

THE SOUTH CAROLINA COURT OF APPEALS

Appellate Case No. 2024-001284

Appeal from the Court of Common Pleas  
The Honorable R. Ferrell Cothran Jr.

Civil Case #: CASE #: 2024CP1400153 & 2024CP1400306

Mayshell Wilson, Appellant,

vs.

Willie Mae Reed, Respondent.

**RECEIVED**

**Jul 09 2025**

**SC Court of Appeals**

**RESPONDENT'S OBJECTION TO APPELLANT'S MOTION TO FILE OUT OF TIME**

Pursuant to South Carolina's Rule of Appellate Procedure Respondent through her counsel of record responds to the Appellant's Motion to File Initial Brief, out of time and requests that this Honorable Court deny Motion of Appellant.

In support thereof, Respondent would show as follows:

1. On October 16, 2024, this Court issued its Order, "Within ten (10) days from the date of this letter, you must provide this Court with a copy of the order issued by Clarendon County Circuit Court pertaining to the August 16, 2024 hearing. Failure to provide a copy of the order within ten ( 10) days from the date of this letter will result in the dismissal of this appeal"
2. Shortly thereafter, the Court issued its Order directing the Appellant to provide a copy of the transcript from the August 16, 2024. After Appellant's failure to abide by this Court's Order, Respondent through her counsel of record, requested, compensated and received a copy of the transcript from the hearing held on August 16, 2024. Said transcript was provided to the Court on March 17, 2024.
3. On June 12, 2025, this Court again issued its Order, "Within ten (10) days of the date of this letter, you must serve and file the appellant's initial brief and designation of matter, along with a motion requesting permission to serve and file out of time, pursuant to Rules 208, 209 and Rule 240 of the South Carolina Appellate Court Rules (SCACR), or this appeal will be dismissed.
4. Appellate improperly filed her Initial Brief with the Court; however, proper procedures and protocols were not followed to include but not limited to, no Certificate of Service was provided, to include there was no address or name of counsel for Respondent and Respondent nor her counsel received notice or a copy of the filing of the initial brief.

5. Contrary to this Court's directive, Appellant failed to allege any viable circumstances as a basis for her motion.

**As grounds for her request for a Motion to File Out of Time the Appellant filed as follows:**

- a. "The delay in filing in filing was "due to unforeseen circumstances including ongoing efforts to resolve the dispute on the local level. which were unsuccessful"
- b. "the delay did not prejudice the Respondent"
- c. "good cause exists for this Court to grant leave to file the Motion out of time".

6. Rule 240(a)(1) of the South Carolina Appellate Court Rules (SCACR) provides that "[a] motion for an extension of time shall . . . contain a certificate that the movant's counsel has consulted opposing counsel and that the movant's counsel is authorized to represent that opposing counsel either has no objection or will promptly file an objection." Appellant's motion contains no such certificate ( Exhibit 1). In fact, undersigned counsel was never contacted concerning the request for relief and only received notice of the filing of the motion after reviewing the Court's online docket.

7. No attempt to contact undersigned counsel, neither the undersigned nor co-counsel had received any telephone calls, faxes, emails, letters or any other correspondence or communication concerning the request contained in the motion. In fact, counsel for Respondent has a 24 hour a day live answering service that documents and details any and all calls to the firm, along with email in which counsel for Respondent has provided to Appellant in the past.

8. In addition, Appellant alleges the unforeseen circumstances on efforts to resolve case on local level, yet Appellant filed the case with the Court of Appeals on her own accord seeking emergency relief from the Order of the Circuit Court.

9. Respondent would show that Appellant during the Clarendon County Sheriff's Departments effectuation of the Court's Writ of Ejection on December 11, 2024, Appellant contacted the South Carolina Court of Appeals to have the Ejection process halted. During this eviction the responding officer fell through a hole in the floor of the home becoming injured and requiring substantial medical treatment.

10. Although Appellant in her Motion to File Out of time ascertains no prejudice to the Respondent, Respondent would show that the Appellant is destroying the rental home and subjecting Respondent to possible civil suits as Respondent has been contacted by the South Carolina Workers Compensation Commission.

11. As evidenced by the attached correspondence of January 11, 2025, Appellant was made aware of the foregoing which is still pending without resolution.(Exhibit 2)

**WHEREFORE**, Respondent, by and through undersigned counsel, respectfully requests this Honorable Court deny Appellant's motion.

Under penalties of perjury, I declare that I have read the foregoing objection and that the facts stated in it are true.

Respectfully Submitted:

*/William Joseph Virgil Barr*

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William Joseph Virgil Barr  
Attorney For Respondent  
108 North Academy Street  
Kingstree, South Carolina 29556  
E:wvbarr@wvbarrlaw.com  
T: 843-355-5444

July 8, 2025

Kingstree, South Carolina

## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served on:

Mayshell Wilson 6411 Summerton Highway Manning, South Carolina 29102

via U.S. regular mail and South Carolina Court of Appeals via email

ctappfilings@sccourts.org this 8th day of July, 2025.

**/s William Joseph Virgil Barr**  
South Carolina Bar No. 104883

THE SOUTH CAROLINA COURT OF APPEALS

Appellate Case No. 2024-001284

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Vs.

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**EXHIBIT 1**

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In the Courts of appeal of The State of South Carolina

Appellate Case # 2024-001284

Mayshell Wilson  
appellant

**RECEIVED**

**Jun 23 2025**

v.  
Willie Mae Reed  
Respondent

**SC Court of Appeals**

Initial Brief and Designation of Matter  
Permission to Serve and File out of Time.

I.

This appeal challenges the ruling of the Clarendon County Magistrate and Clarendon County Circuit Court, regarding the Unauthorized Eviction Process initiated by my landlord, Mrs. Willie Mae Reed, after unlawfully disconnecting utilities and failing to respond to attempts to resolve the issue, leading to award in the favor of Mayshell Wilson (appellant). There after Mrs Willie Mae Reed (Respondent) then filed an eviction action without merit.

II.

This matter involves an appeal from a ruling related to a utility disconnection, an award to Mayshell Wilson the appellant, and the subsequent unlawful attempt to evict Mayshell Wilson (appellant) based on Baseless grounds and under SC Landlord tenant act 27-40-1660 as Self help.  
Eviction

III.

On October 13<sup>th</sup>, 2023. The Landlord Mrs. Reed, had the utilities disconnected in home of Nayphell Wilson (Appellant). I attempted to resolve the issue through communication with Mrs. Reed. I went to Black Line Corp the electric Company. and asked them to contact Mrs. Reed, I also went to the Shoffs office here in Clarendon County. I was told they would give her a Courtesy Call. I went back to the magistrate office and was told that it was nothing that they could do. and was without services for weeks, even though Mrs. Reed received her rent on the same day she had the utilities disconnected. During that time I wrote her a letter requesting she have my services reconnected, I had the letter notarized. She never responded, she in fact blocked me. I then went and had ~~her~~ served with the necessary legal paperwork and a court hearing date. I had help from SC legal aide. The Clarendon County Magistrate awarded me \$2605.00, in damages for the utility related issue. Afterwards, Mrs Reed, without a lawful basis initiated eviction proceeding against me. Ignoring the previous award and the lack of valid ground for eviction.

IV

Whether the eviction filed by the landlord Mrs. Reed, agent  
Mr. Mayshell Wilson (appellee) was lawful, given the prior  
unresolved utility disconnection, the court's award,  
and the landlord's failure to establish grounds for eviction.

V.

a This appeal relates to proceedings involving South  
Carolina Rules of Civil procedure Rules 208, 209 and  
240, which governs appeals, Service of Process, and  
filing deadlines

## Motion for Permission to Serve and file out of time

VI.

Comes Now, I Mayhew Wilson (Appellant) and respectfully request this Court for permission to serve and file the attached Appellant Initial Brief and Designation of Matter out of time, along with the motion to serve and file out of time, pursuant to Rules 208, 209, and 240 of the South Carolina Rules of Civil Procedure.

In Support thereof, I Mayhew Wilson (Appellant) states:

- 1) The delay was due to unforeseen circumstances, including ongoing efforts to resolve the dispute on the local level which were unsuccessful.
- 2) The delay did not prejudice the Respondent.
- 3) Good Cause exist for this Court to grant leave to file and serve out of time

Wherefore, I Mayshell Wilson, the appellant, requests this Court to grant the motion accept the attached initial Brief and Designation of matter and consider the substantive issue on appeal.

I, Mayshell Wilson, Certify that a copy of this motion and attached documents will be served to the Respondent Mrs Willie Mae Reed and/or her Counsel on this date by mail June 20<sup>th</sup> 2025

Oct 23, 2023

To Mrs Willie Mae Reed.

This handwritten letter is to serve you as notice, that I mayshell will be your tenant that reside at 6411 Sumnersta Hwy. Marion, SC. This is to notify you that you have until 5:00 on Oct 23, 2023 to restore my utilities in the house that I reside in. Or give me the necessary paperwork to restore it in my name or repay me my security 1st month and the rent for the last 5 mths included by 5 pm on Oct 23, 2023. If nothing is done by 5:00 pm I will resume with legal actions.

Mayshell will  
803-1096-2617

Writing  
Parrott James L. Cooper

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Jun 23 2025

SC Court of Appeals

THE SOUTH CAROLINA COURT OF APPEALS

Appellate Case No. 2024-001284

Mayshell Wilson, Appellant,

Vs.

Willie Mae Reed

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**EXHIBIT 2**

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ATTORNEY & COUNSELOR AT LAW

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January 16, 2025

Mayshell Wilson  
6411 Summerton Highway  
Manning, South Carolina 29102

**Re: Willie Mae Reed vs. Mayshell Wilson**  
**Case # 2024CV1410100874 (Civil)**  
**2024CP1400153 (Common Pleas)**  
**2024-001284 (Court of Appeals)**  
**Lease address: 6411 Summerton Highway, Manning,**  
**South Carolina 29102**  
**SCCWCT case #: 2024086030**

Dear Ms. Wilson:

My client has been contacted by the South Carolina Workers Compensation Trust regarding officer Stephen G. Sweikata being injured on December 11, 2024, at the address 6411 Summerton Highway, Manning, South Carolina 29102. You are currently a tenant at this address until such time as the matter has been decided by the South Carolina Court of Appeals. The signed Residential Lease Agreement between you and Ms. Reed (which is attached for reference) contains the following provisions.

25. The tenant is responsible for insuring the Landlord's contents in or about the Property for either damages or loss for the benefit of the landlord.

26. The tenant is responsible for insuring the property of the landlord for Damage or loss to the structure, Mechanical or improvements to the building or the property for the benefit of the parties. The insurance must Include such risk as fire, theft, Vandalism, flood and disaster.

27. The tenant is responsible for insuring The property for liability insurance for the benefit of the parties.

28. The tenant will provide proof of such Insurance to the landlord upon. The issuance or renewal of such Insurance.

It is my client's understanding that you received a copy of the correspondence from SCCWCT; however, Ms. Reed is unsure whether you have responded. Please forward a copy of the liability insurance policy which you have on 6411 Summerton Highway, Manning, South Carolina, to my office upon receipt of this correspondence.

I look forward to hearing from you.

Sincerely,

William Joseph Virgil Barr