

RECEIVED

Jun 06 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHESTERFIELD COUNTY
Court of Common Pleas

Brian M. Gibbons, Circuit Court Judge

Appellate Case No.: 2025-000133

Vanderbilt Mortgage and Finance,.....Respondent,

v.

Michael Shane Hammonds, Jessica Ann Hammonds, and Unknown Occupants,Defendants,

Of whom Jessica Ann Hammonds is theAppellant.

RESPONDENT’S MOTION TO DISMISS APPEAL

This appeal concerns a claim and delivery action to recover a manufactured home due to the borrowers’ default on their loan. On January 23, 2025, Jessica Ann Hammonds filed *pro se* a Notice of Appeal with this Court, appealing an Order for Default Judgment for Repossession and Writ of Assistance (“Order”) entered on January 9, 2025. Following four deficiency letters issued by the Clerk of Court, Ms. Hammonds (“Appellant”) filed her Initial Brief and Designation of Matter on May 28, 2025. Appellant’s Initial Brief does not identify any alleged errors of law or fact within the Order, nor does it comply with any other requirement under Rule 208, SCACR concerning the content of an initial brief. Further, her Designation of Matter failed to comply with Rule 209, SCACR.

ARGUMENT

This Court holds *pro se* Appellants to the same standards that apply to attorneys. *Hill v. Dotts*, 345 S.C. 304, 310, 547 S.E.2d 894, 897 (Ct. App. 2001). Pursuant to Rule 208(b)(1), Appellant's brief shall contain a table of authorities, a statement of the issues on appeal, statement of the case, the standard of review, and arguments supporting its appeal. " ... the South Carolina Appellate Court Rules are not mere technicalities but provide the parties and this Court with an orderly mechanism through which to guide appeals in this State." *Henning v. Kaye*, 307 S.C. 436, 437, 415 S.E.2d 794, 794 (1992). This Court may dismiss an appeal for failure to comply with the Rules. *Id.*

The Appellant has the responsibility to identify errors on appeal. *Watson v. Underwood*, 407 S.C. 443, 452, 756 S.E.2d 155, 160 (Ct. App. 2014). Here, Appellant's Initial Brief describes her memory of conversations with Vanderbilt prior to the filing of the claim and delivery action. Appellant's Initial Brief lacks any of the requisites of an Initial Brief under Rule 208, SCACR. Thus, Respondent is left with nothing to respond to in terms of defending the merits of the Order on appeal. And this Court has no arguments to consider.

Further, because Appellant failed to present arguments to this Court with citations to authority, he has abandoned his issues on appeal. *Oien Fam. Invs., LLC v. Piedmont Mun. Power Agency*, 424 S.C. 168, 184, 817 S.E.2d 647, 656 (Ct. App. 2018); *Wright v. Craft*, 372 S.C. 1, 20, 640 S.E.2d 486, 497 (Ct. App. 2006); *Fields v. Melrose Ltd. P'ship*, 312 S.C. 102, 106, 439 S.E.2d 283, 284 (Ct. App. 1993); *Bell v. Bennett*, 307 S.C. 286, 294, 414 S.E.2d 786, 791 (Ct. App. 1992).

Moreover, the burden is on Appellant to provide this Court with an adequate record for review of issues on appeal. *Gen. Acc. Ins. Co. v. Safeco Ins. Companies*, 314 S.C. 63, 70, 443

S.E.2d 813, 818 (Ct. App. 1994). Appellant's Designation of Matter fails to designate pleadings, the Order, portions of the transcript, or other materials relevant to the Order on appeal.

CONCLUSION

For the reasons set forth above, Respondent prays for an Order dismissing Appellant's Appeal.

s/Lowndes Pope

Lowndes Pope, S.C. Bar # 66507

Riley Pope & Laney, LLC

P.O. Box 11412

Columbia, South Carolina 29211

(803) 799-9993

lpope@rplfirm.com

Columbia, SC
June 6, 2025

RECEIVED

Jun 06 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHESTERFIELD COUNTY
Court of Common Pleas

Brian M. Gibbons, Circuit Court Judge

Appellate Case No.: 2025-000133

Vanderbilt Mortgage and Finance,.....Respondent,

v.

Michael Shane Hammonds, Jessica Ann Hammonds, and Unknown Occupants,Defendants,

Of whom Jessica Ann Hammonds is theAppellant.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Respondent’s Motion to Dismiss Appeal has this day been caused to be served via first class postage prepaid, addressed as follows:

Jessica Ann Hammonds
382 Goodson Lane
McBee, South Carolina 29101

RILEY, POPE & LANEY, LLC

s/Lowndes T. Pope

Lownes T. Pope

SC Bar No. 66507

lpope@rplfirm.com

Columbia, SC
June 6, 2025