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Jul 01 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA
COUNTY OF LANCASTER
IN THE COURT OF COMMON PLEAS

Terry Clark,

Plaintiff,

v.

Mahender Adonda,

Defendant.

Case No.: 2025-000660

**PLAINTIFF'S MOTION TO STRIKE DEFENDANT'S IMPROPERLY FILED
MOTION TO DISMISS**

NOW COMES the Plaintiff, Terry Clark, appearing pro se, and hereby respectfully moves this Honorable Court pursuant to Rule 12(f) of the South Carolina Rules of Civil Procedure to strike the Defendant's "Motion to Dismiss" filed on or about June 30, 2025, by Attorney Emily Brown, on the grounds that said motion was improperly filed while the case is actively under appellate jurisdiction and currently pending before the South Carolina Court of Appeals (Case No. 2025-000660) and South Carolina Supreme Court (Case No. 2025-001222).

GROUND FOR MOTION

1. This Court is divested of jurisdiction over matters that are the subject of an active appeal.
2. Opposing counsel's Motion to Dismiss was filed improperly in the trial court after a Writ of Ejectment was executed and while Plaintiff's appellate filings remain pending and unresolved.
3. Filing substantive motions in the trial court during the pendency of appellate review constitutes an abuse of procedure and is in direct conflict with principles of judicial economy and jurisdictional authority.

4. The filing was made without proper notice or standing and seeks to influence or undermine the authority of the appellate court's review.

5. Pursuant to Rule 12(f), a court may strike "any insufficient defense or any redundant, immaterial, impertinent, or scandalous matter" from the pleadings. The Defendant's filing is immaterial and improper under these circumstances.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court:

- a) GRANT this Motion to Strike;
- a) STRIKE Defendant's Motion to Dismiss filed June 30, 2025, from the record;
- a) GRANT such other and further relief as this Court deems just and proper.

Respectfully submitted this 1st day of July, 2025.

Terry Clark
Plaintiff, pro se
3831 Fairlady Lane
Indian Land, SC 29707
cs.luxeglam@gmail.com

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CERTIFICATE OF SERVICE

I, Terry Clark, hereby certify that I have served a true and correct copy of the Plaintiff's Motion to Strike Defendant's Improperly Filed Motion to Dismiss on the following parties by depositing the same in the United States Mail, first-class postage prepaid, on this 1st day of July, 2025, addressed as follows:

Emily Brown, Esq.
P.O. Box 38113
Rock Hill, SC 29732

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

Lancaster County Court of Common Pleas
104 N. Main Street
Lancaster, SC 29720

Respectfully submitted,

Terry Clark
Plaintiff, pro se
3831 Fairlady Lane
Indian Land, SC 29707
cs.luxeglam@gmail.com