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Jun 24 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

MOTION FOR RELIEF DUE TO JUDICIAL INACTION AND PROCEDURAL HARM

COMES NOW, the Appellant, Terry Clark, pursuant to Rule 240 of the South Carolina Appellate Court Rules, and respectfully moves this Court to issue an order addressing the procedural failure caused by the Court's inaction on multiple emergency motions filed prior to the execution of a writ of ejectment on June 12, 2025. As a direct result of the Court's failure to timely consider and rule on those motions, the Appellant has suffered irreparable harm, including loss of residence and destruction or theft of property.

1. Appellant filed multiple motions prior to June 12, 2025, including motions to stay enforcement of the writ of ejectment and motions for emergency relief, all of which were made in good faith and pursuant to appellate procedure.
2. Despite these timely filings, the Court failed to issue any ruling, response, or acknowledgment prior to the execution of the writ.
3. As a direct consequence of this inaction, Appellant and her minor child were forcibly displaced, and their personal belongings were left outside, exposed to weather and theft, causing an estimated loss of \$7,000 in property.
4. Appellant contends that this lack of judicial response deprived her of a meaningful opportunity to be heard, in violation of her constitutional right to due process.
5. This failure has materially affected the integrity of this appeal and resulted in procedural prejudice against the Appellant.

WHEREFORE, Appellant respectfully requests that this Court:

- Acknowledge the Court's failure to timely address emergency filings and the resulting prejudice;
- Issue a ruling on any still-pending motions for stay or emergency relief;
- Award compensatory damages or grant appropriate equitable relief based on the property loss and housing deprivation;
- And for such other and further relief as this Court deems just and proper under Rule 240.

Respectfully submitted this June 24, 2025.

S/Terry Clark
Terry Clark
Pro Se Appellant
3831 Fairlady Lane
Indian Land, SC 29707
cs.luxeglam@gmail.com
(803) 833-3128

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CERTIFICATE OF SERVICE

I, Terry Clark, hereby certify that a true and correct copy of the foregoing Motion for Relief Due to Judicial Inaction and Procedural Harm was served via email on June 24, 2025, to the following parties:

Court of Appeals Clerk

Email: msingleton@sccourts.org, ctappfilings@sccourts.org

Emily Brown, Esq.

Counsel for Respondent

Email: emily@emilybrownlaw.com, emily.nicole.brown@gmail.com

Respectfully submitted,

S/Terry Clark

Terry Clark

Pro Se Appellant

3831 Fairlady Lane

Indian Land, SC 29707

cs.luxeglam@gmail.com

(803) 833-3128