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Apr 07 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/a Dorothy Aleweny a/k/a Queen Dorothy Amolo is the Appellant.

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

REPLY TO RESPONDENT’S RETURN TO APPELLANT’S MOTION TO AMEND
NOTICE OF APPEAL

Appellant files this Reply to correct Respondent’s false claim that they were never served with the original Notice of Appeal. In truth, Appellant mailed the Notice to Respondent’s counsel at their official address on March 13, 2025. Less than 24 hours later, Respondent filed a Motion to Dismiss—proving they had actual notice. After submitting that Motion, they refused delivery of the envelope and returned it, only after getting caught in their misrepresentation to the Court.

Respondent has since admitted receiving later filings sent to the same address, confirming that service to that location is valid and reliable. Their claim of non-service is not only inaccurate but also undermined by their own actions. Appellant respectfully asks the Court to reject Respondent’s objection, accept the amended Notice of Appeal, and allow the case to proceed on the merits.

ARGUMENT

I. Appellant Effectuated Proper and Timely Service

Respondent’s claim that Appellant never served the original Notice of Appeal is false and misleading. Appellant prepared, printed, and sealed her Notice of Appeal on March 12, 2025. On March 13, 2025, at 11:56 AM, Appellant deposited a hard copy of the Notice of Appeal into the U.S. Mail, properly addressed to Respondent’s counsel at Chris Major at **1 North Main Street**,

Greenville, SC 29601—the official address of record. *A copy of the USPS First Class mailing receipt and the returned envelope—clearly addressed to Respondent—are attached as proof of timely service.*

Fraudulently, Respondent filed its Motion to Dismiss just hours later, on March 13, 2025, falsely asserting that Appellant failed to serve the Notice of Appeal. Respondent made this claim before the mailed document could have reasonably arrived. After realizing their error, Respondent then refused delivery of the envelope and had it returned to sender—an act that was clearly intended to cover up their misrepresentation to the Court.

What is especially telling is that Appellant used the exact same mailing address for the March 27, 2025 service of the Motion to Amend Notice of Appeal, which Respondent admits they received. Yet, Respondent now claims the original Notice of Appeal, sent to the very same address, was not served upon them. This contradiction exposes the falsehood of their argument and further highlights the bad faith in their litigation tactics.

II. Respondent’s Conduct Confirms Actual Notice and Waiver of Any Service Defect

Respondent filed a detailed Motion to Dismiss on March 13, 2025—less than 24 hours after Appellant filed and served the original Notice of Appeal. This rapid and substantive engagement with the appeal constitutes clear evidence of actual notice and a voluntary appearance, thereby waiving any technical objections to service. Courts consistently hold that a party cannot respond on the merits while disclaiming knowledge of the underlying filing.

Moreover, in their Return, Respondent acknowledges receiving the Motion to Amend and Amended Notice of Appeal via U.S. Mail on March 27, 2025, and even attaches a copy of the mailing envelope. Although they inaccurately claim this was the “first” instance of service, this statement confirms that documents sent to 1 North Main Street, Greenville, SC—the same address used for the original Notice—were successfully delivered. The notion that the original mailing failed while a subsequent, identically addressed one succeeded is both inconsistent and implausible.

This admission undercuts Respondent’s credibility and further demonstrates that all relevant filings were received. Appellant respectfully requests that the Court reject Respondent’s baseless claim of non-service, find that service was properly effectuated pursuant to Rule 203(b), SCACR, and allow the appeal to proceed on its merits.

III. Respondent’s Argument That Amendment is “Not Substantive” Is Misleading

Appellant’s motion seeks to amend the Notice of Appeal to include the March 24, 2025 Final Order, which was issued after her original appeal was filed. This amendment ensures the full and

complete appellate record is properly before the Court. It does not imply the original Notice was deficient—it simply supplements the record to reflect the now-entered final judgment. Courts regularly permit such amendments when new orders are issued after a notice of appeal has already been filed.

IV. The Reference to Rule 203(f), SCACR Was a Harmless Typographical Error

Appellant’s citation to Rule “203(f)” was an inadvertent typographical error. Her arguments are clearly based on the established principle that amendments to the notice of appeal are allowed to reflect final orders and ensure a complete record is before the Court. This typographical oversight should not be used to deny a meritorious motion.

V. Respondent’s Objection to the Amended Notice Lacks Merit

Respondent now seeks to punish Appellant for ensuring the Court has a complete record—something that would benefit all parties, including Respondent. Their objection to Appellant’s good faith amendment is a transparent attempt to obstruct appellate review on technical grounds. The Court should not permit such obstructionism.

VI. Respondent’s Counsel’s Misrepresentations and Bad Faith Conduct

Appellant respectfully asserts that Respondent’s counsel, Mr. Patrick Bradley, has engaged in a pattern of conduct that raises serious concerns regarding candor to the tribunal and ethical practice. Mr. Bradley represented to this Court that Appellant failed to serve her Notice of Appeal, despite receiving actual notice and responding to the appeal within 24 hours of its filing.

Further, when Appellant mailed a properly addressed copy of the Notice of Appeal, Mr. Bradley caused the envelope to be returned to sender, later attempting to use this orchestrated return as alleged evidence of non-service. This is not merely a procedural dispute—it reflects a deliberate attempt to mislead the Court and deny Appellant’s rights through deceptive litigation tactics.

Such conduct not only undermines the integrity of these proceedings but also brings discredit to the legal profession. Appellant reserves the right to seek appropriate sanctions or file a disciplinary complaint should this pattern of misrepresentation persist.

PRAYER FOR RELIEF

WHEREFORE, Appellant respectfully prays that this Court:

1. Reject Respondent’s claim of non-service as unsupported and misleading;

2. Find that service of the original Notice of Appeal was properly effectuated in accordance with SCACR;
3. Grant Appellant's Motion to Amend the Notice of Appeal to include the March 24, 2025 Final Order;
4. Allow the appeal to proceed on its merits without further delay; and
5. Grant such other and further relief as this Court deems just and proper.

Respectfully submitted this 07th day of April, 2025.

S/N Dorothy Pierce

DOROTHY PIERCE, Pro Se Plaintiff

750 Mourning Dove Lane, Seneca, SC 29678



SENECA
 508 E MAIN ST
 SENECA, SC 29678-9998
 (800)275-8777

03/13/2025

11:56 AM

Duplicate

Product	Qty	Unit Price	Price
Req Passport Form	1		\$0.00
First-Class Mail® Letter	1		\$0.73
Liberty, SC 29657			
Weight: 0 lb 0.20 oz			
Estimated Delivery Date			
Sat 03/15/2025			
Certified Mail®			\$4.85
Tracking #:			
9589 0710 5270 2402 4174 90			
Total			\$5.58

CelebrationBlooms 1 \$0.73 \$0.73

Grand Total: \$6.31

Cash \$10.00
 Change -\$3.69

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 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://postexperience.com/Pos>
 or scan this code with your mobile device,



or call 1-800-410-7420.

UFN: 458040-0678
 Receipt #: 840-52900285-2-7677940-1
 Clerk: 26

Dorothy Plerq
750 morning dove lane
Seneca SC 29678

GREENVILLE SC 296

13 MAR 2025 PM 1 L



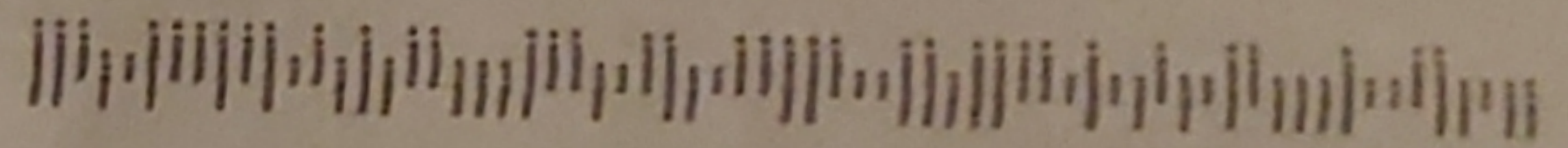
Chris Major
1 North main St.
Greenville SC. 29601

NIXIE 296 CE 1 0103/26/25
RETURN TO SENDER
INSUFFICIENT ADDRESS
UNABLE TO FORWARD
BC: 29678 *0954-05582-13-42

.. 9327010744232405

J.A

29601-277202



3/12/2025

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

Case No. 2023-CP-37-00232

Appellate Case No. 2025-00049

PROOF OF SERVICE

I certify that on April 7, 2025, I served the foregoing Reply to Respondent's Return to the Motion to Amend Notice of Appeal utilizing Electronic Service and US Postal Service, with appropriate postage thereon, upon all parties of record, as follows:

CHRISTOPHER B. MAJOR

One North main 2nd 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