

IN THE COURT OF APPEALS
STATE OF SOUTH CAROLINA

Christopher Lawton,
Appellant,

v.

Discover Bank,
Respondent.

Court of Appeals Case No. 2025-000833

Lower Court Case No. 2024-CP-23-05217

AMENDED INITIAL BRIEF OF APPELLANT

Submitted by:

Christopher Lawton

Appearing in propria persona

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Date: July 20, 2025

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TABLE OF AUTHORITIES

Lujan v. Defenders of Wildlife, 504 U.S. 555 (1992)
Mullane v. Central Hanover Bank, 339 U.S. 306 (1950)
Mathews v. Eldridge, 424 U.S. 319 (1976)
Article I, Section 10, U.S. Constitution
Fourteenth Amendment, U.S. Constitution
Seventh Amendment, U.S. Constitution
SCACR Rule 208(b), Rule 56, SCRCF

STATEMENT OF ISSUES ON APPEAL

1. Whether the trial court erred in granting summary judgment where material facts were in dispute.
2. Whether Discover Bank failed to establish standing as required under federal and state law.
3. Whether Appellant was denied procedural due process and meaningful opportunity to be heard.
4. Whether the debt claim violated Article I, Section 10 by impairing contractual obligations.
5. Whether Appellant's rights under the Fourteenth Amendment were violated.
6. Whether Appellant was improperly denied a jury trial in violation of the Seventh Amendment.

STATEMENT OF THE CASE

This case arises from a complaint filed by Discover Bank seeking to collect an alleged debt purportedly owed by Appellant, Christopher Lawton. The case proceeded in the Court of Common Pleas for Greenville County, where the trial court granted summary judgment in favor of Discover Bank on April 8, 2024.

Appellant appeared and argued that Discover Bank failed to prove standing, failed to authenticate alleged account records, and did not meet the burden of proof required under Rule 56. Appellant further raised multiple constitutional objections on the record, including violations of due process, lack of proper notice and opportunity to be heard, and the denial of a jury trial.

The transcript of the hearing shows Appellant repeatedly objected to the admissibility of hearsay evidence, challenged the court's jurisdiction, and preserved constitutional issues for appellate review. Despite these objections, the court summarily ruled in favor of Discover Bank, and this appeal followed.

STANDARD OF REVIEW

Summary judgment is reviewed de novo on appeal. The reviewing court applies the same standard as the trial court under Rule 56, SCRPC: summary judgment is appropriate only when there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law.

Constitutional claims, including alleged violations of due process or equal protection, are reviewed de novo. The appellate court owes no deference to the trial court's resolution of such legal issues.

SUMMARY OF ARGUMENT

The trial court's grant of summary judgment was erroneous because material factual disputes existed regarding the origin, ownership, and amount of the alleged debt. Discover Bank did not submit competent evidence proving standing or the authenticity of the purported account.

Moreover, Appellant was denied constitutional protections under both the U.S. and South Carolina Constitutions. Specifically, Appellant was denied procedural due process, equal protection, and his right to a jury trial. The lower court also failed to apply controlling precedent such as *Lujan v. Defenders of Wildlife*, *Mathews v. Eldridge*, and Rule 56 of the SCRPC.

Finally, the trial court ignored binding limitations imposed by Article I, Section 10 of the U.S. Constitution, which prohibits the impairment of contracts, and failed to weigh historical ratification challenges and federal supremacy implications of the Fourteenth Amendment.

ARGUMENT

I. The Trial Court Erred in Granting Summary Judgment Where Material Facts Were in Dispute

Summary judgment under Rule 56, SCRCP, is proper only when there is no genuine issue of material fact. The burden rests with the moving party to demonstrate that no factual dispute exists. In this case, Discover Bank failed to attach admissible evidence showing that it owned the account or had a valid claim against Appellant.

The trial court improperly accepted hearsay documents, unauthenticated billing records, and conclusory affidavits. Appellant challenged the sufficiency and origin of these records, arguing that no original contract or billing statement proved an obligation owed by him to Discover Bank. These facts alone created a material dispute requiring resolution by a jury.

II. Discover Bank Failed to Establish Article III Standing

The trial court erred in overlooking the standing requirement. Standing is a threshold issue that must be established before a court may proceed. In *Lujan v. Defenders of Wildlife*, 504 U.S. 555 (1992), the Supreme Court held that a party must demonstrate (1) injury in fact, (2) causation, and (3) redressability.

Discover Bank failed to provide sufficient proof of assignment, ownership, or injury traceable to Appellant. The trial court's failure to require such proof constitutes reversible error.

III. Appellant Was Denied Procedural Due Process

Appellant was denied procedural due process as required by the Fourteenth Amendment. Under *Mathews v. Eldridge*, 424 U.S. 319 (1976), courts must consider (1) the private interest affected, (2) the risk of erroneous

deprivation, and (3) the government's interest.

Appellant's objection to the court's swift ruling without weighing testimony, evidence, or hearing meaningful argument deprived him of a fundamentally fair process. The court relied on documents not authenticated in open court and failed to address Appellant's multiple objections.

IV. The Trial Court Violated Appellant's Right to a Jury Trial

The Seventh Amendment guarantees the right to a jury trial in suits involving claims over \$20. Appellant requested his right to a jury on the record. The court dismissed this constitutional guarantee without analysis or justification. The right to a jury trial in civil cases is a fundamental safeguard that cannot be overridden without consent or waiver.

V. The Trial Court Ignored the Prohibition Against Impairment of Contracts

Article I, Section 10 of the U.S. Constitution prohibits states from passing laws impairing the obligation of contracts. Appellant argued that summary judgment and default proceedings effectively altered alleged contract terms without his input or acknowledgment.

Without proof of a valid contract signed by Appellant, and without consideration of his rebuttal, the ruling impaired both the original terms and the fairness expected in contractual enforcement.

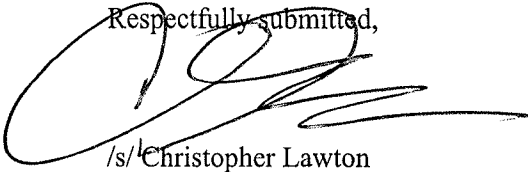
VI. Fourteenth Amendment Violations and Ratification Issues

Appellant raised objections grounded in historical analysis of the Fourteenth Amendment, arguing that its application may not have been fully ratified under constitutional norms of the era. While courts may view such arguments as novel, the record shows that Appellant presented these concerns in good faith as part of a broader due process challenge and should not have been dismissed without consideration.

CONCLUSION

The trial court erred in granting summary judgment without resolving genuine issues of material fact and without affording Appellant his full constitutional rights. Appellant respectfully requests that this Honorable Court reverse the order of the lower court and remand this matter for a jury trial or other relief deemed appropriate.

Respectfully submitted,



/s/ Christopher Lawton

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Dated: July 20, 2025

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing Amended Initial Brief of Appellant was served via U.S. Mail, postage prepaid, on July 21, 2025, to:

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By emailing a copy to the Clerk of the South Carolina Court of Appeals on July 20, 2025.

/s/ Christopher Lawton

Christopher Lawton

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