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SC Court of Appeals

**FORM 14
DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

APPEAL FROM CHESTERFIELD
COUNTY
Court of Common Pleas

Brian M.Gibbons, Circuit Court Judge

Case No. 2025

Crown Asset Management

Respondent,

v.

Tierra Richberg,

Appellant.

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON
APPEAL

Appellant proposes the following be included in the Record on Appeal:

1. Initial Brief of Appellant
- 2.

I certify that this designation contains no matter that is irrelevant to this appeal.
June 9, 2025

Tierra Richberg
1015 Piney
Point Lane
Pageland, South Carolina
29728 Appellant.

I. STATEMENT OF ISSUES ON APPEAL

1. Whether the trial court erred in granting judgment to Respondent Scott & Associates, P.C., without requiring competent evidence establishing that Appellant entered into the alleged loan agreement with Crown Asset Management or any entity affiliated with Scott & Associates.
2. Whether the trial court erred in finding liability without any documentation showing that Appellant owed the alleged debt or agreed to its terms with Crown Asset Management.
3. Whether the court proceeding on insufficient identification and unverifiable debt documentation violated due process rights.

II. STATEMENT OF THE CASE

Appellant was named as a defendant in a debt collection action filed by Scott & Associates, P.C., alleging that Appellant owed a debt originating from a loan with Upstart. Appellant filed a timely response denying any knowledge or recollection of such a debt and requested verification of the alleged debt. No signed loan agreement, loan origination documents, account number, or documentation linking the Appellant to the alleged loan was produced by the Respondent. Respondent proceeded to assert claims based solely on name, email address, and phone number - none legally sufficient to establish liability or contractual obligation.

The trial court erred by entering judgment in favor of the Respondent in the absence of foundational documentary evidence and over the Appellant's objection.

III. ARGUMENT

A. Lack of Evidence Linking Appellant to Debt

The Respondent failed to present any valid, signed contract or loan origination documentation establishing that Appellant applied for, agreed to, or received funds from any loan originated by Upstart; that could be verified further by non-changing factors as personal bank accounts, or social security numbers. The mere presence of a name, email address, or phone number does not establish liability, particularly where such identifiers are not uniquely linked to the Appellant and where the Social Security Number or other legally binding identifiers were not matched or presented.

Without a signed agreement or account documentation, there is no admissible evidence to support a finding of indebtedness under South Carolina contract law.

B. Violation of Due Process

Appellant was denied the right to contest the alleged debt on equal footing due to the absence of meaningful evidence. Proceeding to a default judgment without foundational proof violates Appellant's due process rights under the Fourteenth Amendment and Article I, Section 3 of the South Carolina Constitution.

IV. CONCLUSION

For the foregoing reasons, Appellant respectfully requests that the Court of Appeals reverse the judgment of the trial court and enter judgment in favor of Appellant or remand the case with instructions to dismiss the action due to lack of evidence establishing liability.