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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 OBJECTION TO DEFENDANT'S MOTION TO DISMISS

NOW COMES the Plaintiff, Terry Clark, appearing pro se, and respectfully submits this Objection to Defendant's Motion to Dismiss, filed on or about June 30, 2025, by Attorney Emily Brown. Plaintiff objects to the motion in its entirety on both procedural and substantive grounds.

I. PROCEDURAL OBJECTION

Plaintiff objects on the basis that this Court is currently divested of jurisdiction over this matter. This case is actively pending before the South Carolina Court of Appeals (Case No. 2025-000660) and the South Carolina Supreme Court (Case No. 2025-001222). The filing of a Motion to Dismiss in the trial court during this pendency is improper, premature, and violates the principles of judicial economy and jurisdictional authority.

II. SUBSTANTIVE OBJECTION

Without waiving the above procedural objection, Plaintiff further asserts that Defendant's Motion to Dismiss lacks merit. The motion fails to meet the standard required under Rule 12(b)(6) of the South Carolina Rules of Civil Procedure, in that it does not establish a clear entitlement to dismissal, nor does it provide sufficient legal or factual support to warrant such relief.

Furthermore, Plaintiff asserts that the issues raised in the Motion to Dismiss are already before the appellate courts and any adjudication of those issues at the trial court level would be duplicative and improper.

WHEREFORE, Plaintiff respectfully requests that this Court:

- DENY Defendant's Motion to Dismiss in its entirety;
- DECLARE that the filing is procedurally improper while the matter is under appellate review;
- GRANT such other and further relief as the 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 Objection to Defendant's 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
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