

State of South Carolina ) Court of Common Pleas  
County of DORCHESTER C/A. 2024-CP-18-00179

Terence Bryan, )  
Plaintiff, )

V. ) Rule 59(e)

SCDC, Nurse Orbin, )  
Ofc. Howard et al, all in, )  
Defendant. )

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NOV 24 2025

SC Court of Appeals

COMES NOW the Plaintiff, Terence Terrell Bryan, proceeding pro se, and respectfully moves this Honorable Court to alter or amend its 2025-02-19 Order pursuant to Rule 59(e) of the South Carolina Rules of Civil Procedure. In support of this motion, Plaintiff states as follows:

1. The Court's Order failed to properly consider that Plaintiff, as a pro se litigant, should be held to less stringent standards than attorneys, consistent with South Carolina law. See *Burns v. State*, 323 S.C. 163, 168, 473 S.E.2d 881, 884 (1996) (holding that courts should consider pro se pleadings liberally to ensure access to justice); *Goodson v. Am. Bankers Ins. Co. of Fla.*, 295 S.C. 400, 404, 368 S.E.2d 687, 689 (Ct. App. 1988) (noting that pro se litigants are entitled to fair consideration and procedural leniency).
2. Plaintiff made multiple good faith attempts to make service of process on Defendants through the Sheriff's Office. The judge did not acknowledge that he was provided with the wrong name for the Defendant Orvin, which caused delays and complications beyond Plaintiff's control. See *Roche v. Young Bros., Inc. of Florence*, 318 S.C. 207, 211, 456 S.E.2d 897, 899 (1995) (holding that courts should consider whether service defects were beyond the plaintiff's control when determining good cause).
3. Plaintiff attached exhibits to the Motion for Service or Waiver clearly demonstrating these repeated efforts to effectuate service, evidencing due diligence in complying with procedural requirements. The attorney for Defendants acknowledged that she could not find Orvin. See *Montgomery v. Montgomery*, 299 S.C. 133, 135, 382 S.E.2d 491, 493 (Ct. App. 1989) (holding that a party's due diligence in service should be considered when evaluating procedural issues).
4. Plaintiff was not served a copy of the motion that resulted in the Court's Order, which constitutes a due process violation. It is well established in South Carolina that all parties must be served with motions and given an opportunity to respond. See *Stuckey v. State Budget & Control Bd.*, 339 S.C. 397, 529 S.E.2d 706 (2000) (holding that failure to provide proper notice to a party constitutes a due process violation).
5. The attorney for Defendant has violated the South Carolina Rules of Professional Conduct by engaging in conduct prejudicial to the administration of justice, attempting to take advantage of Plaintiff's pro se status. South Carolina courts have consistently condemned such behavior as an abuse of process and a violation of ethical duties. See *In re White*, 391 S.C. 581, 707 S.E.2d 411 (2011) (reprimanding an attorney for conduct prejudicial to justice); *Matter of Anonymous Member of S.C. Bar*, 315 S.C. 141, 432 S.E.2d 467 (1993) (holding that attorneys have a duty to uphold fairness and integrity in legal proceedings). The attorney for the Defendants' drafted the order and intentionally left out my motion and what I argued, in fact the clerk of court did not

place my motions on the roster to be heard but did all Defendants' motions. Moreover the Defendants' attorney engaged in ex parte communication where the proposed order was not served on the Plaintiff and no certificate of service is evidence to any judge of ex parte communication.

6. The Court should have considered Plaintiff's Motion for Service or Waiver under the well-established principle that pro se litigants are entitled to procedural leniency. See S.C. Dep't of Soc. Servs. v. Mother, 375 S.C. 343, 349, 652 S.E.2d 636, 639 (Ct. App. 2007); Donahue v. Am. Express Co., 342 S.C. 651, 538 S.E.2d 267 (Ct. App. 2000) (noting that procedural fairness is paramount in cases involving pro se litigants).

7. The Court has discretion under Rule 4(d)(8), SCRCP, to extend the time for service when good cause is shown, and Plaintiff's repeated, documented attempts to serve Defendant establish such good cause. See Roche v. Young Bros., Inc. of Florence, 318 S.C. 207, 456 S.E.2d 897 (1995) (holding that courts have broad discretion in extending time for service of process).

8. Given these factors, this Court should revisit its Order and rule on Plaintiff's Motion for Service or Waiver in light of the evidence presented.

9. MOREOVER, the Plaintiff challenges the Order denying Plaintiff summary judgment where the proposed order was never service evidence of more ex parte communication.

10. WHEREFORE, Plaintiff respectfully requests that this Court alter or amend its 2025-02-19 Order to recognize Plaintiff's good faith efforts in effectuating service, acknowledge the procedural latitude afforded to pro se litigants, and grant Plaintiff's Motion for Service or Waiver in the interest of justice.

\_\_\_\_\_, sc  
Dated

/S/\_\_\_\_\_  
Terence Terrell Bryan  
36 Montgomery Lane  
Yemassee, SC 29945

#### CERTIFICATE OF SERVICE

I hereby certify that I served a copy of this, in court on 2/25/25 to: Robin L. Jackson; P.O. Box 12279; Charleston, SC 29413 and by U.S. mail postage prepaid to Judge S. B. Doby; P.O. Box 387; Bishopville, SC 29010.

SC Court of Appeals  
P. O. Box 11629  
Columbia, SC 29211-1629

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Re: Bryan V. SCDC, 2024-CP-18-00179

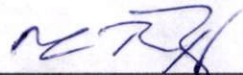
Dear Clerk,

Per the enclosed form 4 order from the clerk of the court, the judge just denied my motion for 59(e) motion, the Court renamed my 59(e) motion as a motion for new trial. I hereby move the court for reconsideration/reinstatement of my case and my case to be reviewed by this honorable court.

Thank you for your consideration. I look forward to your response.

\_10/18/25\_, sc  
Dated

/s/

  
\_\_\_\_\_  
Terence Terrell Bryan  
36 Montgomery Lane  
Yemassee, SC 29945

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of this on Robin L. Jackson; P.O. Box 12279; Charleston, SC 29413, by US Mail postage prepaid and addressed as stated.

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SC Court of Appeals

Terence Bryan  
36 Montgomery Lane  
Yemassee, SC 29945

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