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South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

19 June 2025
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SC Court of Appeals

Re: Follow-up to Respondent's Motion to Dismiss, filed 05/28/2025
Crescent Roofing & Remodeling, LLC v. Ragsdale (Case No. 2024-000420)

To Whom It May Concern:

I filed a Motion to Dismiss the aforementioned appeal on May 28, 2025. Appellant Eric Ragsdale appearing *pro se* failed to respond or request an extension in the time allowed by Rule 240(e), SCACR to respond to that Motion. Accordingly, I ask the Court dismiss this appeal for the reasons set forth in the Motion.

I am presently preparing to travel out-of-state for 2 weeks to attend a family member suffering a fatal illness. If, as has been his habit, Appellant files a response out-of-time or posits an excuse for being tardy, please accept this as my response to same. As set forth in the Motion, Respondent Crescent Roofing brought suit in Magistrate Court to collect a debt owed by Appellant arising from Respondent's replacement of Appellant's residential roof and related painting. Although Appellant did not express any dissatisfaction with the work upon its completion, he later refused to pay the remaining balance owed (\$4,902.56) requiring Respondent to bring suit. Respondent answered the suit and counterclaimed for damages totaling \$21,627.64 along with unspecified punitive damages based on more than a dozen alleged deficiencies with the work and other irrelevant or nonexistent legal theories. After several extensions for answering discovery, Appellant responded with twenty-seven (27) mostly nonsensical objections such as objecting to the Standard Interrogatories found in Rule 33(b), SCRCP. Undersigned counsel drafted Appellant a detailed response explaining the deficiencies with each of the numerous objections. Rather than responding and/or attempting to provide the required discovery, Appellant lodged the spurious claim that Respondent should be sanctioned for not participating in mediation even though the parties had agreed, in consultation with the mediator, to postpone mediation until discovery could be completed.

In its February 15, 2024 Order, the trial court found that Appellant agreed to the proposed discovery-then-mediation schedule, but then "willfully and in bad-faith refused to comply with his discovery obligations, complained about the delay in mediation, and otherwise sought to benefit from his misconduct." The court found that Respondent's "misconduct prejudiced the [Respondent's] ability to respond to [Appellant's] counterclaims, prevented it from meaningfully participating in mediation, and caused [Respondent] to incur unnecessary attorney's fees." Motion to Dismiss, Exhibit A at p.6. This appeal is simply Appellant's most recent attempt to cause Respondent to incur unnecessary attorney's fees and delay its ability to collect the moneys owed by Appellant.

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Letter to South Carolina Court of Appeals.


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Appellant failed to advance any legal argument below to the proposed sanction and simply asked the court to maintain his Answer and Counterclaims because he was representing himself. He offered no legal support for his position or justification for lying to the court regarding why mediation had not yet occurred. Although striking a pleading is a severe sanction for litigation misconduct, the trial judge concluded that the Appellant's conduct required such a sanction. I would urge this Court to similarly strike this appeal as Appellant has consistently failed to meet the time requirements set forth by the Rules of Appellate Practice, failed to raise and obtain a ruling on an issue to raise on appeal, improperly designated material not consider by the trial court, failed to timely serve the initial brief, failed to properly draft the initial brief, and merely presents conclusory and vague arguments in support of this frivolous appeal in violation of Rule 269, ACR.

Thank you in advance for your attention to this.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sam Phillips", written over a horizontal line.

Robert B. (Sam) Phillips, Esq.
Attorney for Respondent.