

**RECEIVED**

**Mar 25 2025**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

The Honorable Bentley D. Price  
Circuit Court Judge

---

Appellate Case No. 2023-001852

---

Athena Irland, Appellant,

v.

Brandy S. Culp, Respondent.

---

RESPONDENT'S RETURN TO APPELLANT'S  
MOTION FOR REINSTATEMENT OF APPEAL

---

Respondent Brandy S. Culp, by and through her undersigned counsel, hereby submits this Return to Appellant's Motion for Reinstatement of Appeal and respectfully requests that this Court deny Appellant's Motion.

INTRODUCTION

Appellant's Motion for Reinstatement represents yet another attempt to prolong this litigation while continuing to disregard the South Carolina Appellate Court Rules and this Court's explicit orders. Appellant has established a clear pattern of non-compliance dating back to the inception of this appeal from Probate Court in July of 2022. Most recently, Appellant has failed to comply with this Court's February 5, 2025 Order, which required her to file and serve an amended record on appeal that complies with Rule 210, SCACR, within twenty days of the Order. This

Court explicitly warned that “[f]ailure to file and serve documents that comply with the rules will result in dismissal of this appeal.” Despite this direct and unambiguous Order, Appellant failed to file any amended record on appeal whatsoever.

Appellant’s Motion for Reinstatement should be denied because: (1) Appellant has demonstrated a chronic pattern of disregarding court rules and deadlines; (2) Appellant still has not complied with this Court’s February 5, 2025 Order; and (3) the medical documentation provided by Appellant fails to establish any legitimate reason for her non-compliance.

### PROCEDURAL HISTORY

The procedural history of this case demonstrates Appellant’s consistent disregard for court rules and deadlines:

1. On November 29, 2023, Appellant filed a Notice of Appeal with this Court.
2. On December 5, 2023, this Court issued its first deficiency letter to Appellant regarding her Notice of Appeal, noting that it did not comply with Rule 267, SCACR. The Court instructed Appellant to correct the deficiency within ten days, warning that the matter would be dismissed otherwise. Appellant missed the December 15, 2023 deadline, waiting until December 18, 2023 to submit the corrected documents.
3. On January 3, 2024, this Court issued a second deficiency letter, noting that the time for filing Appellant’s Initial Brief had expired. The Court granted Appellant ten days to serve and file her Initial Brief and Designation of Matter, along with a motion requesting permission to file outside the deadlines established by Rules 208 and 209, SCACR. Again, the Court warned that the appeal would be dismissed if no motion was made within ten days.
4. Rather than filing an Initial Brief and Designation of Matter as instructed, on January 16, 2024, Appellant submitted a handwritten document titled “Motion for 30-day Extension” with no substantive content.
5. On January 17, 2024, this Court granted Appellant an extension until February 15, 2024 to serve and file her Initial Brief and Designation of Matter.
6. On February 15, 2024, instead of filing an Initial Brief and Designation of Matter as instructed, Appellant filed a document titled “Brief in Support of Motion for Rehearing,” which failed to comply with Rule 208(b), SCACR.

7. On February 20, 2024, this Court issued a third deficiency letter, citing multiple deficiencies in Appellant's filing and requiring correction within ten days. Appellant again missed the deadline, waiting until March 5, 2024 to mail a 314-page document titled "Initial Brief of Appellant."
8. On March 12, 2024, this Court issued a fourth deficiency letter, again noting ongoing deficiencies with Appellant's Brief and requiring correction within ten days. Once again, Appellant missed the March 22, 2024 deadline, waiting until March 25, 2024 to mail a purportedly corrected Initial Brief and Designation of Matter.
9. On April 24, 2024, Respondent filed a Motion to Dismiss, which this Court denied without prejudice on July 15, 2024.
10. On August 14, 2024, Respondent filed a Motion to Strike Appellant's Brief and Designation of Matter.
11. On September 10, 2024, this Court granted Respondent's Motion to Strike and ordered Appellant to file an Amended Initial Brief and Designation of Matter that complies with the South Carolina Appellate Court Rules within twenty days (by September 30, 2024).
12. Appellant once again missed the deadline and instead filed a Motion for an additional twenty-day extension, specifically requesting that the deadline be extended until October 21, 2024.
13. On October 3, 2024, this Court issued a fifth deficiency letter noting that Appellant had failed to submit payment of the requisite filing fee with her motion. The Court required Appellant to remedy this deficiency within ten days (by October 14, 2024). Appellant paid the fee on October 18, 2024, once again missing the deadline.
14. On October 21, 2024, Appellant filed a "Corrected" Initial Brief and Designation of Matter, which still failed to comply with the South Carolina Appellate Court Rules.
15. On November 5, 2024, this Court issued a sixth deficiency letter, noting that Appellant had failed to file a Proof of Service evidencing that she had served her Designation of Matter on Respondent. The Court required correction within ten days, again warning that the matter would be dismissed for failure to comply.
16. On November 22, 2024, Respondent filed a Renewed Motion to Dismiss the Appeal.
17. On December 3, 2024, Appellant filed a Record on Appeal and then an Amended Record on Appeal on December 5, 2024, both of which failed to comply with Rule 210, SCACR. **The Records on Appeal contained digitally-altered court orders and filings, materially misrepresenting the documents and raising serious concerns about the integrity of the Records on Appeal submitted by Appellant.**

18. On December 6, 2024, Respondent filed an Addendum to her Renewed Motion to Dismiss noting the forgoing material issues with the Record on Appeal.
19. On February 5, 2025, this Court issued an Order denying Respondent's Motion to Dismiss but requiring Appellant to file and serve an amended designation of matter (omitting items 15 and 16) within ten days, and an amended record on appeal that complies with Rule 210 within twenty days. The Court explicitly warned that "[f]ailure to file and serve documents that comply with the rules will result in dismissal of this appeal."
20. Appellant failed to comply with the February 5, 2025 Order, resulting in this Court's March 6, 2025 Order dismissing the appeal. To this day, Appellant still has not complied with this Court's February 5, 2025 Order which required her to file an Amended Record on Appeal within twenty days of the Order, and unambiguously stated: "Failure to file and serve Documents that comply with the rules will result in dismissal of the appeal."

Appellant has demonstrated a consistent pattern of disregard for court rules and deadlines spanning the entire sixteen-month duration of this appeal. This is not a case of a single missed deadline or isolated non-compliance. Rather, it reflects a chronic disregard for the South Carolina Appellate Court Rules and this Court's explicit instructions and Orders.

## **ARGUMENT**

### **I. Appellant Has Demonstrated a Chronic Pattern of Disregarding Court Rules and Deadlines.**

As detailed in the procedural history above, Appellant has repeatedly missed deadlines set by this Court and failed to comply with the South Carolina Appellate Court Rules. The Court has issued at least six separate deficiency letters, each providing clear instructions and deadlines, yet Appellant has consistently disregarded the Court's orders. This pattern of non-compliance has persisted throughout the entirety of this appeal, causing unnecessary delay and requiring significant judicial resources to address Appellant's repeated failures.

As the South Carolina Supreme Court has noted: "A *pro se* litigant who knowingly elects to represent himself assumes full responsibility for complying with substantive and procedural requirements of the law." *State v. Burton*, 356 S.C. 259, 265 n.5, 589 S.E.2d 6, 9 n.5 (2003), see

also Rule 260(a), SCACR, (requiring dismissal of an appeal when an appellant fails to comply with the appellate court rules). Ms. Irland has continuously failed to comply with the substantive and procedural requirements of our rules, disregarding notice after notice and multiple Orders by this Court. While pro se litigants are afforded some leeway, Appellant's status as a pro se litigant does not excuse her from the obligation to comply with court rules and deadlines, particularly when she has been given multiple opportunities and explicit instructions to correct deficiencies.

## **II. Appellant Still Has Not Complied with the February 5, 2025 Order.**

Most significantly, despite seeking reinstatement of the Appeal, Appellant has still not made any effort to comply with this Court's February 5, 2025 Order, which required her to file and serve an amended record on appeal that complies with Rule 210, SCACR, within twenty days. Appellant did not and has not submit any amended record on appeal as ordered by the Court.

The February 5, 2025 Order explicitly warned that "[f]ailure to file and serve documents that comply with the rules will result in dismissal of this appeal." Appellant's continued non-compliance with this Court's orders demonstrates a persistent disregard for the judicial process and provides ample grounds for denying her Motion for Reinstatement.

## **III. The Medical Documentation Provided by Appellant Fails to Establish Any Legitimate Reason for Her Non-Compliance.**

Appellant's Motion for Reinstatement cites medical reasons to excuse her repeated failure to meet court deadlines. However, the medical documentation attached to her motion consists merely of two perfunctory, single-sentence letters noting only her status as a current patient at these medical practices. These documents provide no specific information about any medical condition, its severity, or how it might have prevented Appellant from complying with court rules and deadlines.

Even if Appellant's alleged medical circumstances were to be considered, they do not explain why she has failed to file an amended record on appeal in the time since filing her Motion for Reinstatement. Throughout this lengthy appeal process, Appellant has repeatedly disregarded specific requirements set forth by this Court, missed numerous deadlines, and ignored explicit warnings about the consequences of non-compliance. This latest failure to submit an amended record on appeal as required by the February 5, 2025 Order is simply one more instance in a persistent pattern of disregarding Court orders. If Appellant were genuinely interested in pursuing this appeal, she would have taken steps to comply with the Court's February 5, 2025 Order by filing an amended record on appeal that conforms to Rule 210, SCACR. She did not.

#### CONCLUSION

For the foregoing reasons, Respondent respectfully requests that this Court deny Appellant's Motion for Reinstatement of Appeal. Appellant has demonstrated a chronic pattern of disregarding court rules and deadlines, has failed to comply with this Court's February 5, 2025 Order, and has not provided credible justification for her non-compliance.

It has been nearly seventeen months since this appeal was filed with this Court in November 2023, and due to Appellant's dilatory tactics and repeated violations of the Appellate Court Rules, this case has not moved beyond the initial briefing phase. After more than a year and a half of procedural delays and repeated failures to adhere to the South Carolina Appellate Court Rules, this Court correctly and appropriately dismissed the appeal. Accordingly, Appellant's Motion to Reinstate Appeal should be denied.

[Signature on following page]

Respectfully submitted,

THE LAW OFFICE OF JESSE SANCHEZ, LLC

s/Jesse Sanchez

Jesse Sanchez, Esquire (SC Bar No. 101906)  
751 Johnnie Dodds Boulevard, Suite 200  
Mount Pleasant, SC 29464  
jesse@jessesanchezlaw.com  
(843) 814-8181

and

SLOTCHIVER & SLOTCHIVER, LLP

Daniel S. Slotchiver, Esquire (SC Bar No. 15129)  
Stephen M. Slotchiver, Esquire (SC Bar No. 65477)  
751 Johnnie Dodds Boulevard, Suite 100  
Mount Pleasant, SC 29464  
(843) 577-6531 (Phone)  
dan@slotchiverlaw.com  
steve@slotchiverlaw.com

ATTORNEYS FOR RESPONDENT BRANDY S. CULP

March 25, 2025  
Mount Pleasant, South Carolina

**RECEIVED**

**Mar 25 2025**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

The Honorable Bentley D. Price  
Circuit Court Judge

---

Appellate Case No. 2023-001852

---

Athena Irland, Appellant,

v.

Brandy S. Culp, Respondent.

---

**PROOF OF SERVICE**

---

I, the undersigned, certify that I have served Respondent Brandy S. Culp's *Return to Appellant's Motion for Reinstatement of Appeal* on the Appellant to this Appeal via United States Certified Mail, postage prepaid, on March 25, 2025, at the addresses set forth below.

Athena L. Irland  
186 Dolly Dimples Trail  
Huger, SC 29450  
***Pro Se Respondent***

Respectfully submitted,

THE LAW OFFICE OF JESSE SANCHEZ, LLC

s/Jesse Sanchez

Jesse Sanchez, Esquire (SC Bar No. 101906)

751 Johnnie Dodds Boulevard, Suite 200

Mount Pleasant, SC 29464

jesse@jessesanchezlaw.com

(843) 814-8181

**ATTORNEY FOR RESPONDENT BRANDY S. CULP**

March 25, 2025

Mount Pleasant, South Carolina

**From:** DoNotReply@ereceipt.usps.gov  
**Subject:** USPS eReceipt  
**Date:** March 25, 2025 at 2:56 PM  
**To:** JESSE@jessesanchezlaw.com JESSE@JESSESANCHEZLAW.COM



OAKBROOK  
10070 DORCHESTER RD  
SUMMERVILLE, SC 29485-9998  
(800)275-8777

03/25/2025

02:55 PM

Product	Qty	Unit Price	Price
First-Class Mail® Letter	1		\$1.01
Huger, SC 29450 Weight: 1.50 oz Estimated Delivery Date Thu 03/27/2025 Tracking #: <a href="#">9507 1066 2221 5084 0048 20</a>			
Certified Mail® e-Return Receipt			\$4.85
Total			\$2.62
			\$8.48
Grand Total:			\$8.48
Credit Card Remit			\$8.48
Card Name: VISA Account #: XXXXXXXXXXXX0500 Approval #: 027015 Transaction #: 653 Receipt #: 000653 AID: A0000000980840 Chip AL: US DEBIT PIN: Not Required			

Use Tracking # for inquiry on Return Receipt (Electronic).

For Return Receipt (by email), visit USPS.com, click on Track & Manage and enter Tracking number; click on drop-down arrow under Return Receipt Electronic; enter name and email address and click on Request Email.

Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit [www.usps.com](http://www.usps.com) USPS Tracking or call 1-800-222-1811.

Preview your Mail  
Track your Packages  
Sign up for FREE @  
<https://informedelivery.usps.com>

All sales final on stamps and postage.  
Refunds for guaranteed services only.  
Thank you for your business.

Tell us about your experience.  
Go to: <https://postalexperience.com/ssk?mt=13>

UFN: 458481-9551  
Receipt #: 840-12900497-1-7069669-1  
Clerk: 00

**Privacy Act Statement:** Your information will be used to provide you with an electronic receipt for your purchase transaction via email. Collection is authorized by 39 USC 401, 403, and 404. Providing the information is voluntary, but if not provided, we will be unable to process your request to receive an electronic receipt. We do not disclose your information to third parties without your consent, except to facilitate the transaction, to act on your behalf or request, or as legally required. This includes the following limited circumstances: to a congressional office on your behalf; to financial entities regarding financial transaction issues; to a U.S. Postal Service auditor; to entities, including law enforcement, as required by law or in legal proceedings; to contractors and other entities aiding us to fulfill the service (service providers); to process servers; to domestic government agencies if needed as part of their duties; and to a foreign government agency for violations and alleged violations of law. For more information on our privacy policies visit [www.usps.com/privacypolicy](http://www.usps.com/privacypolicy).

This is an automated email. Please do not reply to this message. This message is for the designated recipient only and may contain privileged, proprietary, or otherwise private information. If you have received it in error, please delete. Any other use of this email by you is prohibited.



March 25, 2025

VIA EMAIL (ctappfilings@sccourts.org)

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

**RECEIVED**

**Mar 25 2025**

**SC Court of Appeals**

RE: Athena Irland, Appellant v. Brandy S. Culp, Respondent  
App. Case No. 2023-001852

Dear Ms. Kitchings:

Attached for filing on behalf of Respondent Brandy S. Culp, please find:

- (1) Respondent's Return to Appellant's Motion to Reinstate Appeal,
- (2) Proof of Service, evidencing service on Appellant via certified mail.

Thank you for your time and attention to this matter. As always, please let me know if you have any questions or would like to discuss this filing.

Sincerely,

s/Jesse Sanchez

Jesse Sanchez (SC Bar No. 101906)

Cc: Athena L. Irland (Via United States First Class Certified Mail)  
Daniel S. Slotchiver, Esq. (Via Email)  
Stephen M. Slotchiver, Esq. (Via Email)

**THE LAW OFFICE OF JESSE SANCHEZ, LLC**

751 Johnnie Dodds Blvd., Suite 200, Mount Pleasant, SC 29464 P: 843.814.8181 F: 843.284.3953  
jesse@jessesanchezlaw.com jessesanchezlaw.com