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Jun 20 2025

SC Court of Appeals

**IN THE COURT OF APPEALS
STATE OF SOUTH CAROLINA**

Terry Clark,
Appellant,

v.

Mahender Adonda,
Respondent.

Court of Appeals Case No.: 2025-000660

Lower Court Case No.: 2025CV2910100115

**Appellant's Response and Objection to Respondent's Request to Dismiss
Financial Damages**

COMES NOW the Appellant, Terry Clark, respectfully submitting this response in opposition to the Respondent's request to dismiss her claim for financial damages, and in support thereof states as follows:

1. The Respondent incorrectly asserts that Appellant failed to raise the issue of damages with the lower court. Appellant made repeated filings and emergency motions both before and after the execution of the writ of ejectment, including but not limited to motions for temporary stay, post-execution restoration, and emergency relief, all of which described the risk of irreparable harm and personal property loss. These filings were sent to both the lower court and appellate court clerks.
2. The financial damages were not fully realized until after the writ was executed on June 12, 2025, at which point Appellant's property — including her minor child's personal electronics, clothing, furniture, and other valuables — was placed outside and subsequently damaged, stolen, or destroyed.
3. Appellant was not given a meaningful opportunity to present these specific losses in the lower court as the writ was enforced despite pending emergency stay motions, and the timeline of the events reflects that the damages arose directly as a result of mishandling during execution.
4. To deny Appellant's right to seek relief due to procedural technicalities, despite clear and continuing harm, would result in manifest injustice and a violation of Appellant's constitutional rights to property and due process.

WHEREFORE, Appellant respectfully requests that the Court reject the Respondent's request to dismiss the financial damages claim, and allow this issue to proceed for appropriate review and remedy.

Respectfully submitted,

S/Terry Clark
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Date: June 20, 2025

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CERTIFICATE OF SERVICE

I, Terry Clark, hereby certify that I have served a true and correct copy of the foregoing Appellant's Response and Objection to Respondent's Request to Dismiss Financial Damages upon the following parties by electronic mail on this 20th day of June, 2025:

Mary Singleton, Clerk of Court
South Carolina Court of Appeals
Email: msingleton@sccourts.org
cc: ctappfilings@sccourts.org

Emily C. Brown, Esq.
Counsel for Respondent
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Respectfully submitted,

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