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Dec 29 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

Appellate Case No: 2025-002408

Debra Nelson, Appellant,

v.

Hunt Law, LLC and
Bonnie Travaglio Hunt, Esq., Respondents.

**RESPONDENTS' RETURN TO APPELLANT'S
MOTION TO PROCEED IN *FORMA PAUPERIS***

Respondents, by and through their undersigned counsel, submit this Return to Appellant's Motion to proceed in *forma pauperis*. For the reasons set forth below, the Court should deny Appellant's Motion.

Counsel for the Respondents received Appellant's Motion via US Mail on December 17, 2025, along with her Motion to file her appeal out of time. The subject Motion, citing Rule 263(c), SCACR, asks the Court to waive the filing fee for her notice of appeal and proceed in *forma pauperis*.

Appellant, as a *pro se* Plaintiff, is currently pursuing or recently pursued at least six cases:

- (a) Nelson v. Curtiss-Wright, et al., 2-25-cv-004-5-RMG-MGB, U.S. District Court, Charleston Division.
- (b) Nelson v. Hunt Law, LLC, et al., C/A: 2025-CP-10-03145, Charleston County Common Pleas.
- (c) Nelson v. Kuykendall, et al., C/A: 2025-CP-10-0176, Charleston County Court of Common Pleas.
- (d) Nelson v. Adams & Reese Law Firm, et al., C/A: 2025-CP-10-01761, Charleston County Court of Common Pleas.
- (e) Nelson v. Countryman, 2025OR1011100036, Charleston County Summary Court.¹
- (f) Nelson v. Countryman, 2025-CP-10-05698, Charleston County Court of Common Pleas.

First, there is no Rule 263(c), SCACR. Rule 263, which deals with timing and extensions, has only subsections (a) and (b). It has no bearing on Appellant's request here. It has become apparent through Appellant's numerous filings in her various cases she likely uses AI to prepare filings, which often include inapplicable and/or nonexistent cases and Rules, like Rule 263(c). That is likely the case here with respect to the instant motion and citation to a non-existent Rule.

Rule 203(d)(1)(B)(iii), SCACR deals with the fee for filing an appeal. It provides the filing fee as set by the Order of the Supreme Court must be submitted along with the notice of appeal. That filing fee is \$250. The Rule goes on to state the fee is not required for criminal appeals by the State of South Carolina or its departments or agencies. Neither exception applies here, and the Rules provide no basis for filing this appeal without the required filing fee.

¹ Appellant attempted to file an appeal of that case with this Court (Appellate Case No.: 2025-002409), but the Court rejected it because appeals from the Summary Court are to the Circuit Court, not the Court of Appeals.

Appellant cites no applicable authority providing a basis for the appellate filing fee (or motions filing fee(s) to be waived here.

Rule 240(d), SCACR, requires a filing fee for motions (\$50). It says, “[I]n extraordinary cases, the appellate court may relieve a party from paying the [motions] filing fee.” Appellant has not set forth a basis for extraordinary circumstances here, nor does she make such an argument or cite Rule 240(d). The Court should not accept motions from Appellant without the requisite filing fee.

Second, Appellant has proven extremely litigious. In the Nelson v. Curtiss-Wright case alone, she has filed 38 motions to date. Ex. 1, p. 3, footnote 1 (Dec. 23, 2025). She has also filed many motions in the other cases listed above, including motions to compel, for sanctions, for recusal,² as well as other motions for various requests for relief. Exempting Appellant from the filing fee requirement here will only invite the same activity in this appeal (which she filed out of time and is substantively meritless).

Appellant’s continued litigation against Respondents and their counsel (as well as a number of other parties) continue to cost time, money, and judicial resources. Many of her filings are baseless on their face and appeared designed to abuse and harass. And they all require judicial disposition, which, if not determined in her favor, tend to lead to motions for recusal and complaints against judges. This Court should not make that path easier for Appellant by waiving any filing fee requirement(s) here.

² Appellant has also filed at least two complaints against judges in her cases following adverse rulings, including Circuit Court Judge Jennifer McCoy and Summary Court Judge Mary Paige Adams. Ex. 2, Deposition D. Nelson in Nelson v. Curtiss-Wright, et al., pp. 19 – 20.

CONCLUSION

Respondents respectfully request this Court deny Appellant's Motion to exempt her from paying filing fees, including the fee for filing this appeal, as well as motions related to the appeal.

Respectfully submitted,



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Counsel for the Respondents

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

Debra Nelson,)	
)	
Plaintiff,)	
)	C.A. No. 2:25-405-RMG
vs.)	
)	
Curtiss Wright Electro Mechanical Corp.,)	
d/b/a Curtiss-Wright Steam and Air)	
Solutions, <i>et al.</i>)	ORDER
)	
Defendant.)	
)	
)	

This matter comes before the Court on Plaintiff’s motion to recuse the undersigned based upon an alleged “unmistakable appearance of bias and partiality.” (Dkt. No. 236). For reasons set forth below, the motion is denied.

Factual Background

Plaintiff filed this action in state court, and it was removed by Defendants to this Court on January 21, 2025. The complaint alleges violations of Title VII of the 1964 Civil Rights Act and 42 U.S.C. § 1981. (Dkt. No. 1-1). The matter was initially assigned to United States District Judge David Norton and was referred routinely to a magistrate judge for pretrial handling. On October 7, 2025, this matter was administratively transferred to the undersigned, a common occurrence in this District. The Court had no involvement in or knowledge about the transfer of the case onto its docket.

The Court received information from the Clerk of the Fourth Circuit on November 24, 2025, that Plaintiff had complained that she had submitted objections to two discovery orders of a magistrate judge on November 6, 2025, and that those objections had not been filed on this Court’s

docket. A copy of Plaintiff's objections was provided by the Fourth Circuit Clerk. This was the first instance the undersigned was aware of the Plaintiff's objections to the two discovery orders of the magistrate judge. The Court promptly filed Plaintiff's objections on the Court's docket and entered a text order allowing responses to Plaintiff's objections.

Plaintiff filed the present motion to recuse on December 2, 2025, alleging that since the "unexplained" judicial assignment of October 7, 2025, she had observed a pattern of "irregular rulings, missing filings, contradictory orders . . . and clear judicial acceptance of defense counsel's false statements" and that this had created "an unmistakable appearance of bias and partiality." (Dkt. No. 236 at 1). Plaintiff asserted that the Clerk's Office oversight in not filing her objections on November 6, 2025, was "not a clerical mistake" but a procedural failure that deprived Plaintiff of the ability to obtain a timely review under Rule 72(a). Plaintiff contends that this Court's alleged "pattern of partiality, hostility, and procedural irregularities" requires this Court's recusal from any further involvement in her case. (*Id.* at 3-4, 15).

Legal Standard

28 U.S.C. § 455(a) provides that a judge "shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned." This is an objective standard based on a "reasonable, well-informed observer who assesses all the facts and circumstances." *United States v. DeTemple*, 162 F.3d 279, 286 (4th Cir. 1998). The basis of the disqualification must come from an "extrajudicial source," and "judicial rulings alone almost never constitute a valid basis for a bias or partiality motion." *Liteky v. United States*, 510 U.S. 540, 554-55 (1994). If a party is unhappy with a judge's rulings, her proper path is to file an appeal. *Id.* at 555. As the Fifth Circuit stated in *United States v. Gordon*, 61 F.3d 263, 268 (5th Cir. 1995), "litigants many not make the

trial judge into an issue because they dislike the court's approach or because they disagree with the ultimate outcome of their case.”

Discussion

Plaintiff is pursuing this matter pro se and it is likely that she is unfamiliar with the Court's administrative processes. She has taken the routine reassignment of a case from one district judge's docket to another district judge's docket, and an administrative oversight in the Clerk's office regarding the filing of objections and concluded that they collectively reflect a judicial hostility toward her and her case. Nothing could be further from the truth.¹

This Court had no involvement in or knowledge about this matter until alerted by the Clerk of the Fourth Circuit on November 24, 2025, that Plaintiff had complained that her November 6, 2025, objections to two magistrate judge's discovery orders had not been filed on the docket. The Court promptly directed the Clerk to file Plaintiff's objections and entered its first order in the case, directing parties who wished to respond to the objections to do so within fourteen days, with Plaintiff's reply due within seven days. (Dkt. No. 222). Since then, the Court has received a response to Plaintiff's objections and entered an order ruling on Plaintiff's objections. (Dkt. Nos. 244, 262). The Court is aware of no prejudice Plaintiff has suffered from the brief delay in the filing of her objections on the Court's docket.

Based on these facts, the Court finds that no reasonable, well-informed observer who assessed all of the facts and circumstances of this case would conclude that the undersigned's

¹ Since this case was removed to federal court, Plaintiff has filed 38 motions and submitted three amended complaints. The docket now runs to 263 entries. While it would be ideal for the Clerk's office to never make a filing error, the huge volume of Plaintiff's filings increases the likelihood that, from time to time, errors will be made.

impartiality might reasonably be questioned. Consequently, the Court denies Plaintiff's motion to recuse. (Dkt. No. 236).

AND IT IS SO ORDERED.

s/ Richard Mark Gergel
Richard Mark Gergel
United States District Judge

December 23, 2025
Charleston, South Carolina

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Debra Nelson,

Plaintiff,

V.

C.A. No. 2:25-cv-00405-DCN-MHC

Curtis Wright Electro Mechanical
Corp. d/b/a Curtiss-Wright Steam
and Air Solutions, Stephanie Lanier,
and Shane Sablotsky,
Defendants.

DEPOSITION: Debra E. Nelson
DATE: October 28, 2025
TIME: 10:20 a.m. EST
LOCATION: Veritext Legal Solutions
28 Bridgeside Boulevard, Suite 205
Mount Pleasant, SC
TAKEN BY: Counsel for the Plaintiff
REPORTED BY: Rosemary F. Grogan, CSR, RPR

1 A. No. I mean, he -- I mean, he did his job. He
2 attempted to do his job.

3 Q. Okay. Any other lawsuits in which you've been
4 a plaintiff?

5 A. That's it.

6 Q. What about the lawsuit captioned Debra Nelson
7 versus Bonnie Hunt and Hunt Law?

8 A. Oh, I forgot about that one. Yeah, I filed a
9 lawsuit against Bonnie Hunt.

10 Q. Is that a legal malpractice claim also?

11 A. Of course it was a legal malpractice claim.

12 Q. Is that case still pending?

13 A. No, it's not, but I filed a notice of appeal
14 so I'm waiting.

15 Q. So that case was dismissed but it's currently
16 on appeal?

17 A. Yes. And I also filed judicial misconduct
18 against the judge that sat over that case.

19 Q. Which judge was that?

20 A. That was Jennifer B. McCoy.

21 Q. Did you also file a lawsuit against Bonnie
22 Hunt's attorney, Andrew Countryman?

23 A. Yes. I filed a restraining order against him
24 because he kept sending me harassing communications. I
25 asked him to stop and he did it again. So I told him if

1 you send me anything else, I'm going to file a
2 restraining order against you.

3 Sure as fashion [sic], he sends me something
4 else. So I filed a restraining order against him --
5 well, I filed a petition to get a restraining order
6 against him.

7 Q. Was the restraining issued?

8 A. No, it was not. And that judge, I also filed
9 a complaint against her and I also appealed her ruling
10 because I filed a motion for recusal and she heard the
11 case anyway. She didn't have jurisdiction to hear that
12 case so I filed an appeal on that.

13 Q. Is that case still spending?

14 A. Yes. I haven't heard anything back about
15 that.

16 Q. Are you familiar with the case captioned Debra
17 Nelson versus Adams & Reese Law Firm?

18 A. That's the same case with Ashlee Poplin and
19 that law firm. It's not separate.

20 Q. So we talked about that one already?

21 A. I don't know if we did or not.

22 Q. What was that case about?

23 A. Legal malpractice.

24 Q. How was it resolved?

25 A. I ended up having -- well, I was advised to

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CERTIFICATE OF REPORTER

I, Rosemary F. Grogan, Registered Professional Reporter and Notary Public for the State of South Carolina at Large, do hereby certify that the foregoing transcript is a true, accurate, and complete record.

I further certify that I am neither related to nor counsel for any party to the cause pending or interested in the events thereof.

Witness my hand, I have hereunto affixed my official seal this 5th day of November, 2025, at Johns Island, Charleston County, South Carolina.



Rosemary F. Grogan, CSR, RPR
My Commission Expires:
June 18, 2035

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v.

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PROOF OF SERVICE

I certify this day, December 24, 2025, I served Respondents' Return to Appellant's Motion to proceed in forma pauperis on Appellant, *pro se*, by depositing a copy in the United States Mail, postage prepaid addressed as follows:

Debra Nelson
2718 Crestline Dr.
N. Charleston, SC 29405
Appellant, *pro se*



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