) in a clear effort to try and subvert the forthcoming judgment in the Plaintiff's favor in this matter"**?

**This is a blatant lie, and you have gotten away with lying to Judge McIntosh in this matter for a very long time. You obtained this judgment through blatant lies.**

After seeking clarification from this court on March 5, 2025, regarding whether there will be a formal order and having never received any feedback, I filed a notice of appeal today with the court of appeal to avoid missing the deadline on the first order. I will amend my notice of appeal as soon as I receive this new formal order. I have attached a copy of the Notice of Appeal in this matter and request for transcript.

**See the attached Notice of Appeal on both Orders of the Court dated January 31, 2025 and February 06, 2025.**

DOROTHY PIERCE

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"TRUTH is TREASON in an EMPIRE of LIES"

[750 Mourning Dove Lane, Seneca, SC.29678](#)

Tel: 864-324-3247

On Wed, Mar 12, 2025, 3:34 PM McIntosh, Lawton Secretary (Tammy Jennings) <[lmcintoshsc@sccourts.org](mailto:lmcintoshsc@sccourts.org)> wrote:

Mr. Bradley,

Please e-file a proposed order on this matter for review.

Thank you,

*Tammy Jennings*

Administrative Assistant

Judge R. Lawton McIntosh

P.O. Box 8002

Anderson, SC 29622

(864)- 260-4059

[Imcintoshsc@sccourts.org](mailto:Imcintoshsc@sccourts.org)

---

**From:** Bradley, Patrick <[pbradley@hsblawfirm.com](mailto:pbradley@hsblawfirm.com)>

**Sent:** Tuesday, March 11, 2025 4:07 PM

**To:** Dorothy Pierce <[dorothypierce84@gmail.com](mailto:dorothypierce84@gmail.com)>; McIntosh, Lawton Secretary (Tammy Jennings) <[Imcintoshsc@sccourts.org](mailto:Imcintoshsc@sccourts.org)>; McIntosh, Lawton Law Clerk (Kjirsten Collier) <[Imcintoshlc@sccourts.org](mailto:Imcintoshlc@sccourts.org)>; Amanda Watkins <[awatkins@oconeesc.com](mailto:awatkins@oconeesc.com)>; Major, Chris <[cmajor@hsblawfirm.com](mailto:cmajor@hsblawfirm.com)>; Pack, Angie <[apack@hsblawfirm.com](mailto:apack@hsblawfirm.com)>; Bailey, Kimberly <[kbailey@hsblawfirm.com](mailto:kbailey@hsblawfirm.com)>

**Subject:** RE: Formal Order of Default Judgment 2023-CP-37-00232

**\*\*\* EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. \*\*\*

Judge McIntosh:

On behalf of the Plaintiff PlanetONE Packaging, LLC, I am writing to ask whether the Court needs anything further from my office regarding the final amount of damages and fees sought in the matter, or to request a status conference regarding the court's forthcoming judgment against the Defendants, if the Court deems it appropriate. For several reasons, we want to make sure the Court is not waiting on anything from Plaintiff at this time. One reason being – it has come to our attention that Ms. Pierce has, or is currently in the process of, attempting to hide, disburse, or transfer assets (including significant real property holdings in Oconee County) in a clear effort to try and subvert the forthcoming judgment in Plaintiff's favor in this matter.

In your January 31, 2025 Form 4 Order, the Court ordered as follows:

**DAMAGES AWARDED EXCLUDING ATTORNEY'S FEES. PLAINTIFF IS TO FILE AN AFFIDAVIT FOR ATTORNEY'S FEES AND SERVE DEFENDANT WITHIN TEN (10) DAYS. DEFENDANT HAS THE RIGHT TO REQUEST CROSS**

**EXAMINATION OF PLAINTIFF'S COUNSEL. SUCH REQUEST MUST BE MADE IN WRITING WITHIN FIVE (5) DAYS OF THIS ORDER BEING FILED.**

**MR. BRADLEY TO PREPARE A FORMAL ORDER SUBSEQUENT TO THE ISSUE OF ATTORNEY'S FEES BEING DETERMINED.**

Following that, my office submitted our affidavit of attorneys' fees, Ms. Pierce filed a response, and the Court then issued a Form 4 Order on February 26, 2025, which ordered as follows:

**DEFENDANT'S MOTION IS TREATED AS A MOTION TO CROSS EXAMINE COUNSEL ON ATTORNEY FEES. DEFENDANT'S REQUEST TO CROSS EXAMINE IS UNTIMELY AND THEREFORE DENIED. ORDER ISSUED WITHOUT A FORMAL HEARING. NO FORMAL ORDER IS REQUESTED.**

Based on these two orders, I understand that the only remaining issue is the final figure of the damages and fees awarded to Plaintiff. Would you like my office to go ahead and prepare said proposed order with the proposed/sought damages and fees outlined therein?

We are happy to provide the Court with whatever it needs in this regard, and can proceed in submitting the Formal Order contemplated by your January 31<sup>st</sup> order this week if desired.

Thank you,

Patrick

 Haynsworth Sinkler Boyd P.A.

**J. Patrick Bradley** | Attorney

Direct 864.240.4567 | pbradley@hsblawfirm.com

Haynsworth Sinkler Boyd, P.A.

ONE North Main, 2nd Floor | Greenville, SC 29601

Main 864.240.3200 | Fax 864.240.3300

[Web](#) | [Bio](#) | [vCard](#) | [Map](#) | [Linked In](#) | [Blog](#)

**From:** Dorothy Pierce <dorothypierce84@gmail.com>

**Sent:** Wednesday, March 5, 2025 8:57 AM

**To:** McIntosh, Lawton Secretary (Tammy Jennings) <lmcintoshsc@sccourts.org>; McIntosh, Lawton Law Clerk (Grace Kerley)

<Imcintoshlc@sccourts.org>; Amanda Watkins <awatkins@oconeesc.com>; Major, Chris <cmajor@hsblawfirm.com>;  
Bradley, Patrick <pbradley@hsblawfirm.com>

**Subject:** Formal Order of Default Judgment 2023-CP-3700232

Judge,

I'm inquiring if there will be a formal order regarding this matter or the form 4 is treated as a final order regarding the default Judge and Damages.

If a formal order will be prepared, I need a copy of it sent to me via email for review as per SC Rule 5(b)(3) before being filed with the court.

Thank you

**DOROTHY PIERCE**

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**"TRUTH is TREASON in an EMPIRE of LIES"**

**750 Mourning Dove Lane, Seneca, SC.29678**

**Tel: 864-324-3247**

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 **Proposed Order of Default Judgment - 3.14.25 10891611.1.docx**  
24K

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**Dorothy Pierce** <dorothypierce84@gmail.com> Sat, Mar 15, 2025 at 12:20 AM  
To: "Bradley, Patrick" <pbradley@hsblawfirm.com>  
Cc: "McIntosh, Lawton Secretary (Tammy Jennings)" <Imcintoshsc@sccourts.org>, "McIntosh, Lawton Law Clerk (Kjursten Collier)" <Imcintoshlc@sccourts.org>, Amanda Watkins <awatkins@oconeesc.com>, "Major, Chris" <cmajor@hsblawfirm.com>, "Pack, Angie" <apack@hsblawfirm.com>, "Bailey, Kimberly" <kbailey@hsblawfirm.com>

Dear Judge McIntosh,

I will review the court order during my flight this weekend and submit my response accordingly.

I would like to bring several concerns to your attention.

The last time my appeal was dismissed because my notice of appeal was filed late. I have a legitimate appeal in this matter, and I am committed to pursuing this litigation to its final conclusion due to several misrepresentations made in this case by Plaintiff's attorney.

I had no prior knowledge that a final order would be issued, as my email seeking clarification on this matter was never responded to. Additionally, Plaintiff's counsel did not draft any final order, leaving me unaware of any further action required until the deadline for appeal was imminent. As soon as this order is signed, I will promptly file an amended notice of appeal and fully intend to perfect this appeal.

On February 12, 2025, the heirs to the estate of my late husband reached a settlement regarding the estate, which included real property. As the personal representative of the estate, I executed deeds of distribution for all heirs and recorded those deeds with the county. This was in accordance with deadlines set by the probate court regarding the completion of my duties.

I will be leaving the country for three weeks starting tomorrow, March 15, 2025. Knowing this, I made every effort to fulfill my responsibilities as the estate's personal representative before my departure. The heirs depended on me to complete this, and I wanted to ensure my personal travel plans would not interfere with my duties as PR.

Regarding Mr. Bradley's Conduct:

Mr. Bradley has no legal right to interfere with my personal assets simply because he obtained a fraudulent judgment against me. The judgment he relies on was obtained improperly, and I respectfully ask the Court to take note of this.

Mr. Bradley recently submitted an affidavit of fees along with a court order. I must emphasize that I do not understand why he is confusing my rightful inheritance from the recently settled estate with any claims related to his client. Mr. Bradley wrongfully included me in a lawsuit, despite the fact that his client conducted business with my company, \*American Pharma Machinery, LLC\*, not with me personally.

Furthermore, Mr. Bradley fabricated fees amounting to approximately \$40,000 for just two court appearances and a default judgment. He then submitted an order alongside this fraudulent affidavit of fees and sent these documents to me via ordinary mail — fully aware that I am a pro se litigant with no access to the court's online filing system.

Consequently, I had no knowledge that the court had even issued such an order. I only received Mr. Bradley's filing on February 13, 2025, and immediately responded on February 14, 2025. Despite this timely response, I was wrongly found in default when no valid default had occurred.

On March 5, 2025, I sent an email seeking clarification regarding the final order but received no response from either Mr. Bradley or the court. As the deadline for appealing the damages order approached on March 12, 2025, I had no choice but to file an appeal using the Form 4 order. The order regarding Mr. Bradley's fabricated fees explicitly stated that no action was required.

I respectfully request that the Court take these facts into account. Mr. Bradley's conduct has caused undue hardship, and I strongly urge the Court to prevent further misinformation from damaging my reputation.

Finally, I intend to file a formal complaint against Mr. Patrick Bradley with the Office of Disciplinary Counsel. His continuous misrepresentations to the court have unfairly prejudiced me, and such conduct cannot be allowed to persist.

Thank you for your attention to this matter.

Respectfully submitted,

Dorothy Pierce

[Quoted text hidden]

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**HAYNSWORTH** image001.gif  
**SINKLER BOYD** 3K

Sat, Mar 15, 2025 at 12:31 AM

Dorothy Pierce <dorothypierce84@gmail.com>

To: "Bradley, Patrick" <pbradley@hsblawfirm.com>

Cc: "McIntosh, Lawton Secretary (Tammy Jennings)" <lmcintoshsc@sccourts.org>, "McIntosh, Lawton Law Clerk (Kjirsten Collier)" <lmcintoshlc@sccourts.org>, Amanda Watkins <awatkins@oconeesc.com>, "Major, Chris" <cmajor@hsblawfirm.com>, "Pack, Angie" <apack@hsblawfirm.com>, "Bailey, Kimberly" <kbailey@hsblawfirm.com>

Additionally,

I would also like to point out an egregious and deliberate act of fraud in Mr. Bradley's damages claim. His client testified clearly on the stand that she was seeking ONLY and ONLY \$22,000 as a refund for the machine, plus attorney fees. Despite this, Mr. Bradley has audaciously inflated the damages in his order to \$224,364.00 — a figure that is not only baseless but outrageously fraudulent and doesn't reflect the records.

This is an appalling attempt to defraud the court, and I am confident the Court of Appeals will not overlook this blatant manipulation of facts. Mr. Bradley's conduct is an affront to justice, and I believe this fabricated damages claim must be addressed immediately.

I will submit my alternative order based on the facts and records.

**DOROTHY PIERCE**

**Justice is not a Privilege but a Fundamental Human Right.**

**"TRUTH is TREASON in an EMPIRE of LIES"**

**750 Mourning Dove Lane, Seneca, SC.29678**

**Tel: 864-324-3247**

[Quoted text hidden]



Mon, Mar 17, 2025 at 6:31 PM

Dorothy Pierce <dorothypierce84@gmail.com>

To: "Bradley, Patrick" <pbradley@hsblawfirm.com>

Cc: "McIntosh, Lawton Secretary (Tammy Jennings)" <lmcintoshsc@sccourts.org>, "McIntosh, Lawton Law Clerk (Kjirsten Collier)" <lmcintoshlc@sccourts.org>, Amanda Watkins <awatkins@oconeesc.com>, "Major, Chris" <cmajor@hsblawfirm.com>, "Pack, Angie" <apack@hsblawfirm.com>, "Bailey, Kimberly" <kbailey@hsblawfirm.com>

Dear Judge McIntosh,

I arrived in Africa last night and, as the Court is aware, I am currently facing an **unimaginably distressing personal situation** that has left me **devastated**. Despite this overwhelming hardship, I feel compelled to submit this alternative draft to ensure the order accurately reflects the record and the evidence presented in court during the January 29, 2025, damages hearing.

**During that hearing, Plaintiff's representative, Ms. Karen Davidson, testified via Zoom during cross-examination that the Plaintiff was only seeking a refund in the amount of \$22,788.00 and attorney's fees. Ms. Davidson explicitly stated that Plaintiff was not seeking any additional damages beyond these amounts.**

**A transcript of the January 29, 2025 hearing is in the Court's possession and available for review to confirm this testimony. This testimony was the reason the Defendant concluded cross-examination — having relied on Ms. Davidson's clear statement that Plaintiff was only seeking a refund and attorney's fees.**

**The Court is bound by Plaintiff's sworn testimony limiting their request to a refund and attorney's fees. Any attempt by Plaintiff's counsel to include additional damages unsupported by the evidence presented at trial would be improper and will prompt an immediate appeal by all Defendants, including American Pharma Machinery, LLC.**

If Plaintiff is genuinely interested in resolving this matter, I trust we can stick to the **facts** as presented at the hearing and reflected in the attached proposed order.

**Given my current circumstances and limited access to mail, I respectfully request that any final order be sent to me via email. Additionally, I am currently unable to access the SCCourts.org website, which is blocking access from Africa due to security issues.**

I respectfully request that the Court enter the attached order, which accurately reflects the facts established at the hearing.

Sincerely,

Dorothy Pierce

[Quoted text hidden]

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[Quoted text hidden]

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 **Proposed Order of Default Judgment - Revised to reflect facts.docx**

25K

STATE OF SOUTH CAROLINA

IN THE COUNTY OF COMMON PLEAS JUDICIAL CIRCUIT

COUNTY OF Oconee

FILED OCONEE COUNTY, SC: 2023-CP-370-0232  
MELISSA C. BURTON  
CLERK OF COURT

Plandone Packaging LLC

Plaintiff  
2025 FEB 14 P 1:52

MOTION AND ORDER INFORMATION  
FORM AND COVERSHEET

vs.

American Propane Machinery et al  
Defendant.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                            |                                                                         |                                                              |                                                                                                  |                                                                                                        |                                                        |                                                                                                                |                                                                                                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|--------------------------------------------------------------|--------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Plaintiff's Attorney:<br>_____, Bar No. _____<br>Address: _____<br>Phone: _____ Fax _____<br>E-mail: _____ Other: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Defendant's Attorney:<br>_____, Bar No. _____<br>Address: <u>750 Manning Drive in Seneca SC 29678</u><br>Phone: _____ Fax <u>804324-3207</u><br>E-mail: _____ Other: <u>dondy@peva.com</u> |                                                                         |                                                              |                                                                                                  |                                                                                                        |                                                        |                                                                                                                |                                                                                                                                                           |
| <input checked="" type="checkbox"/> MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)<br><input type="checkbox"/> FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)<br><input type="checkbox"/> PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                            |                                                                         |                                                              |                                                                                                  |                                                                                                        |                                                        |                                                                                                                |                                                                                                                                                           |
| <b>SECTION I: Hearing Information</b><br>Nature of Motion: <u>Dismiss Contest</u><br>Estimated Time Needed: _____ Court Reporter Needed: <input checked="" type="checkbox"/> YES / <input type="checkbox"/> NO                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                            |                                                                         |                                                              |                                                                                                  |                                                                                                        |                                                        |                                                                                                                |                                                                                                                                                           |
| <b>SECTION II: Motion/Order Type</b><br><input checked="" type="checkbox"/> Written motion attached<br><input type="checkbox"/> Form Motion/Order<br>I hereby move for relief or action by the court as set forth in the attached proposed order.<br><u>[Signature]</u> Signature of Attorney for <input type="checkbox"/> Plaintiff / <input type="checkbox"/> Defendant Date submitted <u>02/14/2025</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                            |                                                                         |                                                              |                                                                                                  |                                                                                                        |                                                        |                                                                                                                |                                                                                                                                                           |
| <b>SECTION III: Motion Fee</b><br><input type="checkbox"/> PAID - AMOUNT: \$ _____<br><input type="checkbox"/> EXEMPT: (check reason) <table border="0"> <tr><td><input type="checkbox"/> Rule to Show Cause in Child or Spousal Support</td></tr> <tr><td><input type="checkbox"/> Domestic Abuse or Abuse and Neglect</td></tr> <tr><td><input type="checkbox"/> Indigent Status <input type="checkbox"/> State Agency v. Indigent Party</td></tr> <tr><td><input type="checkbox"/> Sexually Violent Predator Act <input type="checkbox"/> Post-Conviction Relief</td></tr> <tr><td><input type="checkbox"/> Motion for Stay in Bankruptcy</td></tr> <tr><td><input type="checkbox"/> Motion for Publication <input type="checkbox"/> Motion for Execution (Rule 69, SCRPC)</td></tr> <tr><td><input type="checkbox"/> Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions</td></tr> </table> Name of Court Reporter: _____<br><input type="checkbox"/> Other: _____ |                                                                                                                                                                                            | <input type="checkbox"/> Rule to Show Cause in Child or Spousal Support | <input type="checkbox"/> Domestic Abuse or Abuse and Neglect | <input type="checkbox"/> Indigent Status <input type="checkbox"/> State Agency v. Indigent Party | <input type="checkbox"/> Sexually Violent Predator Act <input type="checkbox"/> Post-Conviction Relief | <input type="checkbox"/> Motion for Stay in Bankruptcy | <input type="checkbox"/> Motion for Publication <input type="checkbox"/> Motion for Execution (Rule 69, SCRPC) | <input type="checkbox"/> Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions |
| <input type="checkbox"/> Rule to Show Cause in Child or Spousal Support                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                            |                                                                         |                                                              |                                                                                                  |                                                                                                        |                                                        |                                                                                                                |                                                                                                                                                           |
| <input type="checkbox"/> Domestic Abuse or Abuse and Neglect                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                            |                                                                         |                                                              |                                                                                                  |                                                                                                        |                                                        |                                                                                                                |                                                                                                                                                           |
| <input type="checkbox"/> Indigent Status <input type="checkbox"/> State Agency v. Indigent Party                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                            |                                                                         |                                                              |                                                                                                  |                                                                                                        |                                                        |                                                                                                                |                                                                                                                                                           |
| <input type="checkbox"/> Sexually Violent Predator Act <input type="checkbox"/> Post-Conviction Relief                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                            |                                                                         |                                                              |                                                                                                  |                                                                                                        |                                                        |                                                                                                                |                                                                                                                                                           |
| <input type="checkbox"/> Motion for Stay in Bankruptcy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                            |                                                                         |                                                              |                                                                                                  |                                                                                                        |                                                        |                                                                                                                |                                                                                                                                                           |
| <input type="checkbox"/> Motion for Publication <input type="checkbox"/> Motion for Execution (Rule 69, SCRPC)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                            |                                                                         |                                                              |                                                                                                  |                                                                                                        |                                                        |                                                                                                                |                                                                                                                                                           |
| <input type="checkbox"/> Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                            |                                                                         |                                                              |                                                                                                  |                                                                                                        |                                                        |                                                                                                                |                                                                                                                                                           |
| <b>JUDGE'S SECTION</b><br><input type="checkbox"/> Motion Fee to be paid upon filing of the attached order.<br><input type="checkbox"/> Other: _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | JUDGE CODE _____<br>Date: _____                                                                                                                                                            |                                                                         |                                                              |                                                                                                  |                                                                                                        |                                                        |                                                                                                                |                                                                                                                                                           |
| <b>CLERK'S VERIFICATION</b><br>Collected by: <u>[Signature]</u> Date Filed: _____<br><input type="checkbox"/> MOTION FEE COLLECTED: \$ <u>2500 cash pd</u><br><input type="checkbox"/> CONTESTED - AMOUNT DUE: \$ _____                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                            |                                                                         |                                                              |                                                                                                  |                                                                                                        |                                                        |                                                                                                                |                                                                                                                                                           |

FILED OCONEE COUNTY, SC  
MELISSA C. BURTON  
CLERK OF COURT  
2025 FEB 14 P 1:52

SCCA 233 (11/2003)

Copies to: no copies  
Atty (P) \_\_\_\_\_ (D) \_\_\_\_\_  
DSS \_\_\_\_\_ other \_\_\_\_\_  
Mailed \_\_\_\_\_ Boxed \_\_\_\_\_ handed \_\_\_\_\_



FILED OCONEE COUNTY, SC  
STATE OF SOUTH CAROLINA MELISSA C. BURTON IN THE COURT OF COMMON PLEAS  
COUNTY OF OCONEE CLERK OF COURT TENTH JUDICIAL CIRCUIT

PLANETONE PACKAGING 2025 FEB 14 P 1: 52

*Plaintiff,*

CASE NO.: 2023-CP-37-00232

vs.

AMERICAN PHARMA MACHINERY, LLC.

, DOROTHY PIERCE

*Defendants.*

**DEFENDANT DOROTHY PIERCE'S MOTION TO CONTEST ATTORNEY'S FEES,  
REQUEST FOR CROSS-EXAMINATION OF PLAINTIFF'S ATTORNEY, AND  
OBJECTION TO FRAUDULENT FEE CLAIMS**

COMES NOW the Defendant, Dorothy Pierce, appearing pro se, and moves this Honorable Court to contest Plaintiff's excessive and unjustified attorney's fee request of \$37,766.33. Defendant further seeks to compel Plaintiff to provide a detailed, itemized breakdown of all attorney's fees and costs incurred and requests the right to cross-examine Plaintiff's attorney regarding the claimed fees, billing practices, and lack of supporting documentation.

On February 13, 2025, Defendant received Plaintiff's Affidavit of Attorney's Fees and Costs along with a copy of the Form 4 Order via ordinary mail. The delay in receiving these documents prejudiced Defendant's ability to timely object and respond to the excessive fee request before it was submitted to the court.

The Plaintiff's claim for attorney's fees is grossly inflated, fraudulent, and unsupported by the actual work performed in this case. Plaintiff provides no breakdown of costs or justification for the excessive amount requested, especially considering the limited documented filings in this matter. There was no serious litigation—no depositions, no discovery, and no trial. The only work performed consisted of drafting a complaint, filing a few motions, and appearing at three short hearings, none of which required extensive legal work or significant attorney time. Without an itemized account of specific tasks performed, who completed the work, and how the time was allocated, Plaintiff's fee request is unsubstantiated and should be denied or significantly reduced.

Moreover, in January 2024, Defendant offered Plaintiff a full refund of the amount paid for the equipment, and Plaintiff accepted the offer. However, instead of promptly moving forward to draft a settlement order and resolve the matter, Plaintiff deliberately delayed the process. Plaintiff chose to wait an additional year only to collect the same amount already offered, solely for the purpose of inflating attorney's fees and continuing to bill unnecessary legal costs. This bad faith litigation strategy clearly demonstrates that Plaintiff prolonged the case not for the sake of justice, but to extract excessive legal fees from Defendant.

Additionally, the Court of Appeals has already determined that \$1,000 was a reasonable award for attorney's fees in this case. Despite this, Plaintiff's attorneys are attempting to claim an outrageous \$37,766.33, inflating the hours worked and charging for unnecessary filings and speculative future legal work.

#### **I. REQUEST FOR ITEMIZED BREAKDOWN OF ATTORNEY'S FEES**

Defendant respectfully requests that Plaintiff be required to submit a **detailed, itemized breakdown** of all attorney's fees and costs claimed, but not limited to:

- i. **A full list of all tasks performed**, specifying the exact nature of each legal service provided and costs of tasks performed.
- ii. **The date and duration of each billed task**, including specific time entries reflecting hours worked on each task.
- iii. **The name, title, and hourly rate of each individual who performed billable work**, distinguishing between attorneys, paralegals, and other legal staff.
- iv. **A justification for the excessive 135 hours allegedly billed**, despite the case involving **no depositions, no discovery, no trial, and only three brief hearings**.
- v. **A breakdown of any expenses incurred**, including filing fees, service fees, and other litigation-related costs.
- vi. **Proof of actual payment by Plaintiff** for any fees allegedly incurred, confirming that the requested amount has been paid and is not speculative or inflated.

Once Plaintiff has provided a complete itemized breakdown of fees, Defendant requests the right to **cross-examine Plaintiff's attorney** regarding the claimed fees and billing practices

## **II. PLAINTIFF'S FILINGS AND MINIMAL COURT APPEARANCES**

### **Filings by Plaintiff**

- a) On March 28, 2023, Plaintiff filed its Summons and Complaint, initiating the lawsuit. Later that day, at 3:08 PM, Plaintiff filed an Amended Summons and Complaint, suggesting modifications to their original claims.
- b) On May 16, 2023, Plaintiff filed an Affidavit of Service, confirming that Defendants had been served. This was a standard procedural filing requiring minimal legal effort.
- c) On June 9, 2023, Plaintiff moved for entry of default, claiming Defendant failed to respond. This motion required little legal research or effort since default judgments are straightforward procedural matters.
- d) On August 17, 2023, Plaintiff submitted a Memorandum in Opposition to Defendant Dorothy Pierce's Motion to Dismiss. This was a routine response to Defendant's motion and should not have contributed significantly to the excessive fees requested.
- e) On October 30, 2023, Plaintiff filed a Motion for Continuance of their own Motion for Default Judgment, citing irrelevant reasons. The motion contained excessive and unwarranted details, serving only to delay proceedings and justify unnecessary billable hours.
- f) On January 29, 2025, Plaintiff submitted a Memorandum in Support of Damages on the same day as the scheduled damages hearing at 2:00 PM. However, Defendant was not served with this document until the hearing itself, rendering it procedurally defective and unnecessary. Furthermore, Plaintiff's own client later admitted that she only sought a refund of the amount paid, contradicting Plaintiff's attorney's attempt to claim \$276,000 in damages. The memorandum further included several frivolous and baseless arguments that had no relevance to the case. Defendant should not be forced to pay for Plaintiff's unnecessary document, which contained claims and justifications outside the scope of litigation.
- g) On January 31, 2025, Plaintiff's attorneys filed an Affidavit of Attorney Fees, claiming \$37,766.33 in legal fees despite the fact that no trial, no depositions, and no discovery had

taken place. The affidavit contained frivolous arguments and exaggerated billing, attempting to justify an unreasonable fee amount for minimal work.

### **Limited Court Appearances by Plaintiff**

- a) On August 21, 2023, at 9:30 AM, Plaintiff appeared in court for a 15-minute hearing, which was the only hearing before default judgment was entered. This demonstrates that the case did not involve extensive litigation requiring substantial attorney fees.
- b) On October 31, 2023, at 2:00 PM, Plaintiff appeared before Judge R. Lawton McIntosh for a 15-minute hearing on their Motion for Default Judgment and their own Motion for Continuance—a motion they filed to delay their own proceedings without a valid reason. This delay served no legal purpose and only added to unnecessary billable hours.
- c) On January 29, 2025, at 2:00PM, Plaintiff attended the damages hearing but failed to serve Defendant with their Memorandum in Support of Damages until the hearing itself. This meant that Defendant was given no opportunity to properly respond, further demonstrating Plaintiff's procedural irregularities. Additionally, Plaintiff's attorney wasted time interrogating his own client on irrelevant issues that were outside the scope of the damages hearing.

### **III. DEFENDANTS' LIMITED FILINGS IN THE CIRCUIT COURT**

Unlike Plaintiff, who has engaged in unnecessary and excessive litigation, Defendant has only made a few essential filings in the Circuit Court:

- a) On July 21, 2023, Defendant Dorothy Pierce filed a Motion to Dismiss in response to Plaintiff's lawsuit.
- b) On July 31, 2023, American Pharma Machinery LLC filed a Motion to Set Aside Default to challenge the procedural validity of the default entered against them.
- c) On February 2, 2024, Defendant Dorothy Pierce filed a Motion for Reconsideration, which was summarily denied by the judge on February 6, 2024, without requiring any response from Plaintiff. This demonstrates the court's failure to fully consider the motion while also preventing Defendant from obtaining fair litigation rights.

In contrast to Plaintiff's extensive and unnecessary filings, Defendant has only engaged in essential legal actions that were necessary to protect their rights.

Furthermore, Defendant filed two additional motions related to scheduling irregularities and jurisdictional issues:

- a) On April 5, 2024, Defendant Dorothy Pierce was granted an Order for Protection from Court Appearance. At the time, there was an active appeal pending, and the case was in abeyance. Despite this, hearings were improperly scheduled without jurisdiction over the case.
- b) On November 7, 2024, Defendant Dorothy Pierce filed a Motion for Continuance and Certificate of Service. Again, the case was on appeal, but it was scheduled for a hearing without jurisdiction, in violation of proper legal procedure.

These filings demonstrate that Defendant's involvement in the litigation was minimal and necessary, while Plaintiff engaged in unnecessary filings and prolonged the case to inflate their fees.

#### **IV. FRAUDULENT CLAIMS IN PLAINTIFF'S AFFIDAVIT OF ATTORNEY'S FEES**

Plaintiff's attorney, Christopher B. Major, has made several false and misleading claims in the Affidavit of Attorneys' Fees and Costs in an attempt to justify an excessive fee award. These claims are unsupported by the record and must be closely scrutinized by the Court.

##### **False Claim of Urgency Justifying Inflated Fees**

Plaintiff's attorney states that "Plaintiff urged its counsel to pursue this matter with all promptness and diligence". However, this claim of urgency was self-imposed and not a legitimate basis for excessive fees.

Defendant had already offered a full refund to Plaintiff in January 2024, which Plaintiff accepted but refused to finalize by drafting a settlement order. Moreover, to mitigate any alleged business disruptions, Defendant offered Plaintiff a new machine at no cost to ensure continued production while waiting for the ordered machine to be delivered.

Plaintiff's refusal to accept this reasonable alternative eliminates any justification for urgency. Plaintiff deliberately chose litigation over resolution and intentionally delayed settlement for over a year to inflate legal fees. The urgency claimed by Plaintiff's attorney is therefore entirely manufactured and should not be a factor in awarding excessive fees.

**Fraudulent Claim of 135 Hours Billed for Minimal Litigation**

Plaintiff's attorney claims that he and his associates spent **135 hours** on this case. However, the litigation history shows that Plaintiff's legal work was minimal and does not justify such extensive billing.

- No depositions were conducted.
- No discovery was exchanged.
- No trial took place.
- Plaintiff only appeared at three brief hearings, each lasting approximately 15 minutes.

Given the lack of substantive litigation, the claim that 135 hours were spent on this case is blatantly excessive and should be rejected as fraudulent billing.

**False Justification for "Anticipated Future Filings"**

Plaintiff's attorney further states that additional time and expense will be necessary to:

- "Collect the subject judgment,"
- "Address the likely erroneous motions to be filed by Defendant(s) after judgment is entered,"
- "Bring this matter to conclusion"

To justify these speculative costs, Plaintiff's attorney inflated the requested amount by an additional \$3,433.30, which accounts for 10% of the total claimed fees.

However, court records show that Defendant has only filed three motions throughout the entire case:

- Motion to Dismiss – Filed July 21, 2023

- Motion to Set Aside Default – Filed July 31, 2023
- Motion for Reconsideration – Filed February 2, 2024 (Summarily Denied on February 6, 2024)

These were routine and necessary motions, none of which resulted in excessive filings or prolonged litigation. There is no basis for Plaintiff's attorneys to claim that Defendant will file additional motions warranting further legal fees.

The request for \$3,433.30 in anticipated future legal fees is fraudulent and should be denied outright.

#### **V. OBJECTIONS TO PLAINTIFF'S ATTORNEY'S FEES**

1. Defendant objects to Plaintiff's request for \$37,766.33 in attorney's fees on the grounds that it is excessive, unjustified, and unsupported by the record. The claimed fees should be denied or significantly reduced as they are based on inflated billing, speculative future filings, self-imposed urgency, and procedural irregularities.
2. First, the litigation in this case was minimal and did not justify extensive legal work. Plaintiff's attorneys claim to have billed 135 hours, yet there was no discovery, no depositions, and no trial. The only litigation consisted of drafting a complaint, filing a few motions, and appearing at three short hearings, each lasting approximately 15 minutes. Given the simplicity of the case, the billed hours are grossly exaggerated and do not reflect the actual work performed.
3. Second, Plaintiff's attorneys cite urgency as a justification for their fees, but this urgency was entirely self-imposed. In January 2024, Defendant offered Plaintiff a full refund, which Plaintiff accepted but refused to finalize by drafting a settlement order. To further mitigate any disruption, Defendant offered Plaintiff a replacement machine at no cost to allow them to continue production while awaiting delivery of their ordered machine. Plaintiff's refusal to accept this reasonable alternative shows that any urgency claimed by Plaintiff's attorneys was manufactured and should not be considered as a basis for inflating legal fees.
4. Third, Plaintiff's request includes a fraudulent claim for speculative future filings. Plaintiff's attorneys have added \$3,433.30 for "anticipated filings" that they assume Defendant will make after judgment is entered. However, court records show that Defendant has only filed three motions in this case:

- i. Motion to Dismiss – Filed July 21, 2023
  - ii. Motion to Set Aside Default – Filed July 31, 2023
  - iii. Motion for Reconsideration – Filed February 2, 2024 (Summarily Denied on February 6, 2024)
5. These motions were legitimate and necessary to protect Defendant's rights, and there is no basis for Plaintiff's attorneys to assume that Defendant will file additional motions that justify further fees. Courts do not award fees for hypothetical legal work that has not yet occurred, making this request fraudulent and improper.
6. Fourth, any filings related to the appeal cannot be included in the Circuit Court's attorney fee request. Plaintiff did not file any response in the Court of Appeals because the appeal was dismissed due to late filing and service. Any filings made by Defendant in the South Carolina Supreme Court were already addressed when the Court of Appeals awarded Plaintiff \$1,000 in attorney's fees. Since the Court of Appeals has already ruled on attorney's fees for appellate proceedings, any fees beyond those incurred in Circuit Court cannot be included in this lower court's fee request. Plaintiff's attempt to recover appellate-related fees in Circuit Court is improper and constitutes an attempt to double-charge for work already ruled upon by the appellate court.
7. Respondent Did Not Defend the Appeal in the Court of Appeals: After Appellant filed a notice of appeal, Respondent did not file any documents to oppose or dismiss the appeal in the South Carolina Court of Appeals. Respondent also failed to register their notice of appearance with the Court of Appeals to defend the appeal. The appeal was dismissed solely on a technicality of service before the Respondent could even respond. Consequently, Respondent did not incur any costs or attorneys' fees related to defending the appeal in the Court of Appeals.
8. Finally, Plaintiff's attorneys delayed serving Defendant with their Affidavit of Attorney's Fees and Form 4 Order, further prejudicing Defendant's ability to timely respond. Defendant did not receive these documents until February 13, 2025, via ordinary mail, despite the importance of these filings. Plaintiff's failure to serve these documents properly raises concerns about whether this delay was intentional, as it limited Defendant's opportunity to

object before the Court considered the fee request. Such procedural irregularities further suggest bad faith litigation tactics and should weigh against granting Plaintiff's excessive attorney's fees.

## **VI. REQUEST FOR RELIEF AND ORDER FOR CROSS-EXAMINATION**

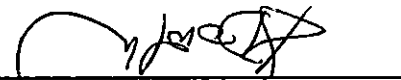
WHEREFORE, Defendant Dorothy Pierce respectfully requests that this Honorable Court deny Plaintiff's request for attorney's fees in its entirety, as the claimed amount of \$37,766.33 is excessive, fraudulent, and unsupported by the actual work performed in this case. Plaintiff has failed to provide any breakdown of costs or justification for the excessive fee request, and the record clearly reflects minimal litigation that does not warrant such an inflated amount.

Defendant further requests that this Court:

- i. Deny Plaintiff's request for attorney's fees in full, as the claimed fees are not supported by the record and constitute an improper attempt to inflate legal costs.
- ii. Strike Plaintiff's request for \$3,433.30 in "anticipated future filings," as courts do not award fees for speculative legal work that has not yet been performed.
- iii. Reject any attempt to include appellate-related fees in this Circuit Court filing, as the Court of Appeals has already ruled on attorney's fees in this case and awarded Plaintiff only \$1,000.
- iv. Find that Plaintiff's delay in serving the Affidavit of Attorney's Fees and Form 4 Order prejudiced Defendant, limiting the ability to timely object, and take appropriate action to remedy this procedural irregularity.
- v. Order Plaintiff's attorney, Christopher B. Major, to appear before the Court for cross-examination regarding the claimed attorney's fees, specifically to:
  - o Provide a fully itemized and detailed breakdown of all time entries, tasks performed, and the individuals responsible for each billed task.
  - o Justify the excessive 135 hours allegedly spent on a case with no depositions, no discovery, no trial, and only three short hearings.

- Explain why appellate-related fees, already adjudicated by the Court of Appeals, have been improperly included in this Circuit Court filing.
  - Provide proof of payment from Plaintiff for any fees actually incurred, to confirm that the amounts requested have been paid and are not speculative or fabricated.
- vi. Grant any other relief the Court deems just and proper under the circumstances.

Submitted this February 14, 2025



DOROTHY PIERCE, Pro Se Defendant  
750 Mourning Dove Lane, Seneca, SC 29678

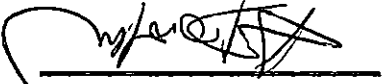
**CERTIFICATE OF SERVICE**

I hereby certify that on February 14, 2025, I served the foregoing Defendant Dorothy Pierce's Motion to Contest Attorney's Fees, Request for Cross-Examination of Plaintiff's Attorney, and Objection to Fraudulent Fee Claims upon the Plaintiff by electronic service via email and by mail with appropriate postage, addressed as follows:

CHRISTOPHER B. MAJOR

I North Main 2<sup>nd</sup> floor  
Greenville South Carolina 29601

FILED OCONEE COUNTY, SC  
MELISSA C. BURTON  
CLERK OF COURT  
2025 FEB 14 P 1:52



DOROTHY PIERCE, Pro Se Defendant.  
750 Mourning Dove Lane, Seneca, SC 29678  
Dorothypierce84@gmail.com  
Pro se Plaintiff

Common Pleas

Clerk : Melissa C. Burton  
205 W. Main Street  
Walhalla, SC 29691

Phone:(864) 638-4280 Fax:(864) 638-4282

Received From: Pierce, Dorothy  
750 Mourning Dove Ln  
Seneca, SC 29678

Date: 2/14/2025  
Receipt #: 94287  
Clerk: c37awatkin

Paying for: Self  
Transaction Type: Payment  
Payment Type: Cash  
Total Paid: \$25.00

Reference #:   
Comment: Motion  
Non-Refundable

Total Received: \$25.00  
Change Due: \$0.00

You may check the status of your Oconee case at:  
<http://www.sccourts.org/caseSearch/>

| Case #        | Caption                                                                        | Previous Balance | Amount Paid | Balance Due |
|---------------|--------------------------------------------------------------------------------|------------------|-------------|-------------|
| 2023CP3700232 | Planetone Packaging Llc VS American<br>Pharma Machinery Llc , defendant, et al | \$25.00          | \$25.00     | \$0.00      |



|                     |          |                |                |               |
|---------------------|----------|----------------|----------------|---------------|
| <b>Total Cases:</b> | <b>1</b> | <b>\$25.00</b> | <b>\$25.00</b> | <b>\$0.00</b> |
|---------------------|----------|----------------|----------------|---------------|

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## Plaintiff's Memo in Opposition - courtesy copies enclosed RE: Hearing Documents - RE: Witness Virtual Attendance Request - PlanetONE v. Dorothy Pierce and American Pharma (2023CP3700232) Damages Hearing 1.29.25

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Dorothy Pierce <dorothypierce84@gmail.com>

Wed, Feb 19, 2025 at 10:55 PM

To: "Bradley, Patrick" <pbradley@hsblawfirm.com>

Cc: Amanda Watkins <awatkins@oconeesc.com>, "McIntosh, Lawton Secretary (Tammy Jennings)" <lmcintoshsc@sccourts.org>, "McIntosh, Lawton Law Clerk (Kjursten Collier)" <lmcintoshlc@sccourts.org>, "Major, Chris" <cmajor@hsblawfirm.com>, "Bailey, Kimberly" <kbailey@hsblawfirm.com>, "Pack, Angie" <apack@hsblawfirm.com>

### Counsel and Court,

I am writing to formally notify all parties that I have not yet been properly served with a copy of Plaintiff's opposition to my **Motion to Contest Attorney's Fees** in accordance with **Rule 5(b)(1), South Carolina Rules of Civil Procedure (SCRCP)**. I will file a formal response once I receive proper service as indicated by Plaintiff's attorney in the above email. I will visit my mailbox momentarily to check if Plaintiff's filing has been delivered.

However, I wish to highlight the following procedural issues:

#### 1. The Deadline for Compliance Begins Upon Receipt of the Order, Not Upon Filing or signing.

Under **Rule 203(b)(1), SCACR**, the time to act upon an order begins upon **receipt of written notice of entry**, not when it is signed or filed: Since I did not receive a copy of the **Form 4 Order until February 13, 2025**, my deadline for response could not have expired before **February 18, 2025**, factoring in **Rule 6(e), SCRCP**, which grants an additional five (5) days for responses when service is made by mail. Plaintiff has intentionally mailed the order through ordinary slow mail and has deliberately failed to properly serve a copy of the said order, knowing that by the time it reached Defendant, a **pro se litigant** without access to **electronic service through AIS**; the **five-day deadline** would have already passed. This tactic was clearly designed to create an artificial default and deprive Defendant of the opportunity to respond in a timely manner.

#### 2. A Verbal Ruling is Not a Final Order

Any verbal instruction or ruling issued in court does not constitute a valid and enforceable order under South Carolina law. **Rule 58(a), SCRCP** explicitly states that "a judgment is effective only when so set forth and entered in the record." Similarly, in **Bowman v. Richland Mem'l Hosp., 335 S.C. 88, 91, 515 S.E.2d 259, 260 (Ct. App. 1999)**, the court held that "an order is not final until it is entered by the clerk of court; and until the order or judgment is entered by the clerk of the court, the judge retains control of the case." The **South Carolina Supreme Court in Upchurch v. Upchurch, 367 S.C. 16, 624 S.E.2d 643 (2006)** reaffirmed this principle, ruling that an order is **not valid until it is signed by the judge and filed with the clerk of court**. Therefore, any reliance on an in-court verbal instruction or ruling as a binding deadline is legally improper, as it lacks the necessary finality and enforceability required under South Carolina law.

Since the **January 29, 2025, verbal ruling was not a final order**, it did not trigger a valid deadline for my response.

#### 3. Plaintiff Has Failed To Justify Its Exorbitant Attorney's Fees

**Plaintiff seeks \$37,766.33 in attorney's fees without providing a detailed, itemized breakdown to justify the excessive amount.** South Carolina law requires that attorney's fees be reasonable, necessary, and supported by evidence.

- **Blumberg v. Nealco, Inc., 310 S.C. 492, 427 S.E.2d 659 (1993)** held: "Attorney's fees must be based on 'actual, reasonable, and necessary expenses' proven by the party seeking fees."
- **Jackson v. Speed, 326 S.C. 289, 486 S.E.2d 750 (1997)** further clarified: "Courts must determine the reasonableness of attorney's fees based on the complexity of the case, the time expended, and the results obtained."

Plaintiff has provided no detailed accounting of time spent on specific legal tasks. There were no depositions, no discovery, and only brief hearings—meaning the amount billed is unreasonable.

Plaintiff has not provided proof of actual payment by their client.

Since Plaintiff has **not met its burden of proof**, the request for **\$37,766.33 in attorney's fees should be denied in its entirety**.

#### 4. Plaintiff's Attempt to Hold Me in Default is Improper

The claim that I missed a deadline is based on an **incorrect deadline calculation** and failure to account for my **actual receipt of the order**. I will be filing a formal response through the **Clerk of Court upon proper service**.

I request that **no further action be taken** regarding this matter until procedural rules are followed.

**Respectfully,**  
Dorothy Pierce  
[Quoted text hidden]

---

**2 attachments**



**RECEIVED**

**Mar 24 2025**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

---

APPEAL FROM OCONEE COUNTY

PlanetONE Packaging, LLC, Respondent,

V.

American Pharma Machinery, LLC, and Dorothy Piercea/k/a Dorothy Wells a/k/a Dorothy Aleweny a/k/a QueenDorothy Amolo, Defendants,

Of whom Dorothy Pierce a/k/a Dorothy Wells a/k/aDorothy Aleweny a/k/a Queen Dorothy Amolo is the Appellant.

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**Case No. 2023-CP-37-00232**  
**Appellate Case No. 2025-00049**

---

**PROOF OF SERVICE**

I certify that on March 24, 2025, I served the foregoing Return to Respondent's Motion to Dismiss Appeal utilizing US Postal Service, with appropriate postage thereon, upon all parties of record, as follows:

CHRISTOPHER B. MAJOR

One North main 2<sup>nd</sup> floor

Greenville South Carolina 29601

S/N Dorothy Pierce

DOROTHY PIERCE, Pro Se Plaintiff

750 Mourning Dove Lane, Seneca, SC 29678

Dorothypierce84@gmail.com

Pro se Appellant