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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley Price, Circuit Court Judge

Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

MOTION TO STRIKE INTIAL BRIEF OF
RESPONDENT FOR FAILURE TO FILE PER RULE
262 AND OR SERVE APPELLATE PER RULE 240,
STRIKING SCANDALOUS AND OFFENSIVE
PEADINGS, IN SAME MOVE UPON THE COURT
TO REQUEST MATTERS CONCERNING
MEDIATION AND SANCANTIONS RAISED BY
APPELLATE IN LOWER COURT BE PRESERVED
AND REQUEST PERMISSION TO CORRECT
BRIEF DEFIECIES DEEMED BY THE COURT

Eric Ragsdale
121 Shumpert Road
West Columbia, S.C. 29172
DD803.309.0539
Ericragsdale60@gmail.com
Prose Appellant

The Phillips Firm, LLC
Robert B. (Sam) Phillips, Esq.
1025 Calhoun Street, #3
Columbia, SC 29201
803.726.4268
sam@phillipsfirm.net
Attorney for Respondent

Appellant Eric Ragsdale prayerfully and hereby moves by permission to this Honorable Court for an Order Striking Respondent's "Crescent Roofing & Remodeling, LLC, Initial Brief," filed by Respondent on August 6th, 2025. The basis for this Motion to Strike the Initial Brief is there is no authority in S.C. Code Ann. § 18-7-140, the South Carolina Appellate Court Rules, or the South Carolina Rules of Civil Procedure, for a Respondent to not file Initial Briefs within the required time pursuant to Rule 208 (a)(2) of the South Carolina Appellate Court Rules (SCACR), without the courts permission by motion or stay time limits or move contrary of requirement of filing pursuant Rule 208.

Further, the Respondent's Brief are contested assertions verbatim of Respondent's prepared written order Hr'g Tr. P. 13-14 In.s 25&1, increasing bias inequality positioning a redundant, immaterial, impertinent and advantageous position of contested facts and claimed arguments of prejudicial facts not in evidence.

A complaint is a pleading and not evidence and the contested facts asserted in the written Order and Brief of Respondent is bias abuse of discretion with the asserted inflated exaggerated references from the hearing transcripts of the Respondent's summary of argument in the Motion to Compel hearing.

Respondent's Brief does not conform to the requirements of Rule 208(b)(1)(c), SCACR, because the Statement of the Case is almost exclusively a statement of facts, many of which are contested by Appellant. Rule 208(b)(1)(C) SCACR. Respondents' Statement of the Case reads more like a statement of the facts. A Statement of the Case should provide the Appellate Court with the procedural context for the matter of fact.

Instead, Respondent's statement of the case reads more like an argumentative recitation of facts. Appellate contest many of the facts contained in the statement of the case, particularly regarding punitive damages, the allegations in complaint and counter complaint surrounding the mediation, sanctions, contract performance, damage of property upon work performance and the statements and actions of Respondents thereafter. Respondent's violation of this standard of briefing is prejudicial to Appellant and is grounds for striking Respondent's brief in its entirety. Opinions based on facts not in evidence must be disregarded *Summer v. Pruitt*, 281 S.C. 63, 314 S.E.2d 150 (Ct.App. 1984) and clear abuse and prejudicial Hr'g Tr. P. 13, ln.s 15-17.

The Respondent's Brief is an extension of the complaints, of matters and or claims that have not been presented to a mediator, Jury, or Judge and the facts are premature before this court, in the matter of Appellant's challenge of Abuse of Discretion. Abuse is manifest of denying adjudication of meritorious claims and dismissed for discovery challenges.

The South Carolina Rules of Civil Procedure, by definition, are intended to govern the procedure followed by all South Carolina courts in all civil actions, whether legal or equitable. Discretion not to consider Appellate's position in the scope and conduct of discovery, ordering discovery Rule 37(a)((2)SCACR verses striking Appellant's counterclaims and answers. Respondent argues the theory of contract challenges and awards that are inappropriate before the court and prejudicial as to the "Abuse of Discretion" challenge, while citing inapplicable case law in the context application.

The Appellate would admit the framework of the pleadings are unsupported by intensive arguable articulated record references but the record reflects and support the issues presented for review providing contested reference of limited legal understanding. Recently, South Carolina Supreme Court, Chief Justice Beatty, South Carolina Access to Justice Commission, with panel,

recognized the gap in South Carolina of “Access to Justice”. In civil cases, high discovery costs and legal fees render legal assistance beyond the financial reach of ninety percent of the nation¹.

South Carolina that should be leader, lacks significant safeguards for their citizens unlike other states and circuits. While most pros applications of law are prose prisoners, although the same rights apply to the citizen who seek redress for claims that would be lesser in value that that of hiring attorney, that without court procedural protections, impedes justice and constitutional rights. Prose litigants as well as those represented by counsel, are entitled to meaningful access to the courts. See *Bounds v. Smith*, 430 U.S. 817, 828 (1977); *Wolff v. McDonnell*, 418 U.S. 539, 579 (1974); *Ross v. Moffitt*, 417 U.S. 600, 612-15 (1974); *Johnson v. Avery*, 393 U.S. 483, 485 (1969); Pro se pleadings generally are held to less stringent standards than those applied to members of the Bar. See *Hughes v. Rowe*, 449 U.S. 5, 9-10 (1980) (per curiam); *Haines v. Kerner*, 404 U.S. 519, 520-21 (1972) (per curiam), Although a pro se litigant should not obtain any advantages in a lawsuit from his self-representation, he should not incur any disabilities from his lack of legal training that easily could be averted by judicial solicitude for his claim. *Gordon v. Leeke*, 574 F.2d 1147, 1152-53 (4th Cir.)

In this light, Appellate implores this court review of the bias discretionary action beyond a mild disagreement based on error and or factual conclusions without evidentiary support, manifested to prejudice of the right of Appellant. Hr’g Tr. P. 12-13 ln.s 25, 1-25. Procedural steps of discovery were performed and request responses challenged that were provided, Respondent was in the right to move to compel but the scope and conduct of discovery was an abuse of discretion, and dismissal of meritorious claims dismissed without reasonable factual support demonstrated bias to the Appellant as a prose litigant. Hr’g Tr. P13, ln.s 7-14. *Hughes v. Rowe*, 449 U.S. 5, 9-10 (1980) (per curiam).

¹ A. Strick, *Injustice for All* 103 (1977); see also Flannery & Robbins, *supra* note 38, at 773.

A reasonable attorney without experience in the same circumstances would believe his claim or defense was not frivolous, interposed for delay, or brought for any purpose other than securing properly to discovery, joinder of parties, or adjudication of the claim or defense upon which the proceedings are based².

Respondent's Initial Brief Was Not Timely Served Pursuant to Rule 262(a)(2)

The Respondent did not meet these obligations or comply with the time for serving and filing Initial Briefs (Rule 208 (a)(2)), on or before May 8, 2025, thirty (30) day requirement.

Instead, May 28, 2025, Respondent claimed³ of not receiving documents until May 27, 2025, upon receipt were damp causing delay of responding, that a process had to be performed by the postal service before delivery, contrary to Rule 263(a)(b). Insomuch, Respondent with knowledge was served with official stamped copy by the Court on the same **filing notice** as the Appellate on April 7 and 8, 2025. attached hereto **Exhibit A**.

In addition, the copy of the same filings Respondent alleged being delayed by the U.S. Mail, was provided to Respondent's Attorney from the Court from Appellate's filing notice to meet the computation time requirements and or the notice for proper response. Respondent did not notify the Court from Appellate's initial brief filing within the required time or provide the declaration from the United States Post Office notice of the special process for consideration.

With light most favorable to these extraordinary claims of filing reasoning or any regard to the measure of excuse presented, the Appellate was notified by letter April 23, 2025, from the Honorable Catherine Harrison, Chief Deputy Clerk, of the requirement of providing a Designation of Matter with the Initial Brief. The Respondent's Attorney was provided a copy of same. Notice is attached hereto as **Exhibit B**.

² South Carolina Frivolous Civil Proceedings Sanctions Act Section 15-36-10(A)(d)

³ Respondent's Motion to Dismiss Appeal Letter Inquiry Exhibit C, Page 5 2nd paragraph

Respondent demonstrated a practice of contacting the Appellate at any time, yet in this instance made no attempt to communicate accordingly. It was not until the strategic attempt to have Appellate's appeal dismissed was the Court notified and then in the pleadings only provided a picture of the outside of Appellate's mailed envelope of Respondent's Exhibit C, indicating receipt of hardbound copy of the Appellate's "Initial Brief" postmarked April 8, 2025.

Secondly, in Respondent's attempt to counter the filing deadline misstated dates and convoluted facts of Appellate's process according to the Rules that were within the permissions of time allowance and within the confines of the Rules and granted by the Court.

Respondent's Motion to Dismiss Appeal with Sanctions was denied by this Honorable Court without elaboration.

Throughout the pleadings for whatever reasons surprising to my conscience of that of an officer of the court' would attest to or attempt to mislead the court by claims not factual and can be and is disputed in the Court filings.

The Respondent further inflates bias in their pleadings surmising egotistical verbiage to the Court in letters in attempt to induce a negative outlook upon the Appellate in this procedural complexity⁴.

The Respondent filed unilaterally a Motion to Dismiss Appeal prematurely and or outside of the character of the rules or allowable process or permission by Motion from the Court. The Appellant served the Respondent contrary to the representations asserted in their Dismissal Motions by court filings and copied the to the Respondent's Attorney by the Honorable Court.

⁴ Letter of Respondent Jun 19, 2025, I am preparing to travel out-of-state for 2 weeks to attend... "If, as has been his habit, Appellant files a response out of time or posits an excuse for being tardy, please accept this response to same".

Respondent's Initial Brief Delay Was Not Properly Served Pursuant to Rule 240 To Stay The Time Limit Of Filing Initial Brief

If such actions by the Respondent is applicable in the scope of the rules or case law Appellate is unaware, then additionally, the Appellate was not properly served⁵ with Motion to Dismiss or with the Respondent's Follow-up letter to the Court of the Respondent's Motion to Dismiss undated but filed Jun 19, 2025.

Service upon the Appellate, a non-lawyer without a certificate or affidavit of service (Rule 240(c)(1), SCACR) is first a violation of the Rule and then its not allowable by Order of the South Carolina Supreme Court. The Appellate discovered Respondent's filings from the receipt of Order filed July 24th, 2025, received by U.S. Mail, postage prepaid, from this Court. At that time, it was discovered the same submitted by email of which is not closely monitored and not used in any practice of correspondence in a routine of practice.

Further, in support of Respondent's failure to properly serve the Appellate, the Honorable Catherine Harrison, Clerk of Court, July 10, 2024, upon reviewing Appellant's Motions for extension of Time, instructed Appellate proper service to Respondent by U.S. mail in accordance with the Supreme Court order dated May 6, 2022, Attached hereto as **Exhibit D** "*only lawyers admitted in practice can serve other lawyers by email in the AIS system*". Attached hereto as **Exhibit E** Respondent's Exhibit B in their Motion To Dismiss displaying the improper service by email demonstrates violation of this Rule and Order and improper service with knowledge.

The Appellant without aid of counsel due monetary factors of retaining legal guidance or ability to avail such opportunity is forced fight for redress prose in this civil matter in a consumer dispute of claims of merit. Appellate not skilled in the law or the complexity of the process has

⁵ Methods of electronic filing and service pursuant Rule 262(c)(3) SCACR, S.C. Sup. Ct. Order dated May 6, 2022, lawyers serving other lawyers only in the AIS by email

encountered numerous process challenges but corrected after receiving gracious directives from the Honorable Clerk. Appellate filed Initial Brief following an extension from permission from the Court April 8th, 2025. Appellant at the direction of the Court cured a deficiency of the required Designation of Matter to be Included on Appeal, filing April 29, 2025.

The Appellant notified the court's case manager on January 24, 2025, concerning a delay receiving the Court's Order late afternoon by U.S. mail January 23, 2025, with a filing date requirement of the initial brief due January 24, 2025.

The Appellant had previously submitted service notice correction of non-attorney electronic filing requirements on December 24, 2024, by the direction of the court concerning previous motion for extension of time.

The Clerk's order was dated July 10, 2024, couple weeks before due date of the 25th of January. Other than this order by the court, the Appellant had not received an order of the previous motion for extension of time. The Appellate received the extension of time and the waiver of second filing fee.

The basis for this Motion is the Respondent's Attorney, an officer of the Court, with vast experience as he alluded to in his affidavit for sanctions for attorney fees against the Appellant, unilaterally filed a Motion to Dismiss May 28th, 2025, instead of required Initial Brief. to distract from the requirement of the time to file the required Initial Brief.

Respondent filed in form of letters alluding to allegations of bolstering innuendos immaterial unsubstantiated inflated slanderous claims with offensive bullying of threats of sanctions while leading a diversion to the Court of the Motion to Compel challenge. Submitting numerous letters stipulating to the Appellant, errors that need to be corrected and or matter not included or ruled on by the lower tribunal.

Appellant would submit and prayerfully request all documents presented in the Designation of Matters to be included on Appeal April 29, 2025, refutes the concerning spurious claims by Respondent and was submitted to the lower court October 23, 2023, responded to by the Respondent November 1st, 2023, and again, submitted to the Honorable Judge Price by email the night before the Motion to Compel hearing in the form of a Motion labeled as *Emergency Notice of Motion and Motion to Quash Plaintiff's Motion to Compel or in the Alternative to Stay Plaintiff's Motion to Compel Discovery to File Appropriate Objections*. (Attached hereto as **Exhibit F** (Email To The Court)). At its core, the appeal asks whether the trial court abused its discretion in foreclosure of the merits of the case not construing liberally the Appellate's pleadings, denying justice for procedural ignorance.

CONCLUSION

For the reasons set forth above, Appellate respectfully request that:

- (1) the Respondent's, Initial Brief be stricken,
- (2) Appellate's mediation sanction raised in lower court not adjudicated be preserved,
- (3) all documents in Designation of Matters be included in appeal objected to by Respondent,
- (4) any deficiency in Appellant's brief not adhering to the court's requirement be allowed to be cured or the Honorable Court review liberally to preserve the merits of the Appeal and safeguard the rights of the Appellant.

Respectfully Submitted,



Eric Ragsdale, Prose
Appellant
121 Shumpert Rd
West Columbia S.C. 29172
Ericragsdale60@gmail.com
803 309-0539

September 8th, 2025

Exhibit A 193

From: Court Of Appeals Filings <ctappfilings@sccourts.org>
Date: Tue, Apr 8, 2025 at 9:32 AM
Subject: RE: 2024-000420 Initial Brief Of Appellant Crescent Roofing & Remodeling v Eric Ragsdale
To: Eric Ragsdale <ericragsdale60@gmail.com>, Court Of Appeals Filings <ctappfilings@sccourts.org>
Cc: Robert Phillips <sam@phillipsfirm.net>

The Court has received your filing. A stamped copy is attached for your records.

Thank you.

From: Eric Ragsdale <ericragsdale60@gmail.com>
Sent: Monday, April 7, 2025 10:26 PM
To: Court Of Appeals Filings <ctappfilings@sccourts.org>
Cc: Robert Phillips <sam@phillipsfirm.net>
Subject: 2024-000420 Initial Brief Of Appellant Crescent Roofing & Remodeling v Eric Ragsdale

*** EXTERNAL EMAIL: This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Please find attached my Initial Brief. Forthcoming in separate email transcript and other attachment for the court's review

Thank you
Eric Ragsdale

Exhibit A 2 of 3

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Apr 07 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas Bentley

Price, Circuit Court Judge

Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

INITIAL BRIEF OF APPELLANT

April 7th, 2025

Eric Ragsdale, Prose
121 Shumpert Rd
Columbia, South Carolina 29172
(803) 309-0539
ericragsdale60@gmail.com
Appellant Prose

Exhibit A 383

RECEIVED

Apr 08 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley Price, Circuit Court Judge

Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

CERTIFICATE OF SERVICE

I certify that I have provided the Respondent Initial Brief, April 7, 2025, to Robert Sam Phillips, 1025 Calhoun St. Box 3, Columbia S.C. 29201, attorney of record in the above-captioned matter.

April 7, 2025.

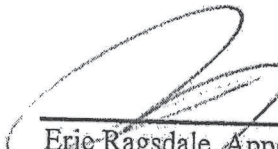

Eric Ragsdale, Appellant Pro'se
121 Shumpert Rd
West Columbia, S.C. 29172
803 309-0539
Ericragsdale60@gmail.com

Exhibit B



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

April 23, 2025

Eric Ragsdale
121 Shumpert Rd.
West Columbia SC 29172

Re: Crescent Roofing & Remodeling, LLC v. Eric Ragsdale
Appellate Case No. 2024-000420

Dear Mr. Ragsdale:

Upon reviewing your appellant's initial brief, the following deficiency has been noted under the South Carolina Appellate Court Rules (SCACR), and this deficiency must be corrected within ten (10) days of the date of this letter or this matter will be dismissed:

- The initial brief is not accompanied by a designation of matter to be included in the record on appeal as required by Rule 209, SCACR.
- The copy of the transcript and additional attachments to the appellant's initial brief are not needed at this time. No further action will be taken on these attachments.

Very truly yours,

A handwritten signature in cursive script that reads "Catherine S. Harrison, deputy".

CLERK

cc: Robert Sam Phillips, Esquire

Exhibit C of Respondent Ex. C
in m.d.s.m.s.

UNITED STATES
POSTAL SERVICE®

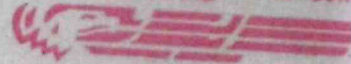
4500
Airport Rd
29172

NO RECEIPT
COLUMBIA S.C.

FIRST-CLASS



US POSTAGE PITNEY BOWES



ZIP 29169 \$ 002.59
02 7H
0006083745 APR 08 201

Exhibit C

Robert Sam Phillips
10. ... St
Box 3
Columbia S.C., 29201

ANBS



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

July 10, 2024

Eric Ragsdale
121 Shumpert Rd.
West Columbia SC 29172

Re: Crescent Roofing & Remodeling, LLC v. Eric Ragsdale
Appellate Case No. 2024-000420

Dear Mr. Ragsdale:

Upon reviewing your motion for an extension of time, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and each deficiency must be corrected within ten (10) days of the date of this letter or your filing will not be considered:

- The accompanying proof of service is not in compliance with the SCACR. Pursuant to Rule 262(c)(3), SCACR, and *Re: Methods of Electronic Filing & Service Under Rule 262 of the South Carolina Appellate Court Rules*, S.C. Sup. Ct. Order dated May 6, 2022, only lawyers admitted to practice in South Carolina may serve other lawyers using the lawyer's primary email address in AIS. You must provide a proof of service stating that a copy of your motion has been mailed to opposing counsel.
- The required filing fee has not been submitted. The correct filing fee is \$50.00.

Very truly yours,

Handwritten signature of Catherine Harrison, deputy clerk.
CLERK

cc: Robert Sam Phillips, Esquire



Court Of Appeals Filings <ctappfilings@sccourts.org>
to Robert, Court, me, Terra

EX

Wed, May 28, 3:51 PM



Dear Counsel:

The Court has received your filing. A stamped copy is attached for your records.

Thank you.

From: Robert Phillips <sam@phillipsfirm.net>

Sent: Wednesday, May 28, 2025 2:52 PM

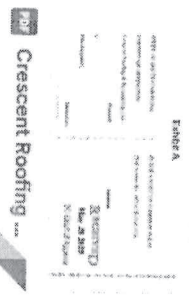
To: Court Of Appeals Filings <ctappfilings@sccourts.org>; Eric Ragsdale <ericragsdale60@gmail.com>

Cc: Terra Shipp <terra@phillipsfirm.net>

Subject: RE: Motion to Dismiss Appeal in Appellate Case No. 2024-000420

*** EXTERNAL EMAIL: This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

One attachment • Scanned by Gmail





THE PHILLIPS FIRM, LLC
ATTORNEY & COUNSELOR AT LAW

Exhibit E 20F4

7 May 2025

Via Email Only

Appellant Eric Ragsdale
ericragsdale60@gmail.com

RE: Errors in Your Designation of Matters to be Included on Appeal

Mr. Ragsdale,

I just received your **Designation of Matters** in the mail. It contains material that was not presented to the trial court during the February 6, 2024 Motion to Compel hearing you are appealing from. The Record on Appeal cannot contain material not presented to the trial court during the relevant hearing leading to the ruling you are appealing from pursuant to Rule 210(c) of the South Carolina Rules of Appellate Practice. Specifically, you improperly seek to include material that was not present to, nor considered by, Judge Bentley Price during the February 6th hearing including Item #5 Rule to Show Cause Exhibits, Item #6 Plaintiff's Discovery Responses and Item #8 Emergency Notice of Motion and Motion of Defendant to Quash Plaintiff's Motion to Compel. I ask that you remove them from the Designation and Record.

As for Item #5, the only "exhibits" filed for the February 6th Hearing were those attached to the Plaintiff's Motion to Compel and Reply to Defendant's Request for ADR Sanctions. The exhibits you seek to include in the record seem to be from some other filing and therefore can not be a part of the record per Rule 210(c) because they were not considered by Judge Price.

As for Item #6, the February 6th hearing concerned compelling discovery responses from you, the defendant in the matter. Plaintiff's discovery responses were raised to the Court and therefore can not be included in the record of this appeal per Rule 210(c).

Lastly, as for Item #8, you did not file any response to Plaintiff's Motion to Compel. As noted in the first paragraph of Judge Price's order, you emailed a document styled an Emergency Motion to the Court on the night preceding the February 6th hearing, but it was not admitted during the hearing because it was not properly filed with the court or served on the Plaintiff. You can not add material not before the trial judge to the record on appeal pursuant to Rule 210(c).

Please remove Items 5, 6, and 8 from the Designation; otherwise, I shall seek to have the Designation stricken.

Sincerely,

Robert B. (Sam) Phillips

cc: Court of Appeals (ctappfilings@sccourts.org)

OFFICE ADDRESS
2001 ASSEMBLY STREET, STE 101
COLUMBIA, SC 29201

(803) 726-4269
WWW.PHILLIPSFIRM.NET

MAILING ADDRESS
1025 CALHOUN STREET, BOX 3
COLUMBIA, SC 29201



THE PHILLIPS FIRM, LLC
ATTORNEY & COUNSELOR AT LAW

19 June 2025

Delivered Via Email to ctappfilings@sccourts.org

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

Re: Follow-up to Respondent's Motion to Dismiss, filed 05/28/2025
Crescent Roofing & Remodeling, LLC v. Ragsdale (Case No. 2024-000420)

To Whom It May Concern:

I filed a Motion to Dismiss the aforementioned appeal on May 28, 2025. Appellant Eric Ragsdale appearing *pro se* failed to respond or request an extension in the time allowed by Rule 240(e), SCACR to respond to that Motion. Accordingly, I ask the Court dismiss this appeal for the reasons set forth in the Motion.

I am presently preparing to travel out-of-state for 2 weeks to attend a family member suffering a fatal illness. If, as has been his habit, Appellant files a response out-of-time or posits an excuse for being tardy, please accept this as my response to same. As set forth in the Motion, Respondent Crescent Roofing brought suit in Magistrate Court to collect a debt owed by Appellant arising from Respondent's replacement of Appellant's residential roof and related painting. Although Appellant did not express any dissatisfaction with the work upon its completion, he later refused to pay the remaining balance owed (\$4,902.56) requiring Respondent to bring suit. Respondent answered the suit and counterclaimed for damages totaling \$21,627.64 along with unspecified punitive damages based on more than a dozen alleged deficiencies with the work and other irrelevant or nonexistent legal theories. After several extensions for answering discovery, Appellant responded with twenty-seven (27) mostly nonsensical objections such as objecting to the Standard Interrogatories found in Rule 33(b), SCRCP. Undersigned counsel drafted Appellant a detailed response explaining the deficiencies with each of the numerous objections. Rather than responding and/or attempting to provide the required discovery, Appellant lodged the spurious claim that Respondent should be sanctioned for not participating in mediation even though the parties had agreed, in consultation with the mediator, to postpone mediation until discovery could be completed.

In its February 15, 2024 Order, the trial court found that Appellant agreed to the proposed discovery-then-mediation schedule, but then "willfully and in bad-faith refused to comply with his discovery obligations, complained about the delay in mediation, and otherwise sought to benefit from his misconduct." The court found that Respondent's "misconduct prejudiced the [Respondent's] ability to respond to [Appellant's] counterclaims, prevented it from meaningfully participating in mediation, and caused [Respondent] to incur unnecessary attorney's fees." Motion to Dismiss, Exhibit A at p.6. This appeal is simply Appellant's most recent attempt to cause Respondent to incur unnecessary attorney's fees and delay its ability to collect the moneys owed by Appellant.

OFFICE ADDRESS
2001 ASSEMBLY STREET, STE 101
COLUMBIA, SC 29201

(803) 726-4269
WWW.PHILLIPSFIRM.NET

MAILING ADDRESS
1025 CALHOUN STREET, BOX 3
COLUMBIA, SC 29201

Letter to South Carolina Court of Appeals.

Re: Crescent Roofing & Remodeling, LLC v. Ragsdale (Case No. 2024-000420)

Page 2 of 2

Appellant failed to advance any legal argument below to the proposed sanction and simply asked the court to maintain his Answer and Counterclaims because he was representing himself. He offered no legal support for his position or justification for lying to the court regarding why mediation had not yet occurred. Although striking a pleading is a severe sanction for litigation misconduct, the trial judge concluded that the Appellant's conduct required such a sanction. I would urge this Court to similarly strike this appeal as Appellant has consistently failed to meet the time requirements set forth by the Rules of Appellate Practice, failed to raise and obtain a ruling on an issue to raise on appeal, improperly designated material not consider by the trial court, failed to timely serve the initial brief, failed to properly draft the initial brief, and merely presents conclusory and vague arguments in support of this frivolous appeal in violation of Rule 269, ACR.

Thank you in advance for your attention to this.

Sincerely,


A handwritten signature in black ink, appearing to read "Sam Phillips", written over a horizontal line.

Robert B. (Sam) Phillips. Esq.
Attorney for Respondent.

☆ Robert, Court 2

Correspondence from Respondent for Appeal No. 2024-000420 - Good Afternoon, Attached please find a stamped copy of your ...

Jun 19


 Crescent Roofin...


 2025.06.19 Ltr t...

☆ Robert, Court 4

Motion to Dismiss Appeal in Appellate Case No. 2024-000420 - Dear Counsel: The Court has received your filing. A stamped cop...

May 28

 Crescent Roofin...

 Exhibit A.pdf


 Crescent Roofin...

+6

☆ Robert, Court 3

Deficiencies with Designation of Matters on Appeal in Case No. 2024-000420 - Dear Counsel: The Court has received your filing. ...

May 28

 Crescent Roofin...


 2025.05.07 Ltr t...

Exhibit E 4 of 4

Exhibit F Letter Motion To
Lower Court



Eric Ragsdale <ericragsdale60@gmail.com>

**el Or In the Alternative To Stay Plaintiff's Motion To Compel Discovery To File
Appropriate Objections**

Robert Phillips <sam@phillipsfirm.net>

Mon, Feb 5, 2024 at 10:54 PM

To: Eric Ragsdale <ericragsdale60@gmail.com>, "bpricesc@sccourts.org" <bpricesc@sccourts.org>

Plaintiff naturally opposes this motion and will move for sanctions based on the ongoing misconduct of this defendant at tomorrow's hearing.

Get Outlook for iOS

From: Eric Ragsdale <ericragsdale60@gmail.com>

Sent: Monday, February 5, 2024 10:47:11 PM

To: bpricesc@sccourts.org <bpricesc@sccourts.org>; Robert Phillips <sam@phillipsfirm.net>; Eric Ragsdale <ericragsdale60@gmail.com>

Subject: el Or In the Alternative To Stay Plaintiff's Motion To Compel Discovery To File Appropriate Objections

Dear Judge Price, attached please find a **Emergency Notice Of Motion And Motion To Quash Plaintiff's Motion To Compel Or In the Alternative To Stay Plaintiff's Motion To Compel Discovery To File Appropriate Objections** The Plaintiff in this matter, Crescent Roofing & Remodeling, is represented by counsel in this matter so he is copied on this email.

Eric Ragsdale
803 309-0539

This electronic transmission and any attached files are intended only for the person(s) or entity(ies) to which the transmission is addressed and may contain information that is privileged, confidential or otherwise protected from disclosure. If you received this transmission in error, please alert the sender by return email then permanently delete the transmission. Any retention and/or distribution of the transmission is strictly prohibited by applicable law.

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✓ PDF Emergency Notice ✓ PDF Defendant Discovery Responses ✓ PDF Response Of Defendant To Alternative Dispute Resolution Rule To Show Cause
✓ PDF Exhibits Rule To Show Cause

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley Price, Circuit Court Judge

Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

PROOF OF SERVICE

I certify that I have served by United States Mail, postage prepaid, MOTION TO STRIKE INTIAL BRIEF OF RESPONDENT FOR FAILURE TO FILE PER RULE 262 AND OR SERVE APELLATE PER RULE 240, STRIKING SCANDALOUS AND OFFENSIVE PEADINGS, IN SAME MOVE UPON THE COURT TO REQUEST MATTERS CONCERNING MEDIATION AND SANCANTIONS RAISED BY APPELLATE IN LOWER COURT BE PRESERVED AND REQUEST PERMISSION TO CORRECT BRIEF DEFIECIES DEEMED BY THE COURT, September 8, 2025, to Robert Sam Phillips, 1025 Calhoun Street, Box 3 Columbia S.C., 29201, attorneyof record in the above-captioned matter.

September 8, 2025.

s/ Eric Ragsdale
Eric Ragsdale,
Pro'se
121 Shumpert Rd
West Columbia S.C., 29172
803 309-0539
ericragsdale60@gmail.com

Cc: Robert Sam Phillips, Esquire
Respondent Attorney Of Record
1025 Calhoun Street,
Box 3
Columbia S.C. 29201

RECEIVED

Sep 08 2025

SC Court of Appeals

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Eric Ragsdale,
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Cc: Robert Sam Phillips, Esquire
Respondent Attorney Of Record
1025 Calhoun Street,
Box 3
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September 8, 2025

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211
ctappfilings@sccourts.org
(Electronic Filing)

RE: Crescent Roofing & Remodeling, LLC, Respondant v. Eric Ragsdale
Appellate, Case # 2024-000420

Dear Ms. Kitchings:

Enclosed for filing is Motion To Stike... dated September 8, 2025.
Attached are the following:

- (1) Proof of service on the respondent[s].
- (2) Exhibits A-E.

Sincerely,
s/ Eric Ragsdale
Eric Ragsdale,
121 Shumpert Rd
West Columbia S.C., 29172
803 309-0539
ericragsdale60@gmail.com
Pro'se Appellant

CC:
Robert B. (Sam) Phillips
The Phillips Firm, LLC
1025 Calhoun Street, Box 3
Columbia, South Carolina 29201
(803) 726-4269
Attorney for Respondent

