



THE PHILLIPS FIRM, LLC
ATTORNEY & COUNSELOR AT LAW

Via Email to ctappfilings@sccourts.org

Caitlyn Singleton
Senior Appeals Specialist
South Carolina Court of Appeals

19 November 2025

Re: Clarification of Court's Order dated November 18, 2025
Crescent Roofing & Remodeling, LLC v. Eric Ragsdale
Appellate Case No. 2024-000420

RECEIVED
Nov 19 2025
SC Court of Appeals

Dear Ms. Singleton,

I received your email of November 18th with the aforementioned Order. In Respondent's Return to Appellant's Motion to Strike Respondent's Brief (attached hereto with exhibits), Respondent sought three (3) actions from the Court of Appeal:

- (1) Dismiss Appellant's appeal or,
- (2) Strike documents that were not provided to the trial court from Appellant's Designation of Matter to be Included in Record on Appeal (hereinafter "Designation"), and
- (3) Order Appellant to include certain documents filed with and considered by the trial court in the Designation per the Respondent's request pursuant to Rule 209, SCACR.

While the Court ruled on issues 1 & 2, it did not address issue (3) which will undoubtedly cause further delay in the perfection of this Appeal.

In pertinent part, the Order commands that "[w]ithin ten days of the date of this order, Appellant shall serve and file an amended designation of matter omitting items 5, 6, and 8." While this is the relief sought by Respondent's Issue #2, the Order makes no reference to Respondent's request to include documents that were properly raised to, and argued before, the trial court in Issue #3. Respondent counsel had previously attempted to have Appellant include those documents in the Designation going so far as to provide Appellant with a draft Designation. See Respondent's Return to the Appellant's Motion to Strike Respondent's Initial Brief at **Exhibit H**.

The Rules of Appellate Procedure are clear and very commonsensical. Material filed with, and considered, by the lower court may be designated by either party for inclusion in the Record on Appeal while material that was not presented to the lower court cannot be designated. An appeal would be transformed into a continuation of the dispute below if new material could be presented for the first time during the appeal.

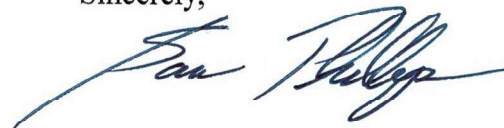
Letter to South Carolina Court of Appeals
19 November 2025
Page -2-

Similarly, the Court of Appeals could not fully and fairly adjudicate an appeal if relevant material considered by the lower court were withheld by the whim of a party. This is clearly the intent of Rules 209 and 210 of the South Carolina Appellate Court Rules. The “must clearly identify what the party desires to have included ... [AND] the Designation may only propose to include portions of the transcript, pleadings, order, exhibits and other material which may be properly included in the Record [pursuant to Rule 210(c), SCACR].” Rule 209(b), SCACR. Rule 210(c), SCACR clearly requires that the “Record shall not ... include matter which was not presented to the lower court.” “A party shall not include any matter in his designation which is not relevant to the appeal.” Rule 209(b), SCACR. A party’s “signature constitutes a certificate that the Designation contain no matter which is irrelevant to the appeal.” Rule 209(c), SCACR.

While the text of the Court’s November 18th Order certainly does not allow for the exclusion of the material designated by the Respondent, it also does not specifically require the Appellant to conform to the requirements of Rules 209 and 210, SCACR. In light of the excessive delays in perfecting this appeal, I would ask that the Court clarify the requirements of the Amended Designation to include matters designated by Respondent.

I have attached Respondent’s Return to the Motion to Strike along with its exhibits in support of this request. Thank you in advance for your consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Phillips", written in a cursive style.

Robert B. (Sam) Phillips, Esq.

cc: Appellant Eric Ragsdale (via email)

RECEIVED

Nov 19 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

**RESPONDENT'S RETURN TO
APPELLANT'S MOTION TO STRIKE RESPONDENT'S INITIAL BRIEF**

Eric Ragsdale *pro se*
121 Shumpert Road
West Columbia, S.C. 29172
803.309.0539
Ericragsdale60@gmail.com
Pro Se Appellant

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

Attorney for Respondent

Introduction

On September 17, 2025 Respondent Crescent Roofing & Remodeling, LLC received in the mail a Motion to Strike Respondent's Initial Brief dated September 8, 2025 from Appellant Eric Ragsdale. Significantly, Appellant did not email Respondent's counsel a copy of his Motion to Strike or copy Respondent's counsel on any email he may have sent the Court of Appeals. Throughout this litigation, Appellant has deliberately delayed the proceedings by failing to follow the Rules of Court, then seek sanctions against Respondent. Appellant's Motion to Strike Respondent's Brief is yet another example of Respondent's contempt for the Court and its Rules.

Relevant Procedural History

This appeal has been pending for almost eighteen (18) months, yet Appellant has not yet produced a record on appeal or a final brief. Court received the Notice of Appeal on March 14, 2024. *See* South Carolina C-Track Mgmt. System, "Event Information," retrieved September 18, 2025 and attached hereto as **Exhibit A**. Although Appellant ordered the transcript on March 21, 2024, Appellant disputed his obligation to pay for that transcript with the Court Reporter until June 10, 2024 thereby delaying delivery of the simple thirteen (13) page transcript until June 17, 2024. *See* Filing Dates **Exhibit A**. Despite his possession of the transcript in June of 2024, Appellant did not file the transcript for more than ten (10) months until April 7, 2025. *See* Filing Dates **Exhibit A**. Appellant did not file an Initial Brief until April 7, 2025 and his Designation of Matter to be Included in the Record of Appeal on April 29, 2025. Designation of Matter attached as **Exhibit B**. The Designation included three (3) items, Items 5, 6 and 8, that were not presented or argued to the trial judge during the hearing resulting in the order appealed from. **Exhibit B**. The lower court's record is set forth as **Exhibit C** and demonstrates that the three (3) items at issue were not filed with the lower court. Respondent's counsel challenged the erroneous Designation

of Matter to Appellant on numerous occasions including a letter to Appellant dated May 7, 2025 which Counsel shared with this Court and attaches hereto as **Exhibit D**. In his May 7th Letter, counsel set forth Respondent's specific objections to the Designation. Appellant did not respond to Respondent's objection to his Designation, so Respondent's Counsel provided Appellant with notice of Respondent's intention to file a motion to dismiss his appeal on May 27, 2025 and filed the Motion to Dismiss on May 28, 2025. See Filing Dates **Exhibit A**. The Court denied Respondent's Motion by Order dated July 24, 2025 so Respondent filed its initial brief on August 6, 2025. See Filing Dates **Exhibit A**. The instant motion dated September 8, 2025 followed.

Argument

Respondent filed motions to compel Appellant's discovery responses and extend the deadline for mediation over the Appellant's objections in late 2023. Circuit Judge Bentley Price granted Appellant's motions on February 6, 2023 during a Webex hearing attended by the Appellant. In pertinent part, Judge Price found that:

[Appellant] has demonstrated by clear, convincing and substantial evidence that it was prejudiced by Defendant's failure to respond to discovery and that Plaintiff has incurred substantial costs due to Defendant's willful disregard for his obligations under the South Carolina Rules of Civil Procedure. On the other hand, I find that Defendant suffered no prejudice from Plaintiff's request to delay mandatory mediation until such time as the Defendant could provide Plaintiff with the discovery responses it is entitled to. Defendant only attempted to withdraw his initial agreement to delay mediation and seek sanctions against the Plaintiff in response to Plaintiff's objections to the sufficiency of the Defendant's discovery responses. ...the Court finds that striking Defendant's Answer and Counterclaims is an appropriate discovery sanction.

Exhibit E at pp.6-7. The Trial Court ordered Appellant's answer and counterclaims to be stricken as a discovery sanction, that the parties were to participate in a good faith mediation, and remanded the case to the Swansea Magistrate Court. As argued in Respondent's Initial Brief, the Trial Court's Order has sufficient support in both fact and law to be sustained by the Court of Appeals despite

the various arguments raised by the Appellant during the hearing of the matter and the new arguments and material he raises for the first time during this appeal. To further delay this 18-month appeal, Appellant filed the instant motion to strike Respondent's Initial Brief which lacks any support in law or common sense. In his Motion to Strike Respondent's Brief, Appellant argues:

1. Respondent failed to file its initial brief in the time allowed by court rule. Mot. to Strike at pp.2 & 5-6.
2. Respondent brief improperly included "verbatim" quotes of "redundant, immaterial, impertinent and advantageous" from the hearing transcript below. Mot. to Strike at p.2.
3. Respondent's brief contains "almost exclusively a statement of facts, many of which are contested by Appellant." Mot. to Strike at p.2.
4. Respondent's brief was not properly served. Mot. to Strike at pp. 7-8.
5. Appellant asks this Court to consider material not raised to the trial judge. Mot. to Strike at p.9.

Each of these issues will be addressed in turn below.

Appellant's Issue #1 – Timeliness of Respondent's Initial Brief.

Appellant argues that Respondent's brief should be struck because "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" to file it late. As an initial observation, Respondent would note that Appellant has failed to meet every filing deadline associated with this appeal. Rule 208 (a)(4) specifically states that "[u]pon the failure of the appellant to file and serve his brief within the time prescribed, the clerk of the appellate court shall sign an order dismissing the appeal." Appellant not only missed his initial deadline, he failed to meet the extensions granted him by the Clerk of the South Carolina Court of Appeals. For example, on November 25, 2024 the Clerk informed Appellant it was denying his request for an extension and that Appellant "must serve and file your appellant's initial brief and designation of matter within ten (10) days of the date of this letter or this appeal

will be dismissed.” **Exhibit F**. Needless to say, Appellant did not file his brief/designation in the proscribed period. See Filing Dates **Exhibit A**. Instead, he sought additional extensions culminating in an Order from the Court of Appeals specifying that the “time for serving and filing the appellant’s initial brief **and designation of matter** will expire on April 7, 2025.” **Exhibit F** (emphasis added). While Appellant was able to file an initial brief on April 7th, he did not file his Designation of Matters until April 29, 2025 which was twenty-two (22) days past the deadline set by the March 6, 2025 Order (attached as **Exhibit F**). See Filing Dates **Exhibit A**.

Respondent’s counsel challenged certain documents including in Appellant’s April 29th Designation of Matter on numerous occasions including a letter to Appellant dated May 7, 2025 raising Counsel’s specific objections to three (3) items. Said objections are specifically incorporated herein by reference. **Exhibit D**. The improperly designated documents set forth in Items 5 & 6 were Respondent/Plaintiff’s responses to Appellant/Defendant’s discovery requests. Respondent’s motion to compel Appellant’s discovery responses, made no mention of Respondent’s discovery responses, and Appellant did not raise any issue with Respondent’s discovery responses at any time below. Rule 210(c), SCACR specifically prohibits the inclusion of materials not raised to the trial court from being considered on appeal. Similarly, Appellant’s Designation of Matter Item #8 which he identified as a document entitled “Emergency Notice of Motion and Motion of Defendant to Quash Plaintiff’s Motion to Compel ...” was not filed or raised during oral argument to the lower court issuing the order at issue on this appeal. “The Record shall not ... include matter which was not presented to the lower court.” Rule 210(c), SCACR. Respondent includes a screenshot of the materials filed with the lower court in this matter, designated as “Actions,” retrieved September 18, 2025 and attached hereto as **Exhibit C**. The order appealed from involved Respondent/Plaintiff’s “Motion to Compel” Appellant/Defendant’s

Discovery Responses filed November 02, 2023 and Respondent/Appellant's "Motion to Enlarge Time" to complete mediation filed November 15, 2023. **Exhibit C**. Appellant filed no response to Respondent following the filing of its initial motion on November 2, 2023. See Action Items set forth in **Exhibit C**. In his May 7th Letter, counsel specifically raised Respondent's objections to Appellant's Designation of Matter. Appellant did not respond to Respondent's objection to his Designation, so Respondent's Counsel provided Appellant with notice of Respondent's intention to file a motion to dismiss his appeal on May 27, 2025 and filed the Motion to Dismiss on May 28, 2025. See Filing Dates **Exhibit A**.

Contrary to Appellant's assertion, dismissal of a Respondent's brief as "untimely" is left to the discretion of the appellate court. Rule 208(a)(4). In this instance, Respondent could not file an initial brief until it received Appellant's initial brief AND designation of matters on appeal. The designation was filed on April 29, 2025 making Respondent's initial brief due on May 29, 2025 per Rule 208(a)(2), SCACR. Respondent met that deadline by providing Appellant with notice on May 27, 2025 that Respondent was filing a Motion to Dismiss his appeal and by filing said Motion on May 28th. See Filing Dates **Exhibit A**. "A motion to dismiss an appeal ... shall ... automatically stay the time limits for perfecting the appeal until the motion is decided." Rule 240(b), SCACR. The Court denied Respondent's Motion by Order dated July 24, 2025; accordingly, Respondent timely filed its initial brief responding to each of Appellant's arguments, whether raised below or not, on August 6, 2025. See Filing Dates **Exhibit A**.

Although Respondent's filings in this matter have been timely, there would be sufficient grounds for the Clerk to exercise its discretion regarding the Respondent's filing deadlines based on Appellant's numerous delays and missed deadlines. South Carolina's appellate courts have long recognized that a party should be equitably estopped from gaining any advantage over an

opponent for missing a deadline where the estopped party's conduct induced the failure to meet that deadline. *See e.g. Black v. Lexington School Dist. No. 2*, 488 S.E.2d 327, 330 (S.C. 1997) (holding "Under South Carolina law a defendant may be estopped from claiming the statute of limitations as a defense if the delay ... had been induced by the defendant's conduct."). In this matter, Appellant's failure to timely provide a transcript and designation of matters on appeal, along with his attempt to rely on materials not considered by the trial judge below hindered Respondent's ability to fairly draft and file a responsive brief.

Appellant's Issue #2 – Respondent Improperly Quoted the Motion Transcript.

This issue lacks any basis in law or common sense. The use of a lower court's transcript is an essential feature of all appeals and is required by Rule 207, SCACR and other authorities. The centrality of a transcript is also recognized by Rule 209 which specifies that references to a transcript must be set forth in the Designation of Matter. Rule 209(a), SCRCR. Appellant's complaint that Respondent's brief contained "verbatim" quotes of "redundant, immaterial, impertinent and advantageous" from the hearing transcript below lacks all merit. Mot. to Strike at p.2. Parties may question the meaning of transcripts, but they cannot exclude them simply because they disagree with and/or want to contest what was recorded.

Appellant's Issue #3 - Respondent's brief includes material that is contested by Appellant.

Appellant complains that Respondent's brief "almost exclusively [contains] a statement of facts ... which are contested by Appellant." Mot. to Strike p.2. While Appellant's exact complaint is unclear, he appears to object to Respondent noting that Appellant was not truthful in his dealings with the circuit court below by seeking sanctions for a delay in scheduling mediation when he had earlier specifically agreed to such a delay. Appellant's dishonesty during the litigation below and

his efforts to seek an advantage from a delay in mediation to which he had specifically agreed was a central issue in both the motions and order at issue in this appeal. The presiding judge found that

[Appellant] suffered no prejudice from [Respondent's] request to delay mandatory mediation until such time as the [Appellant] could provide [Respondent] with the discovery responses it is entitled to. [Appellant] only attempted to withdraw his initial agreement to delay mediation and seek sanctions against [Respondent] in response to [Respondent's] objections to the sufficiency of the [Appellant's] discovery responses. ...the Court finds that striking [Respondent's] Answer and Counterclaims is an appropriate discovery sanction.

Exhibit E at pp.6-7. The trial court's holding was supported by contemporaneous documents presented to the Court in the Respondent's motion and discussed during the hearing that gave rise to the order appealed from. Appellant may challenge that evidence and the court's ruling on it during this appeal, but he may not claim it is improper for the Respondent to raise its argument from below on appeal.

Appellant's Issue #4 – Respondent's brief was not properly served on Appellant.

Appellant's claim is entirely without merit. Respondent served Appellant with both his Initial Brief and Motion to Dismiss by email and USPS regular mail. The Certificates of Service for both documents are attached hereto as **Exhibit G**. Appellant, who routinely misses required deadlines, has suffered no prejudice as a result his claim of improper service. Respondent's counsel notes that Appellant routinely suffers anomalies in his mail service. As he points out in **Exhibit C** to his Motion to Strike Respondent's Brief, Appellant's mailing of his initial brief to Respondent's counsel arrived twenty (20) days following its mailing date and was damaged by water thereby cutting Respondent's thirty (30) day responsive deadline to ten (10) days once the documents were dried out. The instant motion to strike Respondent's brief has a ten (10) day responsive deadline, but was not delivered until nine (9) days after the alleged mailing. It would

be inequitable for the Appellant to claim prejudice due to his failure to receive Respondent's mailings when his own mailings are significantly delayed.

Appellant's Issue #5 – Appellant asks this Court to consider material not considered below.

It is axiomatic that to preserve an issue for consideration by a South Carolina appellate court, the issue must be raised to and ruled upon by the lower court with sufficient specificity "to inform trial court of the point being urged by the objector." Wilder Corp., v. Wilke, 497 S.E.2d 731, 733 (S.C. 1998). Appellant failed to cite a single authority in opposition to Respondent's motions during their hearing below other than to point out that he was proceeding *pro se*. The trial judge specifically rejected this claim as an excuse for Appellant's misrepresentations and failure to participate in discovery. **Exhibit E** at p.7. Appellant seeks to remedy this omission on appeal by asking this Court to consider a document entitled *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* which was not presented or argued to the presiding judge below who issued the Order that is the subject of this appeal. Appellant now admits the document was not properly filed below and claims he emailed it to presiding "Judge Price by email the night before the Motion to Compel hearing." Mot. to Strike at p.9. Appellant makes no reference to where he raised the "Emergency Motion" to the trial judge and none is found in the hearing transcript. Respondent directs the Court's attention to the Circuit Court's record of material filed below in this matter which demonstrate that Appellant filed no "Emergency Motion" or any other document was filed in response to the motions decided by the court below. Respondent/Plaintiff filed a "Motion to Compel" Appellant/Defendant's Discovery Responses on November 02, 2023 and Respondent/Appellant's "Motion to Enlarge Time" to complete mediation filed November 15, 2023. The list of filings below, attached hereto as **Exhibit C**, demonstrates that Appellant filed

nothing in responses to the motions or anything else after the Respondent's initial motion was filed on November 2, 2023.

Additional Grounds for Denying Appellant's Motion to Strike.

As with Appellant's Initial Brief, his current motion only presents vague and conclusory arguments. His five (5) issues discussed above rely heavily on random citations to various authority without any explanation or argument why or how the quoted rule pertains to the Appellant's case. As to his specific arguments about service or the contents of Respondent's brief, those arguments are specifically refuted by the Court's own records. To the extent Appellant's Motion fails to contain any discussion of how the cited authority relates to, or are even applicable to, his particular situation, those issues should be deemed abandoned pursuant to State v. Tyndall, 518 S.E.2d 278 (S.C. Ct. App. 1999); see also *Solomon v. City Realty Co.*, 203 S.E.2d 435, 436 (1974) (ruling that a "bald conclusion that is not manifestly correct" should be deemed abandoned on appeal).

Appellant has Engaged in Sanctionable Conduct.

Pursuant to Rule 269, SCACR, this Court may impose a sanction on a party who presents frivolous material for the purpose of delaying the administration of justice and/or causing unnecessary expense to the party's opponent. The trial court found that Appellant engaged in such conduct below.

I FIND that [Respondent] has demonstrated by clear, convincing and substantial evidence that it was prejudiced by [Appellant's] failure to respond to discovery and that [Respondent] has incurred substantial costs due to [Appellant's] willful disregard for his obligations under the South Carolina Rules of Civil Procedure. On the other hand, I find that [Appellant] suffered no prejudice from [Respondent's] request to delay mandatory mediation until such time as the [Appellant] could provide [Respondent] with the discovery responses it is entitled to.

With this Motion to Strike Respondent's Brief, Appellant has repeated the same misconduct identified by the trial court which, has in turn, caused Respondent to incur additional substantial costs.

Conclusion

Respondent Crescent Roofing & Remodeling, LLC asks this Court for the following relief:

1. Dismiss Appellant Eric Ragsdale's appeal pursuant to Rule 240 of the South Carolina Appellate Court Rules due to the procedural deficiencies with the Appellant's filings and the strong grounds for the relief granted by the trial court in the order appealed from, and/or Dismiss Appellant Eric Ragsdale's Motion to Strike Respondent's Brief as meritless and a violation of Rule 240 of the South Carolina Appellate Court Rules.
2. Strike Appellant's Designation of Matters to be Included in the Record on Appeal because it includes material not before the trial judge in violation of Rule 210(c) of the South Carolina Rules of Appellate Practice.
3. Order the Designation of Matter dated August 18, 2025 advanced by Respondent and attached hereto as **Exhibit H** to be followed by Appellant in drafting the Record on Appeal.

Respondent would further pray for an order sanctioning the Appellant to the full extent allowable.

THE PHILLIPS FIRM, LLC
Attorney & Counselor at Law

/s/Robert B. Phillips
By Robert B. (Sam) Phillips, Esq.
SC Bar # 16954
1025 Calhoun Street #3
Columbia, SC 29201
(803)726-4268
Sam@PhillipsFirm.Net

18 September 2025

Attorney for the Respondent

Cases

[Case Search](#)
[Participant Search](#)

Disclaimer: The information and documents available here should not be relied upon as an official record of action. Only filed documents can be viewed. Some documents received in a case may not be available for viewing. Some documents originating from a lower court, including records and appendices, may not be available for viewing.

Case Information: 2024-000420

Court:	Court of Appeals	Classification:	Appeal - Common Pleas - Other
Short Title:	Crescent Roofing & Remodeling, LLC v. Eric Ragsdale View Full Title	Case Status:	Final Briefing / Record
Consolidated:			
Filed Date:	03/14/2024	Oral Argument Date:	
Disposition Date:		Disposition Type:	
Remittitur Date:			
Lower Court or Tribunal:	Lexington (2022CP3203934)		

- Party Information

Appellate Role	Party Name	Former	Attorney(s)
Appellant	Eric Ragsdale	N	Self Represented
Respondent	Crescent Roofing & Remodeling, LLC	N	Robert Sam Phillips

Views

Display:

Event Information

Filed Date	Event Information	Doc
09/08/2025	Motion - Strike	
08/18/2025	Correspondence - Outgoing (One Bound Copy Request)	
08/06/2025	Designation of Matter - No Designation of Matter Filed (Respondent)	
08/06/2025	Initial Brief - Respondent	
07/24/2025	Non-Dispositional Decision - Order (Motion - Dismiss)	
06/19/2025	Correspondence - Incoming (Regarding Motion to Dismiss)	
06/19/2025	Motion - No Return - Dismiss	
05/28/2025	Motion - Dismiss	
05/27/2025	Correspondence - Incoming (Copy of Letter from Respondent to Appellant)	
04/29/2025	Designation of Matter - Designation of Matter Filed (Appellant)	
04/29/2025	Deficiency - Correction (Appellant's Initial Brief)	
04/23/2025	Deficiency - Deficiency Letter Sent (Appellant's Initial Brief)	
04/07/2025	Correspondence - Incoming (Attachments to Appellant's Initial Brief)	
04/07/2025	Correspondence - Incoming (Copy of Transcript)	
04/07/2025	Initial Brief - Appellant	
03/06/2025	Non-Dispositional Decision - Extension Granted (Appellant's Initial Brief)	
01/24/2025	Motion - Extension of Time (2nd) (Appellant's Initial Brief) and for Permission to File Without Fee	
01/14/2025	Non-Dispositional Decision - Extension Granted (Appellant's Initial Brief)	
12/04/2024	Deficiency - Correction (Motion for Extension)	
11/25/2024	Non-Dispositional Decision - Withdrawn or Ended (Motion for Extension)	
09/24/2024	Deficiency - Second Deficiency Letter Sent (Motion for Extension)	
07/29/2024	Deficiency - Partial Correction (Motion for Extension)	
07/10/2024	Deficiency - Deficiency Letter Sent (Motion for Extension)	
07/09/2024	Motion - Extension of Time (1st) (Appellant's Initial Brief)	
06/17/2024	Transcript Documents - Transcript Delivered - Direct Appeal	
06/10/2024	Correspondence - Outgoing (Transcript Overdue Letter)	
06/10/2024	Transcript Documents - Emails from Appellant Regarding Transcript	
04/18/2024	Transcript Documents - Emails Regarding Transcript	
04/11/2024	Transcript Documents - Other Correspondence	
04/02/2024	Deficiency - Correction (Notice of Appeal)	
03/21/2024	Transcript Documents - Transcript Ordered	

EXHIBIT

A

tabbles

RECEIVED

Apr 29 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.

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

The Appellant proposes the following be included in the record on Appeal:

1. Courts Record Of Respondent's Complaint and Appellant's Counterclaim;
2. Order dated February 14, 2024;
3. Transcript Of Motion To Compel Hearing;
4. Response Of Defendant To Alternate Dispute Resolution Rule To Show Cause;
5. Rule To Show Cause Exhibits Documents 1,2,3,4,5A,B,6,7A,B,C,8 Page 1,2,3,4,9A,B,C,D,10,11 1&2;
6. Plaintiff's Discovery Response;
7. Plaintiff's Reply To Defendant's Request For Sanctions;
8. Emergency Notice Of Motion And Motion Of Defendant To Quash Plaintiff's Motion To Compel Or In The Alternative To Stay Plaintiff's Motion To Compel Discovery To File Appropriate Objections.

I certify that this designation contains no matter which is irrelevant to this appeal.

April 29, 2025



Case Number:	2022CP3203934	Court Agency:	Common Pleas	Filed Date:	11/16/2022
Case Type:	Common Pleas	Case Sub Type:	Breach of Cont 140	File Type:	Jury
Status:	Appeal	Assigned Judge:	Clerk Of Court C P, G S, And Family Court		
Disposition:	Ended by Jury Trial	Disposition Date:	02/15/2024	Disposition Judge:	Price, Bentley
Original Source Doc:	Other	Original Case #:			
Judgment Number:		Court Roster:			

Case Parties | Judgments | Tax/Hay Information | Associated Cases | **Actions** | Financials

Name	Description	Type	Motion Roster	Begin Date	Completion Date	Documents
Crescent Roofing & Remodeling LLC	Appeal/Notice of Appeal No Fee	Filing		04/05/2024-10:41		
Crescent Roofing & Remodeling LLC	Email	Filing		04/04/2024-10:40		
Crescent Roofing & Remodeling LLC	Email	Filing		04/04/2024-10:39		
Crescent Roofing & Remodeling LLC	NEF(02-15-2024 08:50:09 AM) Order/Discovery and Disclo...	Filing		02/15/2024-08:50	02/15/2024-08:50	
Crescent Roofing & Remodeling LLC	Order/Discovery and Disclosure of Evidence remand back	Order		02/15/2024-08:50	02/15/2024-08:50	
Crescent Roofing & Remodeling LLC	NEF(02-08-2024 10:17:29 AM) Order/Order Cover Sheet \$25....	Filing		02/08/2024-11:28	02/15/2024-11:28	
Crescent Roofing & Remodeling LLC	Order/Order Cover Sheet \$25.00	Filing		02/08/2024-10:17	02/15/2024-10:17	
Ragsdale, Eric	2/5/2024_MOT15_Roster/Notice of Motions Roster Publication S	Action		01/09/2024-15:16	02/15/2024-15:16	
Phillips, Robert Sam	2/5/2024_MOT15_Roster/Notice of Motions Roster Publication S	Action		01/09/2024-15:16	02/15/2024-15:16	
Ragsdale, Eric	Notice of Hearing	Filing		01/09/2024-09:22	02/15/2024-09:22	
Crescent Roofing & Remodeling LLC	NEF(11-14-2023 04:52:14 PM) Motion/Enlarge Time	Filing		11/15/2023-08:44	02/15/2024-08:44	
Crescent Roofing & Remodeling LLC	Motion/Enlarge Time	Motion		11/14/2023-16:52	12/13/2023-16:52	
Ragsdale, Eric	Notice of Hearing	Filing		11/07/2023-16:11	02/15/2024-16:11	
Ragsdale, Eric	Notice of Hearing	Filing		11/07/2023-09:42	02/15/2024-09:42	
Ragsdale, Eric	12/4/2023_JURY_Roster/Notice of Case Roster Publication Sent	Action		11/07/2023-09:30	02/15/2024-09:30	
Phillips, Robert Sam	12/4/2023_JURY_Roster/Notice of Case Roster Publication Sent	Action		11/07/2023-09:30	02/15/2024-09:30	
Crescent Roofing & Remodeling LLC	NEF(11-01-2023 05:14:31 PM) Motion/Compel	Filing		11/02/2023-08:59	02/15/2024-08:59	
Crescent Roofing & Remodeling LLC	NEF(11-01-2023 05:28:44 PM) Reply/Other	Filing		11/02/2023-08:41	02/15/2024-08:41	
Crescent Roofing & Remodeling LLC	Reply/Other	Filing		11/01/2023-17:28	02/15/2024-17:28	
Crescent Roofing & Remodeling LLC	Service/Certificate Of Service	Filing		11/01/2023-17:28	02/15/2024-17:28	
Crescent Roofing & Remodeling LLC	Motion/Compel	Motion		11/01/2023-17:14	02/11/2024-17:14	
Crescent Roofing & Remodeling LLC	Service/Certificate Of Service	Filing		11/01/2023-17:14	02/15/2024-17:14	
Crescent Roofing & Remodeling LLC	NEF(10-30-2023 01:15:48 PM) Letter/Letter	Filing		10/30/2023-13:26	02/15/2024-13:26	
Crescent Roofing & Remodeling LLC	Letter/Letter	Filing		10/30/2023-13:15	02/15/2024-13:15	
Crescent Roofing & Remodeling LLC	Service/Certificate Of Service	Filing		10/30/2023-13:15	02/15/2024-13:15	
Crescent Roofing & Remodeling LLC	NEF(10-29-2023 04:46:23 PM) Letter/Letter	Filing		10/30/2023-08:52	02/15/2024-08:52	
Crescent Roofing & Remodeling LLC	Letter/Letter	Filing		10/29/2023-16:46	02/15/2024-16:46	
Ragsdale, Eric	Response of Defendant to ADR Rule to Show Cause	Filing		10/24/2023-15:21	02/15/2024-15:21	
Crescent Roofing & Remodeling LLC	ADR/Sanctions Letter	Action		10/24/2023-15:11	02/15/2024-15:11	
Crescent Roofing & Remodeling LLC	Letter/Letter/Status of Case	Filing		10/10/2023-14:25	02/15/2024-14:25	
Crescent Roofing & Remodeling LLC	NEF(10-04-2023 03:11:19 PM) ADR/Sanctions Letter	Filing		10/04/2023-15:11	02/15/2024-15:11	
Crescent Roofing & Remodeling LLC	ADR/Notice of ADR	Action		09/12/2023-10:46	10/24/2023-10:46	
Crescent Roofing & Remodeling LLC	Notice/Notice of Appearance	Filing		07/23/2023-14:56	02/15/2024-14:56	
Crescent Roofing & Remodeling LLC	Reply/Reply to Counterclaim	Filing		07/23/2023-14:56	02/15/2024-14:56	
Crescent Roofing & Remodeling LLC	Service/Certificate Of Service	Filing		07/23/2023-14:56	02/15/2024-14:56	
Crescent Roofing & Remodeling LLC	ADR/Alternative Dispute Resolution (Workflow)	Action		06/14/2023-13:27	09/12/2023-13:27	
Crescent Roofing & Remodeling LLC	NEF(06-14-2023 10:46:39 AM) ADR/Notice of ADR	Filing		06/14/2023-10:46	02/15/2024-10:46	
Crescent Roofing & Remodeling LLC	Letter/Letter	Filing		12/06/2022-14:46		
Crescent Roofing & Remodeling LLC	Notification of Service	Filing		11/16/2022-13:43		
Crescent Roofing & Remodeling LLC	Notice to Transfer	Filing		11/16/2022-13:42		
Crescent Roofing & Remodeling LLC	Magistrate Court Answer	Filing		11/16/2022-13:42		
Ragsdale, Eric	Counterclaim	Filing		11/16/2022-13:41		





THE PHILLIPS FIRM, LLC
ATTORNEY & COUNSELOR AT LAW

Via Email Only

Appellant Eric Ragsdale
ericragsdale60@gmail.com

7 May 2025

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 Plaintiffs 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

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)
Crescent Roofing & Remodeling LLC,)
)
) Plaintiff,)
)
v.)
)
Eric Ragsdale,)
)
) Defendant.)
_____)

IN THE COURT OF COMMON PLEAS
Civil Action No. 2022-CP-32-03934

ORDER

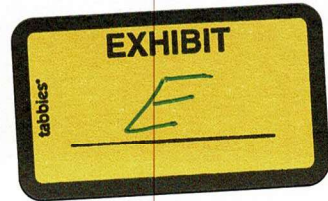
RECEIVED
Mar 14 2024
SC Court of Appeals

Judge: Hon. Bentley D. Price
Date of Hearing: February 6, 2023 via Webex
Appearance for Plaintiff: Robert B. "Sam" Phillips, Esq.
Appearance for Defendant: Eric Ragsdale, *pro se.*

THIS MATTER came before the Court on the *Plaintiff's Motion to Compel Discovery* and *Plaintiff's Reply to Defendant's Request for ADR Sanctions*, both filed on November 1, 2023 as well as *Plaintiff's Motion for an ADR Extension* filed on November 15, 2023. Plaintiff filed ten (10) common Exhibits on November 1, 2023 that were incorporated into both its *Motion to Compel* and *Reply to Defendant's Request for ADR Sanctions*. Defendant emailed a document to the Court styled *Emergency Motion to Quash Plaintiff's Motion to Compel* late in the evening of February 5, 2023.

HISTORY OF THE CASE

On January 11, 2021, Defendant Eric Ragsdale entered into an agreement with Plaintiff Crescent Roofing & Remodeling LLC to replace the roof and perform some interior painting on Mr. Ragsdale's residence for an agreed upon price of \$21,627.94 plus a contingency to replace rotted wood found underneath the existing roof. Crescent Roofing replaced the roof on January 18-19, 2021 and completed the painting on April 23, 2021. The total cost of the completed work



was \$21,852.94 (original contract price plus cost of replacing three (3) sheets of plywood at \$75.00 per sheet). Mr. Ragsdale paid \$1,000.00 to the Plaintiff at the start of the job and Mr. Ragsdale's home insurance carrier made several partial payments as the work progressed. At the completion of the job, Crescent Roofing's owner, Chris Lambreth, met with Mr. Ragsdale at his home to inspect the work. Mr. Ragsdale did not express any concern or dissatisfaction with the roofing work or painting to either Mr. Lambreth during this end-of-job walk through or at any other time to any of Crescent's workers on the job site. Although Mr. Ragsdale told Mr. Lambreth he would pay the remaining contract balance of \$4,902.56 from his office, Mr. Ragsdale ultimately refused to do so on multiple occasions.

After Mr. Ragsdale refused numerous requests to pay the outstanding balance of the contract (\$4,902.56), Crescent Roofing and Remodeling, LLC brought an action for breach of contract in the Swansea Magistrate Court in Lexington County on July 27, 2022 (2022CV321100943). Defendant Ragsdale filed an answer and a dozen counterclaims on November 16, 2022 seeking \$21,627.64 in compensatory damages and an unspecified amount of punitive damages. The action was transferred to Lexington County Circuit Court on November 16, 2022.

After learning it could not continue to represent itself in Circuit Court, Crescent Roofing hired attorney Robert "Sam" Phillips who filed an appearance on July 21, 2023. On July 23, 2023, Plaintiff's counsel served discovery on Mr. Ragsdale seeking answers to the Standard Interrogatories set forth in the South Carolina Rules of Civil Procedure, an explanation of the basis of Mr. Ragsdale's dozen counterclaims, and sought the production of documents related to those claims. On July 25, 2023, Plaintiff's counsel reached out to court appointed mediator Yolanda Courie to propose a continuation of the mediation so that the Defendant would have an opportunity

to respond to discovery observing that “mediations without the benefit of discovery responses rarely succeed.” Mediator Courie agreed informing both parties that “the mediation will be more meaningful with some discovery.” The mediator and Mr. Ragsdale agreed to a continuation of the mediation until November 2023. On August 28, 2023 Mr. Ragsdale sought a thirty (30) day extension for answering discovery. He also indicated he was “reaching out to offer settlement options in the matter.” Plaintiff’s counsel responded to Mr. Ragsdale’s “settlement options” request by explaining the need for discovery responses so that Plaintiff could evaluate the evidence of his counterclaims and meaningfully participate in settlement talks. Mr. Ragsdale did not raise any objection to postponing the mediation at any time during this period.

After the 30-day discovery extension passed, Plaintiff’s counsel again reached out to Mr. Ragsdale. Shortly thereafter, Mr. Ragsdale responded to Plaintiff’s Interrogatories and Requests to Produce (hereinafter collectively “Plaintiff’s Discovery”). Most of Mr. Ragsdale’s responses to Plaintiff’s Discovery were evasive or irrelevant objections that were not supported by the South Carolina Rules of Civil Procedure. For example, in response to Plaintiff’s Standard Interrogatory #1 (Rule 33(b)(1), SCRPC) seeking the names of Mr. Ragsdale’s witnesses, he objected claiming the Interrogatory “deviate[d] or purport[ed] to impose requirements other than or in addition to those required by the South Carolina Rules of Civil Procedure.” In response to Standard Interrogatory #2 (Rule 33(b)(2), SCRPC) seeking photos and document related to his counterclaims, Mr. Ragsdale objected claiming the interrogatory “seek[s] information or documents outside the scope of discovery permissible by the South Carolina Rules of Civil Procedure.” Mr. Ragsdale also refused to provide any documentation or other evidence to justify his claim for more than \$20,000.00 in compensatory damages, relief from contractual obligation of almost \$5,000.00, and an unspecified amount of punitive damages. In response to Standard

Interrogatory #5 (Rule 33(b)(5), SCRCF) requesting an itemized damages statement, Mr. Ragsdale objected claiming the interrogatory “seek[s] information or documents for any period of time beyond any applicable statute of limitations.” Plaintiff’s counsel wrote a detailed response to each of Mr. Ragsdale’s many objections on October 23, 2023 and asked the Defendant for more complete responses. Mr. Ragsdale responded by seeking ADR sanctions against Plaintiff on October 25, 2023 by falsely claiming that Plaintiff’s counsel had unilaterally canceled mediation and had made discovery requests in “disregard to the essential spirit [sic] of the law outlined in the Rules of Civil Procedure.”

As of the date of the hearing in this matter, Mr. Ragsdale has not supplemented or clarified his initial discovery responses, nor had he filed a response to Plaintiff’s Motion to Compel his discovery responses other than an email to the Court on the eve of the hearing making an “emergency” request to either quash the pending motions or grant him an extension to raise “objections” to those motions.

LAW

Rule 1 of the South Carolina Rules of Civil Procedure (hereinafter “SCRCF”) provides that the scope and purpose of rules “shall be construed to secure the just, speedy, and inexpensive determination of every action.” Rule 1, SCRCF. “The entire thrust of the discovery rules involves full and fair disclosure, to prevent a trial from becoming a guessing game or one of surprise for either party.” *Samples v. Mitchell*, 495 S.E.2d 213, 217 (S.C. Ct. App. 1997). Where a party’s right to discovery material is not accorded, prejudice must be presumed. *Id.* at 215. Discovery “is not a children’s game, but a serious effort on the part of adult human beings to administer justice.” *Griffin v. Capital Cash*, 423 S.E.2d 143, 146 (S.C. Ct. App. 1992) quoting *United States v. Fischer Lumber Co.*, 102 F.2d 872, 873 (4th Cir. 1947). Rule 37(a), SCRCF allows a party, after reasonable

notice, to seek an order compelling an opposing party to answer interrogatories submitted to that party pursuant to Rule 33, SCRCF. A noncompliant party who fails to answer interrogatories may be ordered to pay the moving party's expenses in bringing such a motion to compel pursuant to Rule 37(a)(4), SCRCF or otherwise sanction the noncompliant party with an order refusing to allow the disobedient party to support designated counterclaims or defenses as well as strike the disobedient party's pleadings pursuant to Rule 37(d), SCRCF. "In deciding what sanction to impose for failure to disclose evidence during the discovery process, the trial court should consider the nature of the interrogatories, the discovery posture of the case, willfulness, and the degree of prejudice." *Samples v. Mitchell*, 495 S.E.2d 213, 216 (S.C. Ct. App. 1997).

Under the South Carolina Alternative Dispute Resolution Rules (hereinafter "SCADRR"), mediation is a voluntary process that is; nevertheless, required by Rule 3(a), SCADRR (hereinafter "SCADRR") for all civil actions. While the SCADRR rules impose a Three Hundred (300) day timeframe for conducting a mediation, Rule 5(e), SCADRR allows parties to file a good faith motion for an extension of that deadline. Said extensions are only a violation of the Rules "[i]f any person or entity subject to the ADR Rules violates any provision of the ADR Rules **without good cause.**" Rule 10(a), SCADRR (emphasis added). In *Ross v. Waccamaw Community Hospital*, 744 S.E.2d 547 (S.C. 2013), our Supreme Court addressed the consequences of failing to comply with a statutory mediation requirement in a medical malpractice case. The court characterized the failure as a "non-jurisdiction procedural defect" and refused to impose a harsh sanction noting that the trial court "retains the discretion to permit the mediation process to continue" past a mediation deadline. 744 S.E.2d at 551. Relying on the *Ross* decision, the South Carolina Court of Appeals declined to sanction the failure to meet a mediation deadline upon a showing that the non-compliant party made a good-faith attempt to work with the opposing party

to obtain necessary discovery in order to facilitate discovery and a mediation. *Rickerson v. Karl*, 770 S.E.2d 767 (S.C. Ct. App. 2015).

DISCUSSION

Based on its filings with this Court, Plaintiff argued Defendant's actions were deliberately undertaken in bad faith and for the purpose of imposing delay and/or additional costs to the Plaintiff. Plaintiff pointed to Defendant's late-night filing to the Court, along with his continued failure to respond to Plaintiff's discovery requests, as the latest evidence of Defendant's willful bad-faith and sanctionable conduct. The Court agrees with Plaintiff and finds that Plaintiff's interrogatories and requests for production were compliant with South Carolina law and were reasonably calculated to obtain the evidence the Plaintiff is entitled to in order to respond to Defendant's numerous counterclaims. The Plaintiff's request for a three (3) month delay in mediation to complete discovery was appropriate and found to be agreeable at the time by both the court-designated mediator and the Defendant. Although Defendant agreed to the proposed discovery-then-mediation schedule proposed by Plaintiff's counsel, Defendant 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. This misconduct prejudiced the Plaintiff's ability to respond to Defendant's counterclaims, prevented it from meaningfully participating in mediation, and caused Plaintiff to incur unnecessary attorney's fees. Accordingly, I find that Plaintiff has met its burden in the Motions at issue in this matter and the Court enters the following order:

SANCTION

I FIND that Plaintiff has demonstrated by clear, convincing and substantial evidence that it was prejudiced by Defendant's failure to respond to discovery and that Plaintiff has incurred

substantial costs due to Defendant's willful disregard for his obligations under the South Carolina Rules of Civil Procedure. On the other hand, I find that Defendant suffered no prejudice from Plaintiff's request to delay mandatory mediation until such time as the Defendant could provide Plaintiff with the discovery responses it is entitled to. Defendant only attempted to withdraw his initial agreement to delay mediation and seek sanctions against the Plaintiff in response to Plaintiff's objections to the sufficiency of the Defendant's discovery responses. After reviewing the filings in this matter and hearing oral arguments from both parties, the Court finds that striking Defendant's Answer and Counterclaims is an appropriate discovery sanction.

Consequently, it is ORDERED that:

- 1) Defendant's answer and counterclaims are hereby stricken from the record,
- 2) Both parties are required to participate, in good faith, with mandatory mediation withing sixty (60) days of the filing of this order, and
- 3) This action is hereby remanded to the Swansea Magistrate Court in Lexington County for further proceedings in accordance with this Order and other applicable law.

AND IT IS SO ORDERED.

<< judicial e-signature found on page to follow >>



Lexington Common Pleas

Case Caption: Crescent Roofing & Remodeling LLC VS Eric Ragsdale
Case Number: 2022CP3203934
Type: Order/Discovery and Disclosure of Evidence

IT IS SO ORDERED!

/s Hon. Bentley D. Price, Circuit Judge 2766

Electronically signed on 2024-02-14 14:27:26 page 8 of 8



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

November 25, 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:

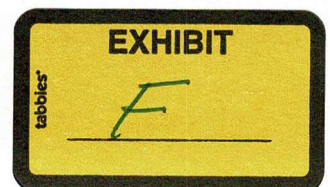
As of the date of this letter, this Court has not received a corrected proof of service for your motion for an extension of time. Therefore, no action will be taken on your motion. You must serve and file your appellant's initial brief and designation of matter within ten (10) days of the date of this letter or this appeal will be dismissed.

Very truly yours,

A handwritten signature in blue ink that reads "Catherine S. Harrison, deputy".

CLERK

cc: Robert Sam Phillips, Esquire



The South Carolina Court of Appeals

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

Appellate Case No. 2024-000420

The Honorable Bentley Price
Lexington County
Trial Court Case No. 2022CP3203934

ORDER

The appellant filed a motion for an extension of time to serve and file the appellant's initial brief and designation of matter and to waive the filing fee for this motion. The motion is Granted. The time for serving and filing the appellant's initial brief and designation of matter will expire on April 7, 2025. No further extensions will be granted absent extraordinary circumstances.

FOR THE COURT
BY *Catherine Harrison, deputy*
CLERK

Columbia, South Carolina

cc:
Eric Ragsdale
Robert Sam Phillips, Esquire

FILED
Mar 06 2025



THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

PROOF OF SERVICE

Documents Hereby Served of the Appellant:

- 1) **RESPONDENT'S MOTION TO DISMISS APPEAL**
- 2) **EXHIBITS A – D.**
- 3) **CERTIFICATE OF SERVICE.**

On behalf of **Respondent Crescent Roofing & Remodeling LLC**, Respondent in the above-captioned matter, I hereby certify that I have served a copy of the aforementioned documents upon **Appellant Eric Ragsdale** by emailing him at on this **28TH day of May, 2025**.

Columbia, South Carolina

/s/ Robert B. Phillips
Robert B. (Sam) Phillips, Esq.



THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

PROOF OF SERVICE

Documents Hereby Served of the Appellant:

- 1) **RESPONDENT'S INITIAL BRIEF**
- 2) **PROOF OF SERVICE.**

On behalf of **Respondent Crescent Roofing & Remodeling LLC**, Respondent in the above-captioned matter, I hereby certify that I have served a copy of the aforementioned documents upon **Appellant Eric Ragsdale** by emailing him the aforementioned documents to email address **ericragsdale60@gmail.com** and depositing copies of same into the United States Postal Service in an envelope address to Eric Ragsdale, 121 Shumpert Road, West Columbia, SC 29172 with sufficient postage attached on this **6TH day of August, 2025** and .

Columbia, South Carolina

/s/ Robert B. Phillips
Robert B. (Sam) Phillips, Esq.

Respondent's Designation of Record and Correspondence with Opponent in Crescent Roofing & Remodeling vs. Eric Ragsdale (App. Case No. 2024-000420)

From Robert Phillips <sam@phillipsfirm.net>

Date Mon 8/18/2025 3:18 PM

To ctappfilings@sccourt.org <ctappfilings@sccourt.org>

Cc Eric Ragsdale <ericragsdale60@gmail.com>; Terra Shipp <terra@phillipsfirm.net>

 2 attachments (753 KB)

2025.08.18 Respond Designation of Record.pdf; 2025.08.07 Ltr to Ragsdale re Delivery of Brf and Designation Deficiencies.pdf;

Attached please find Respondent's Designation of Record and Respondent's correspondence to opponent trying to correct initial designation.

The Phillips Firm, LLC
Attorney & Counselor at Law
by Robert B. (Sam) Phillips, Esq.
2001 Assembly Street, Suite 101
Columbia, SC 29201
(803) 726.4268

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.



THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

**RESPONENT'S DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

Eric Ragsdale *pro se*
121 Shumpert Road
West Columbia, S.C. 29172
803.309.0539
Ericragsdale60@gmail.com
Pro Se Appellant

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

Respondent proposes the following to be included in the Record on Appeal. Respondent's attorney attempted to consult with Appellant to settle disputes over the record (see attachment), but has not received any response.

1. Transcript of Hearing, February 6, 2024 (all 15 pages).
2. Plaintiff's Complaint.
3. Defendant's Answer and Counterclaims.
4. Plaintiff's Motion to Compel Discovery Responses.
5. Plaintiff's Motion for an ADR Extension.
6. The ten (10) joint exhibits filed with Motions to Compel and for an ADR Extension.

I certify that this designation contains no matter which is irrelevant to this appeal or that was not before the Court at the time of the Order appealed from.

THE PHILLIPS FIRM, LLC
Attorney & Counselor at Law

/s/Robert B. Phillips

By Robert B. (Sam) Phillips, Esq.

SC Bar # 16954

1025 Calhoun Street #3

Columbia, SC 29201

(803)726-4268

Sam@PhillipsFirm.Net

August 18, 2025

Attorney for the Respondent



THE PHILLIPS FIRM, LLC
ATTORNEY & COUNSELOR AT LAW

August 6, 2025

Eric Ragsdale
121 Shumpert Road
West Columbia, SC 29172

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

Mr. Ragsdale,

Attached please find a copy of the Respondent's Initial Brief and Proof of Service documents that were emailed to you earlier today.

Additionally, I have not heard back from you regarding my earlier correspondence concerning your **Designation of Matters**. You will recall that I pointed out to you the requirements of Rule 210(c) of the South Carolina Rules of Appellate Practice that record of the appeal "shall not ... include matter which was not presented to the lower court or tribunal." As the Appealant you are responsible for producing the "Record on Appeal [which] shall be arranged in the following order: the title page, index, orders, judgments, decrees, decisions, pleadings, transcript, charges, and exhibits and other materials or documents." Rule 210(c), SCACR. Several of the materials you designated were not filed with the Circuit Court nor considered by Judge Bentley Price at the February 6th hearing including your 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 Plaintiffs Motion to Compel. I ask that you remove them from the Designation and Record.

Items that were before the Judge, and that I have asked you to include in the Record on Appeal include the following:

- Hearing Transcript.
- Plaintiff's Complaint.
- Defendant's Answer and Counter Claim.
- Plaintiff's Motion to Compel Discovery Responses.
- Plaintiff's Motion for an ADR Extension.
- The ten (10) joint exhibits filed with the Motions to Compel and for an Extension.

If you require copies of any of the aforementioned documents, let me know and I can email them to you.

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