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Apr 11 2025

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

Appeal from Berkeley County
Court of Common Pleas

Jennifer B. McCoy, Circuit Judge

Case No. 2022-CP-08-02508

Appeal No. 2023-001837

Muhammad Nathaniel Wilson,

Appellant,

v.

Hanahan Police Department &
Other Law Enforcement Officials,

Respondents.

Renewed Motion to Dismiss the Appeal

Respondents submit this Renewed Motion to Dismiss the Appeal based on the Appellant's repeated, obstinate refusal to comply with the Appellate Court Rules and the direct instructions and orders from this Court. Rather, he has repeatedly missed deadlines and filed noncompliant and frivolous/incomprehensible documents. Over the course of this appeal, the Court has shown leniency and offered the pro se Appellant opportunities to comply on multiple occasions, but still the Appellant has not filed the appropriate, compliant Record on Appeal. Although the Appellant is proceeding pro se, he still must comply with the Rules, and the Respondents respectfully submit that, as this point, the Court should dismiss the appeal at this time.

The appellate record will show that on December 11, 2024, the Respondent previously filed a motion to dismiss this appeal or compel the Appellant to comply with Rules 210 and 211, SCACR, concerning the Record on Appeal and final brief. By Order of February 11, 2025, this Court denied the motion to dismiss. However, the Court ordered the Appellant to serve and file an amended brief and a second amended Record on Appeal that includes all matters designated by the parties. In that Order, the Court further stated that “Appellant's failure to comply with this order will result in the dismissal of the appeal.” More than 30 days have passed since the Court’s order and the Appellant has failed to comply. As shown by the c-track docket and summarized below, the Appellant has filed a plethora of other frivolous documents none of which comply with the Appellate Court Rules or the February 11, 2025 order.

On February 26, 2025, the Appellant filed an amended designation of matter to be included in the Record on Appeal, but it does not appear that he paid the appropriate motion filing fee. Moreover, the amended designations contain matters that were not submitted to the trial court and should not be permitted in the Record on Appeal.

On February 27, 2025, he served a Motion to Schedule a Settlement Conference, or in the alternative, File an Amended Final Brief to Compel Berkeley County to Comply with Rule 38, but it does not appear that he paid the motion filing fee. He filed the motion on March 3, 2025.

On March 4, 2025, he filed/served a “Settlement Conference: proposal.”

On March 10, 2025, the Appellant sent a rambling letter notifying the Court of his intention to file suit against the Hood Law Firm and Defendants.

On March 14, 2025, the Appellant did serve an amended Record on Appeal. However, this newly filed “amended” Record on Appeal still does not contain all the matters designated by both parties. In addition, the Appellant still has not filed an amended final brief as ordered.

By letter of March 18, 2025, the Respondents contacted the Court and detailed the course of the Appellant's filings which evidence repeated noncompliance with the Rules and the Court's order. The Respondents requested that the Court dismiss the appeal in accordance with the Court's order of February 11, 2025.

On March 19, 2025, the Appellant sent a rambling letter accusing Respondents' Defense Counsel of malpractice and demanding a settlement. In reply by letter of March 24, 2025, the Court stated: "The Court has received your letter dated March 19, 2025. If you wish to request relief from this Court, you must do so in the form of a motion pursuant to Rule 240 of the South Carolina Appellate Court Rules. No further action will be taken on your correspondence."

On March 21, 2025, the Appellant sent a document referenced as a "Debt Settlement Agreement."

On March 24, 2025, the Appellant filed yet another Record on Appeal that appears to be a copy of the Record on Appeal filed March 14, 2025, which still does not comply with the Rules or the February 11, 2025 order, in that it does not contain all the matters designations and it contains matters that were not presented below.

By deficiency letter of March 27, 2025, the Court instructed the Appellant that he must file a motion to amend the Record on Appeal "within ten (10) days of the date of this letter or this matter will be dismissed."

The Appellant filed a document on April 2, 2025, titled as "Motion For Relief Settlement Agreement in Alternative allow appellate 30 days to fix any Deficiency's to complete Official Complaint For (The A.D.A District Court, Supreme Court & O.D.C)." In this document, the Appellant makes a rambling "Notice of Claim" that does not address his non-compliance with the Appellate Court Rules and the February 11, 2025 Order. The Appellant does not offer any basis

for requesting an extension of time. Moreover, in the cover letter for this motion the Appellant refused to send the motion fee to the Court until Respondents' counsel agrees to meet with him: "the Court fee for this Motion will be sent with the Amended Final Brief after I have a Sit down with Someone from Hood Law Firm concerning the Complaints & Notice of claim."

On April 10, 2025, the Appellant sent yet another rambling letter, titled "Appellant /Plaintiff Positive Reinforcement incentive" and stating that "I assume the court will offer (Appellant /Plaintiff relief in the form of a settlement." The Appellant appears to be demanding a meeting with Respondents' counsel and requesting an extension until next week to file an amended final brief. Respondents' counsel is under no obligation and will not agree to any such meeting. Moreover, such a demand for a personal meeting is not a legitimate basis to request an extension to file the proper appellate documents which are long overdue. Further, this letter does not address the separate issue that more than ten days have passed since the Court's deficiency letter of March 27, 2025, and the Appellant has not made a proper motion to amend the Record on Appeal.

SUMMARY AND CONCLUSION

While the Appellant is proceeding pro se, he still must comply with the Rules. State v. Burton, 356 S.C. 259, 589 S.E.2d 6, 9 n.5 (2003); see also Goodson v. Am. Bankers Ins. Co. of Fla., 295 S.C. 400, 368 S.E.2d 687 (Ct. App. 1988). In addition, the Court of Appeals cannot consider an appeal from the trial court's decision without a Record that contains at least the most basic, essential documents necessary for appellate review. *See* Goodson, 368 S.E.2d at 690.

This case is on appeal from an order granting summary judgment. The Respondents designated the relevant pleadings, motions, exhibits, and transcript, and cited to those matters in their initial brief. However, the Appellant has not included these documents in any version of the Record on Appeal that he has filed. Without a compliant Record on Appeal, the Respondents

cannot complete their final brief and the Court cannot conduct an adequate and fair review of the merits of the order on appeal.

The Court has been more than lenient and generous in allowing the pro se Appellant multiple opportunities to correct the deficiencies in his filings but the record shows that he simply is unwilling to comply with the Rules and the Court's instructions. At this point, there is no legitimate reason to delay this appeal any further.

Now, wherefore, based on the foregoing, the Respondents respectfully request that the Court dismiss this appeal.

Respectfully submitted,

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**Attorneys for the Respondents
Hanahan Police Department & Other Law
Enforcement Officials**

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Appeal from Berkeley County
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Jennifer B. McCoy, Circuit Judge

Case No. 2022-CP-08-02508
Appeal No. 2023-001837

Muhammad Nathaniel Wilson,

Appellant,

v.

Hanahan Police Department &
Other Law Enforcement Officials,

Respondents.

CERTIFICATE OF SERVICE

The undersigned certifies that on this **11th** day of **April, 2025**, a copy of the Respondent's Renewed Motion to Dismiss the Appeal was served by emailing and mailing a copy to the following at the address listed below:

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In Town Suites
8082 Rivers Ave, Room 309
North Charleston, SC 29406

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***Attorneys for the Respondents
Hanahan Police Department & Other Law
Enforcement Officials***

From: [Stephanie Chickey](#)
To: Creyolab@gmail.com
Cc: [Ellore Ganes](#); [Deborah Sheffield](#); [Evan Sobocinski](#); [Joye Ullery](#)
Subject: 2023-001837, Wilson v. Hanahan Police Department & Other Law Enforcement Officials
Date: Friday, April 11, 2025 12:53:00 PM
Attachments: [Wilson v. Hanahan, Ltr Ct of Apps \(RMTD\).pdf](#)
[Wilson v. Hanahan, RMTD.pdf](#)
[Wilson v. Hanahan, POS RMTD.pdf](#)

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April 11, 2025

Via E-Filing and U.S. Mail

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29211

RECEIVED
Apr 11 2025
SC Court of Appeals

Re: Muhammad Nathaniel Wilson, Pro Se v. Hanahan Police Department
C/A No. and Jurisdiction: 2022-CP-08-02508, Berkeley CP
Appellate Case No. 2023-001837
HLF File No. 1.361

Dear Ms. Kitchings:

Enclosed for service, please find the Respondent's Renewed Motion to Dismiss the Appeal and Certificate of Service in the above-referenced case. We are filing the documents electronically with the Court of Appeals. Also enclosed is our firm check in the amount of \$50.00 for the filing fees.

Kind regards,

Yours truly,

/s/ Ellore A. Ganes

Ellore A. Ganes

EAG/spc

Enclosure(s)

cc: Muhammad N. Wilson [*Via E-Mail and U.S. Mail*]

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