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Nov 17 2025
SC Court of Appeals

The STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Jessica A. Salvini, Circuit Court Judge
Civil Action No. 2024-CP-23-02744

Appellate Case No: 2025-001550

Bruce Wilson,, Appellant

v.

Princeton Rodrigues Williams and Ennis M. Fant., Defendants,

Of Whom Ennis M. Fant....., Respondent.

**AMENDED SUPPLEMENT TO MOTION FOR RECONSIDERATION OF THE
CLERK'S DEFICIENCY LETTER DATED OCTOBER 29, 2025**

TO: THE HONORABLE COURT OF APPEALS OF SOUTH CAROLINA

NOW COMES the Appellant, Bruce Wilson, pro se, and files this Amended Supplement to his Motion for Reconsideration of the Clerk's Deficiency Letter dated October 29, 2025. This Amended Supplement is filed to present newly considered, material evidence that directly refutes the basis for the Deficiency Letter and to refine the exhibits in support thereof. Furthermore, this Amended Supplement replaces the previously filed Supplement.

The Clerk's Deficiency Letter, dated October 29, 2025, asserts that Appellant's Proof of Service is non-compliant because it "does not show service to respondent's counsel at the correct address," specifically directing Appellant to use "1315 Blanding Street, Columbia, SC 29201."

This assertion is directly contradicted by the documented, official practice of Respondent's counsel of record, Austin D. Nichols, Esq., who consistently utilizes P.O. Box 1452, Columbia, SC 29202 as his firm's address for court filings and correspondence in the underlying matter and others.

Letterhead Usage: In a letter filed with the Greenville County Clerk of Court on July 21, 2025, Attorney Austin D. Nichols, on behalf of the Rutherford Law Firm, listed the firm's address as "1315 BLANDING STREET, P.O. Box 1452, COLUMBIA, SC 29202." This official letterhead, used for correspondence with the court in the very case underlying this appeal, establishes P.O. Box 1452 as a valid and proper address for Attorney Nichols. A true copy of this letter is attached hereto as **Exhibit A**.

Filing in Underlying Action: In the Greenville County Court of Common Pleas action from which this appeal originates, Attorney Austin D. Nichols signed and filed a "Memorandum in Opposition to Plaintiff's Motion to Reconsider" on May 9, 2025. The signature block on this filing lists the firm's address as "1315 Blanding Street (29201), P.O. Box 1452, Columbia, South Carolina

29202." This filing demonstrates that Attorney Nichols himself uses this P.O. Box address in his formal litigation practice before South Carolina courts. A true copy of the signature page from this filing is attached hereto as **Exhibit B**.

Therefore, Appellant effectuated service upon Respondent's counsel by sending the Initial Brief via U.S. Mail to P.O. Box 1452, Columbia, SC 29202 an address his own law firm represents as its official address. This service was coupled with electronic service via the Court's filing system to Attorney Nichols's acknowledged email address, austin@rutherford.law.

It is fundamentally inconsistent and prejudicial to deem a pro se Appellant's service deficient for utilizing an address that the Respondent's counsel of record concurrently and officially employs in his own practice. The Deficiency Letter, based on an incomplete review, penalizes Appellant for his reasonable, good-faith reliance on the Respondent's own documented practices.

WHEREFORE, Appellant Bruce Wilson respectfully reiterates the prayers for relief in his original Motion and further prays that this Honorable Court:

1. Take judicial notice of the use of P.O. Box 1452, Columbia, SC 29202 by Attorney Austin D. Nichols, as evidenced by his own letterhead and court filings.
2. Find that the Appellant's service upon Respondent's counsel via U.S. Mail to P.O. Box 1452 (coupled with electronic service) was proper, compliant with the SCACR, and undertaken in good-faith reliance on Respondent's own listed address.

3. Grant the Motion for Reconsideration, vacate the Deficiency Letter, and deem the Appellant's Initial Brief and Designation of Matter as timely and properly filed.

Respectfully submitted,

By: /s/ Bruce Wilson _____
Bruce Wilson
14 Freestone St.
Greenville, SC 29605
brucewilson23@gmail.com
Pro Se Appellant

November 15, 2025
Greenville, South Carolina

EXHIBIT

[EXHIBIT A - Letter from Austin Nichols to Greenville Clerk with PO Box on Letterhead]

[EXHIBIT B - Signature Page from "Memorandum in Opposition" signed by Austin Nichols with PO Box in Signature Block]

Exhibit A

THE RUTHERFORD LAW FIRM, LLC

J. TODD RUTHERFORD
ATTORNEY AT LAW

AUSTIN NICHOLS
ATTORNEY OF COUNSEL

1315 BLANDING STREET
P.O. BOX 1452
COLUMBIA, SC 29202
TELEPHONE: (803) 256-3003
FACSIMILE: (803) 256-9698

July 21, 2025

Clerk of Court
Greenville County Courthouse
305 E North Street
Greenville, SC 29601

RE: Request for Continuance – Case No. 2024CP2300548
Bruce Wilson v. Ennis M. Fant

Dear Clerk of Court,

I am writing to respectfully request a continuance of the following matters currently scheduled to be heard on **August 22, 2025**:

1. **Defendant Ennis M. Fant's Motion to Dismiss Amended Complaint**
2. **Plaintiff's Expedited Motion for Order to Show Cause**

Both matters are set in the above-referenced case (2024CP2300548 – *Bruce Wilson v. Ennis M. Fant*). This request is made due to a scheduling conflict, as I, **Attorney Austin Nichols**, will be in trial in **General Sessions Court in York County** on that date. This trial has been previously scheduled and requires my appearance.

Accordingly, I respectfully request that the Court continue the above motions to a later date convenient for the Court and all parties. Please let me know if any further information is needed in support of this request. Thank you for your attention to this matter.

Respectfully submitted,

/s/ Austin Nichols
Austin Nichols, Esq.
Attorney for Defendant Ennis M. Fant

EXHIBIT B

STATE OF SOUTH CAROLINA,
COUNTY OF GREENVILLE

IN THE COURT OF COMMON PLEAS OF
THE THIRTEENTH JUDICIAL CIRCUIT

Bruce Wilson,)
)
 Plaintiff,)
)
 vs.)
)
 Pranceton Rodrigues Williams, and)
 Ennis M. Fant)
)
 Defendants.)

CASE NO.: 2024-CP-23-02744

**MEMORANDUM IN OPPOSITION TO
PLAINTIFF’S MOTION TO
RECONSIDER**

NOW COMES Defendant, Ennis M. Fant (“Fant”) by and through counsel, and submits this Memorandum in Opposition to Plaintiff’s Motion to Reconsider. Fant submits the follow in support of his memorandum:

ARGUMENT

Plaintiff’s Motion to Reconsider is merely a restatement of his written and oral arguments to the Court. Under SCRCP Rule 59(f), a Rule 59(e) motion may in the discretion of the court be determined on the briefs filed by the parties without oral argument. Motions to Reconsider are limited in scope and are not to be used to repeat the same arguments previously presented. *Dockins v. Benchmark Commc’n*, 180 F.R.D. 294, 295 (D.S.C. 1998). A Motion to Reconsider cannot be granted where the moving party simply seeks to have the Court rethink its decision. *Id.*

Our Supreme Court has stated that, “our rules contemplate two basic situations in which a party should consider filing a Rule 59(e) motion.” *Elam v. South Carolina Dep’t of Transp.*, 361 S.C. 9, 24 (2004). A party may wish to file such a motion when she believes the court has misunderstood, failed to fully consider, or perhaps failed to rule on an argument or issue, and the party wishes for the court to reconsider or rule on it. *Elam*, 361 S.C. at 24. A party must file such a motion when an issue or argument has been raised, but not ruled on, in order to preserve it for appellate review. *Id.* Additionally, “[a] party **cannot** use a motion to reconsider to present an

issue he could have raised prior to judgment but did not.” *Anderson Mem'l Hosp., Inc. v. Hagen*, 313 S.C. 497, 498 (Ct. App. 1994) (citation omitted) (emphasis added).

In this matter Plaintiff simply reasserts the same arguments considered and determined by this Court, and Plaintiff seeks to assert the misplaced argument that Pranceton Williams’ procedural default status can be used to support his lack of factual pleading. This Court has considered all the facts and argument presented, and in doing so, issued its order on the merits. Procedurally, Plaintiff’s initial Complaint was dismissed for failure to state a claim and now Plaintiff’s Amended Complaint has been dismissed for the same.

CONCLUSION

Based on the above reasons, Plaintiff’s Motion to Reconsider should be dismissed and this Court’s Order granting Defendant’s Motion to Dismiss should be upheld.

Respectfully submitted,

/s/ Austin D. Nichols
Austin D. Nichols, Esq.
J. Todd Rutherford, Esq.
RUTHERFORD LAW FIRM
1315 Blanding Street (29201)
P.O. Box 1452
Columbia, South Carolina 29202
Phone No.: (803) 256-3003
Fax No.: (803) 256-9698
Attorneys for Defendant
austin@rutherford.law
todd@rutherford.law

This the 9th day of May 2025.

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THE STATE OF SOUTH CAROLINA

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APPEAL FROM GREENVILLE COUNTY

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Jessica A. Salvini, Circuit Court Judge

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Appellate Case No: 2025-001550

Bruce Wilson, _____, Appellant

v.

Pranceton Rodrigues Williams and Ennis M. Fant., Defendants,

Of Whom Ennis M. Fant....., Respondent.

CERTIFICATE OF SERVICE

I, Bruce Wilson, hereby certify that on this 15th day of November, 2025, I served a true and correct copy of the foregoing Amended Supplement to Motion for Reconsideration upon Respondent's counsel, Austin D. Nichols, Esq., by depositing a copy in the United States Mail, postage prepaid, addressed to:

RUTHERFORD LAW FIRM, LLC
Attn: Austin D. Nichols, Esq
1315 BLANDING STREET (29201)
P.O. Box 1452
COLUMBIA, SC 29202
austin@rutherford.law
Counsel for Respondent

By: /s/ Bruce Wilson _____
Bruce Wilson
14 Freestone St.
Greenville, SC 29605
brucewilson23@gmail.com
Pro Se Appellant