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Aug 04 2025

SC Court of Appeals

August 4, 2025

Clerk of Court

South Carolina Court of Appeals

P.O. Box 11330

Columbia, SC 29211

**Re: Notice of Filing in Trial Court Relevant to Appeal**

Appeal No. 2024-002176

Trial Court Case No. 2023-CP-10-00305

*John R. Nick v. Emily Prioleau*

Dear Clerk:

Please find enclosed a copy of a Motion to Supplement the Record with Affidavit of Emily Prioleau and Exhibits, filed on August 4, 2025, in the Charleston County Court of Common Pleas. This filing pertains to factual matters that occurred before and after the July 29, 2025 hearing and may bear on issues currently under appellate review.

This submission is provided for informational purposes only, to ensure transparency and preserve the integrity of the appellate record. No action is requested at this time.

Sincerely,



Emily Prioleau

5528 Flanders Avenue

North Charleston, SC 29406

(843) 693-0184

[eprioleau1976@gmail.com](mailto:eprioleau1976@gmail.com)

**IN THE COURT OF COMMON PLEAS**

**STATE OF SOUTH CAROLINA**

**COUNTY OF CHARLESTON**

John R. Nick,  
Plaintiff,

v.

Case No.: 2023-CP-10-00305

Emily Prioleau,  
Defendant.

2025 AUG -4 PM 12:37  
CLERK OF COURT

**AFFIDAVIT OF EMILY PRIOLEAU REGARDING APPEARANCE AND  
CONDUCT AT JULY 29, 2025 BOND HEARING**

I, Emily Prioleau, being duly sworn, depose and state as follows:

I am the Appellant in the above-captioned matter in the South Carolina Court of Appeals (Appeal No. 2024-002176) and was the Defendant in the underlying case in the Charleston County Court of Common Pleas (Case No. 2023-CP-10-00305).

I am appearing in this matter pro se. My Initial Brief of Appellant was submitted to the South Carolina Court of Appeals on June 30, 2025.

On July 29, 2025, I attended a hearing in the Court of Common Pleas for Charleston County before the Honorable Judge McCoy, concerning motions for a stay, an appeal bond, and a motion to relieve counsel.

My attorney of record in the Court of Common Pleas was Matthew N. Billingsley of South Carolina Legal Services. He filed an opposition on my behalf on July 18, 2025, related to the appeal bond motion.

Prior to the hearing commencing, while waiting for Judge McCoy in the courtroom, I personally and directly overheard a conversation between Attorney William B. Jung (counsel for the Plaintiff, John R. Nick) and Attorney Matthew N. Billingsley (my counsel of record in this Court).

During this conversation, Attorney Jung was not asking Attorney Billingsley what was in my appellate brief. Rather, he was stating its contents and suggesting that Attorney Billingsley should not continue to represent me on the motion that was being presented that day. I distinctly heard Attorney Jung say that I had asserted “witnesses were not called,” “evidence was not presented,” and that I claimed “ineffective counsel because we were in separate areas during the virtual hearing and I didn’t have access to him [Billingsley].” These statements directly refer to arguments I have raised in my appeal regarding trial counsel’s failures.

I could not discern Attorney Billingsley’s responses during the exchange because his back was turned to me, but Attorney Jung’s statements were clearly audible to me.

Shortly afterward, Attorney Billingsley approached me in the courtroom. I told him that I had overheard his conversation with Attorney Jung. Before I explained what I had heard, Attorney Billingsley preemptively stated, “Ineffective counsel pertains to criminal cases,” directly referencing one of the issues raised by Attorney Jung.

After the hearing concluded, as Attorney Jung was exiting the courtroom, he again spoke to Attorney Billingsley and stated, “I will send you [Billingsley] the records.”

Attorney Matthew N. Billingsley notified Attorney Jung in December 2024 that he would not be representing me in the appeal process.

Despite being notified by formal order of the South Carolina Court of Appeals dated February 21, 2025, that Mr. Billingsley was relieved as appellate counsel, Attorney Jung was overheard commenting on the contents of my Initial Brief of Appellant and suggesting that the motion to relieve counsel should be heard first. This raises serious concerns as to why opposing counsel was commenting on or attempting to influence Attorney Billingsley—who remained counsel of record in the Court of Common Pleas—about appellate matters in which he was no longer involved.

On Friday, August 1, 2025, at approximately 4:00 p.m., Mr. Billingsley notified me by email that he had been relieved as counsel in the Court of Common Pleas and that no order had yet been entered on the bond-related motions heard on July 29, 2025.

Judge McCoy did not issue a ruling on the pending motions at the conclusion of the July 29 hearing.

I am indigent and was previously represented by South Carolina Legal Services. I currently do not have an attorney to represent me on appeal, nor for the current post-judgment/bond proceedings, and I believe my representation at the July 29 hearing was compromised due to the aforementioned conflict involving my counsel of record and the highly improper interference by opposing counsel.

I swear and affirm that the foregoing statements are true and correct to the best of my knowledge and belief.

  
Emily Prioleau

Subscribed and sworn before me  
this 4<sup>th</sup> day of August, 2025.



Notary Public for South Carolina

My commission expires: 6-9-2031



**EXHIBIT A**

South Carolina Court of Appeals Order  
Relieving Matthew N. Billingsley as Counsel  
Dated February 21, 2025

# The South Carolina Court of Appeals

John Nicks, Respondent,

v.

Emily Prioleau, Appellant.

Appellate Case No. 2024-002176

The Honorable Jessica Ann Salvini  
Charleston County  
Trial Court Case No. 2023CP1000305

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## ORDER

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The Court received the motion to be relieved as counsel for the appellant from Matthew M. Billingsley, Esquire. This motion is Granted. Matthew M. Billingsley, Esquire is relieved as counsel of record for the appellant. This case will be held in abeyance for thirty (30) days for the appellant to obtain new counsel if desired. If the Court is not notified of any new counsel, appellant will be presumed to be proceeding pro se.

FOR THE COURT

BY

  
CLERK

Columbia, South Carolina

cc:  
Matthew M. Billingsley, Esquire  
William B. Jung, Esquire

**FILED**  
**Feb 19 2025**

**EXHIBIT B**

Email from Matthew N. Billingsley to Emily Prioleau  
Sent August 1, 2025 at 4:00 p.m.



Emily Prioleau <eprioleau1976@gmail.com>

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## order relieving me

1 message

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**Matthew Billingsley** <matthewbillingsley@sclegal.org>  
To: Emily Prioleau <eprioleau1976@gmail.com>

Fri, Aug 1, 2025 at 4:00 PM

Attached is the form 4 order relieving me for the common pleas case. There is no order yet on the bond motions.



**Matthew Billingsley**

**Attorney/Housing Law Unit Head**

**South Carolina Legal Services**

matthewbillingsley@sclegal.org

2803 Carner Avenue, North Charleston, South Carolina 29405

P: (843) 266-2174 | F: (843) 760-1090 | [sclegal.org](http://sclegal.org) | [lawhelp.org/sc](http://lawhelp.org/sc)



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**order relieving counsel.pdf**  
239K

**CERTIFICATE OF SERVICE**

I, Emily Prioleau, hereby certify that I have served a true and correct copy of the **Notice of Filing in Trial Court Relevant to Appeal**, together with the attached **Motion to Supplement the Record and Affidavit filed in the Charleston County Court of Common Pleas**, on the following counsel of record by **U.S. Mail** on this **4th day of August, 2025**:

**William B. Jung**  
Attorney for Plaintiff  
1156 Bowman Road, Suite 200  
Mount Pleasant, SC 29464



Emily Prioleau

**RECEIVED**

**Aug 04 2025**

**SC Court of Appeals**