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Oct 22 2025

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Timothy Allen Nunnally and Mark Anthony Nunnally, Appellants,

v.

Tina Guerry, individually and in her official capacity as the Lexington County
Register of Deeds, Respondent.

Appeal No.: 2025-000163

On Appeal from the Court of Common Pleas for Lexington County

Case No.: 2024-CP-32-01682

Hon. Debra R. McCaslin, Presiding Judge

MOTION TO SUPPLEMENT THE RECORD ON APPEAL

(Appellants' Motion Pursuant to Rule 210(h), SCACR)

Appellants, appearing pro se, respectfully move the Court of Appeals for leave to supplement the Record on Appeal to include two documents that were filed in and relied upon by the Circuit Court, but inadvertently omitted from the compiled

Record on Appeal transmitted to this Court.

1. The omitted materials are:

(a) Amended Affidavit of Tina Guerry, Register of Deeds (file-stamped September 24, 2024);

(b) Letter from the Register of Deeds to Plaintiffs dated April 8, 2024, attached to and incorporated in that Amended Affidavit.

2. Both documents were filed below and expressly referenced in the Order Granting Defendant's Motion for Summary Judgment entered January 17, 2025 (R.p. 1–5). The order recites that “the facts as shown by the affidavit of the Register of Deeds and as presented at the hearing are as follows...,” confirming the trial court relied on them.

3. Their omission from the Record on Appeal was clerical and unintentional. Inclusion of these documents is necessary for a complete and accurate record of the evidence considered by the trial court.

4. Appellants have conferred with counsel for the Respondent, Jeffrey M. Anderson, Esq., who consents.

WHEREFORE, Appellants respectfully move this Honorable Court to:

(a) Grant leave to file and lodge a Supplemental Record on Appeal containing the Amended Affidavit and attached letter;

(b) Direct the Clerk of the Court of Appeals to index and paginate the supplement as "S-1 through S-2"; and

(c) Grant such other and further relief as may be just and proper.

Respectfully submitted this 22nd day of October, 2025.


/s/ Mark-Anthony Nunnally

Appellant, Pro Se

5681 Grande River Rd.

College Park, GA 30349

Tel: (404) 980-4488

Email: markanunnally@gmail.com


/s/ Timothy-Allen Nunnally

Appellant, Pro Se

Supplemental Index to Record on Appeal

Item	Description	Record Pages
S-1	Amended Affidavit of Tina Guerry, Register of Deeds (file-stamped Sept 24, 2024), with attached Letter from Register of Deeds dated Apr 8, 2024	S-1 – S-3

STATE OF SOUTH CAROLINA
COUNTY OF LEXINGTON

) IN THE COURT OF COMMON PLEAS
) ELEVENTH JUDICIAL CIRCUIT

Case No.: 2024-CP-32-01682

Timothy Nunally, Mark Nunnally,
Plaintiffs,

vs.

**AMENDED AFFIDAVIT OF TINA
GUERRY**

Tina Guerry individually and in her official
capacity as the Lexington County Register of
Deeds

Defendant.

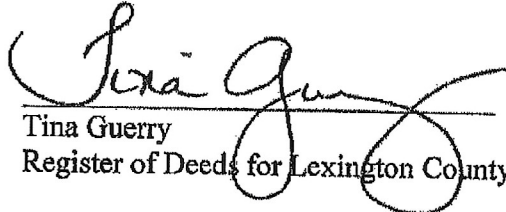
Personally appeared before me, Tina Guerry, who being duly sworn, states as follows:

1. I hold the office of Register of Deeds for Lexington County.
2. In this position, I am responsible for determining if a documents presented is in proper recordable form and that the documents is not a fraudulent or sham document as set forth in SC Code Section 30-9-30 (B) (1).
3. The document presented for recording by the plaintiffs and referenced and attached to their pleading represents that it is a \$100 million lien and notice of writ of attachment (hereafter "Lien") against certain property in Lexington County that is owned by both Plaintiffs.
4. The alleged Lien was signed by plaintiff, Timothy Nunally.
5. The alleged Lien states that is supersedes mortgages and equity liens.
6. The alleged Lien warns that anyone who modifies or removes the lien is fully liable for damages.
7. The alleged Lien further warns that whoever attempts to modify, circumvent and/or negate the Lien shall be deemed outlaws and/or felons and shall be prosecuted pursuant to Federal statutes.
8. The alleged Lien further warns that any judicial actions which violate the constitutional rights of the individuals may be sued as a cause of action in civil litigation against those performing those acts without any form of immunity.

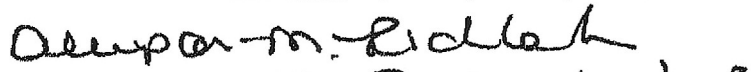
9. After reviewing the alleged Lien, my office determined that it had reasonable belief that the alleged Lien should not be allowed to be recorded in the Lexington County Register of Deeds office pursuant to SC Code Section 30-9-30 (B) (1).

10. The attached notice was mailed to the Plaintiff, Timothy Nunally on April 8, 2024.

Furthermore, affiant sayeth not.


Tina Guerry
Register of Deeds for Lexington County

Sworn to me this 23rd day of September, 2024.


Allison M. Rickenbaker
Notary Public for South Carolina

My Commission Expires: 3/11/2026



Lexington County Register of Deeds

Tina Guerry
Registrar of Deeds
212 S. Lake Drive, Suite 301
Lexington, SC 29072

Subject: Fraudulent or Sham Legal Document/s

To: Submitter

The Register of Deeds office of Lexington County will not accept documents for recording pursuant to S.C. Code § 30-9-30(B)(1), filing of written instruments concerning real or personal property; false or fraudulent documents.

This letter serves as written notice that the recording has been refused pursuant to S.C. Code § 30-9-30(B)(1), please note your document has been returned to you unrecorded.

Sincerely,

Tina Guerry

Register of Deeds
212 S. Lake Drive
Lexington, SC 29072

*Timothy
Nuvally
5681 Grande Riviera
College Park GA
30349
mailed back
4/8/2024*


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CERTIFICATE OF SERVICE

I certify that a copy of this Motion and the attached proposed Supplemental Record on Appeal were served this 21st day of October, 2025, upon Jeffrey M. Anderson, Esq., Davis Frawley, LLC, 140 E. Main St., Lexington, SC 29072, by Email at jeffanderson@oldcourthouse.com.


/s/ Mark-Anthony Nunnally

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Mark-Anthony Nunnally

Appellant, Pro Se

5681 Grande River Rd.

College Park, GA 30349

(404) 980-4488

markanunnally@gmail.com

Date: October 22, 2025

Clerk of the South Carolina Court of Appeals

1015 Sumter Street

Columbia, South Carolina 29201

Re: *Nunnally v. Guerry* — Appeal No. 2025-000163

Subject: Filing of Motion to Supplement Record on Appeal (Rule 210(h), SCACR)

Dear Clerk of Court,

Enclosed for filing please find the Appellants' Motion to Supplement the Record on Appeal, together with the Supplemental Record on Appeal consisting of:

1. *Amended Affidavit of Tina Guerry, Register of Deeds (file-stamped September 24, 2024)*, labeled "Supplemental Record – S-1"; and

2. *Letter from the Register of Deeds to Plaintiffs dated April 8, 2024*, attached and labeled “Supplemental Record – S-2.”

These materials were filed below and expressly referenced in the circuit court’s January 17, 2025 Order Granting Summary Judgment but were inadvertently omitted from the compiled Record on Appeal.

A copy of this motion and supplement has been served upon Jeffrey M. Anderson, Esq., counsel for the Respondent, in accordance with Rule 262, SCACR.

Please clock-in and return a file-stamped copy to me in the enclosed self-addressed stamped envelope for my records.

Thank you for your time and assistance in processing this submission.

Respectfully submitted,



/s/ Mark-Anthony Nunnally

Appellant, Pro Se

cc: Jeffrey M. Anderson, Esq. (Davis Frawley, LLC)

Timothy-Allen Nunnally, Appellant (Pro Se)