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Jan 05 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY

Court of Common Pleas

J. Derham Cole, Circuit Court Judge

Case No. 2020-CP-42-00055

Appellate Case No. 2024-001239

Dr. Lad Santiago,

Appellant.

v.

Stephen N. Garcia, as Attorney for
Oscar Avila Hernandez, et.al.,

Respondents.

**APPELLANT'S RESPONSE TO RESPONDENTS' RETURN TO
APPELLANT'S MOTION TO STRIKE RESPONDENTS' ATTORNEY'S
FINAL BRIEF DUE TO UNTIMELY FILING**

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COMES NOW, Appellant, Dr. Lad Santiago and responds to Respondents' Return to Appellant's Motion to Strike of December 22, 2025, and states in accordance with the sequential order noted by the Respondents' attorney in his Return to Appellant's Motion To Strike Respondents' Attorney's Final Brief Due to Untimely Filing. Appellant has answered each of Respondents' Attorney's allegations as noted below.

Furthermore, in support of this filing, the Appellant adopts and incorporates all factual statements and legal positions expounded upon in Appellant's filing of December 17, 2025, Appellant's Motion to Strike Respondents' Attorney's Final Brief Due to Untimely Filing.

1. Denied. The Respondents' Attorney did in fact fail to file a Final Brief, *timely*. Respondents' Attorney did not file his Final Brief until November 25, 2025. The Appellant never asserted that the Respondents' Attorney did not file a Final Brief, but that it was *untimely filed*, being late by 41 days. The Appellant stated that the Respondents' Attorney was grossly untimely and that he had not sought an extension of time and had failed to seek leave of Court. Therefore, Respondents' Attorney's claim and position is false, baseless and unsupported.
2. Denied. The Respondents' Attorney's contention that he filed his Final Brief first is an absolute prevarication, committing deception, because the Court filing record will show that the Appellant had completed and forwarded his Final Brief and Reply Brief through the USPS on Monday, November 24, 2025 at 4:41pm, (properly post-marked) via Certified Mail, before the Respondents' Attorney filed his Final Brief. On the following day, November 25, 2025, with a time register of 12:10:05 PM, the Appellant gave notice via filed email correspondence to the Clerk of Court of The South Carolina Court of Appeals, that the Appellant's Final Brief and Reply Brief were forthcoming by USPS, and included with this filing was a copy of the USPS receipt that documented the day and time of the filing.

This is verifiable through the C-Track Case Management System. The package with the Appellant's Final Brief and Reply Brief was postmarked *one day before* the Respondents' Attorney's filing of his Final Brief on November 25, 2025. The Appellant believes that his electronic transmission of his letter to the Clerk of Court of The South Carolina Court of Appeals on November 25, 2025 at 12:10:05 PM, through the Court's e-filing C-Track Case Management System that made note of this correspondence, appeared to have alerted the Respondents' Attorney of the Appellant's filing, and thus motivated the Respondents' Attorney to file his Final Brief.^{1,2} Please note that the Respondents' Attorney did not file his Final Brief until November 25, 2025, at 2:53:32 PM, almost three hours later. The Respondents' Attorney's contention that he filed his Final Brief first is a gross prevarication as the Clerk of Court had already been notified by the Appellant that a package was en route to their office postmarked one day earlier than the Respondents' Attorney's filing. Furthermore, this same letter of Monday, November 24, 2025, that had been e-mailed to the Court was also placed in the USPS Mail directly to the Respondents' Attorney. Therefore, most likely at the time that the Respondents' Attorney filed his Return of December 22, 2025, he also had received this letter via USPS, in addition to notification via the Court e-filing system, and *he therefore knew* that the Appellant had already filed his Final Brief and Reply Brief *before* the Respondents' Attorney filed his Final Brief. Respondents' Attorney's

¹ "Your account can be configured to receive emails when a document is filed, approved and/or rejected." *See*: E-Filing for Attorneys, Frequently Asked Questions, under Notifications and E-Service, Number 2: <https://www.sccourts.org/e-filing-for-attorneys/faqs/>

² "Notifications The E-Filing system automatically generates emails to communicate with case participants with E-Filing accounts when action is taken on their cases. The email does not include the actual documents or all the details of the submissions, but it is a means to inform the filer that notices are accessible through logging into the E-Filing account. A "Notice of Electronic Filing" (NEF) is a notice of documents that are filed on a case electronically." *See: Electronic Filing – Filer Interface Complete User Guide South Carolina Electronic Filing System November 2015*, pg. 86, under Notifications. <https://www.sccourts.org/media/wvdpd12wq/efilingusermanual.pdf>

contention is *knowingly false*, one that is without foundation, and one that demonstrates dishonesty; conduct which is unbecoming of an officer of the court.^{3,4} Again, this is the Respondents' Attorney's method of manipulating the data and sometimes omitting data regarding the truth, an action committed to fit his false premises. Obviously, the Appellant was not afforded any extra time to review and respond to the Respondents' Attorney's Final Brief as he alleges since the Appellant had already completed his Final Brief and Reply Brief and had mailed both of them on Monday, November 24, 2025, *one day before* Respondents' Attorney filed his Final Brief. Therefore, it would have been impossible for the Appellant to have had any time to review and respond to the Respondents' Attorney's Final Brief as the Respondents' Attorney alleges. Here again, the Respondents' Attorney is committing an infraction; a frivolous, deceitful and disrespectful act to this Honorable Court. Moreover, the Appellant stands by his position regarding the prejudice caused by the Respondents' Attorney's untimely filing pursuant to the Appellant's most recent Motion of December 17, 2025.

Respondents' Attorney's position that the filing of Appellant's Final Brief and Reply Brief was somehow advantaged by the Respondents' Attorney's filing of his Final Brief, allowing the Appellant to review and respond to the Respondents' Final Brief is a gross prevarication which the Respondents' Attorney had knowledge of. His allegation is unfounded and without merit. Additionally, Respondents' Attorney is highly incorrect and

³ See SCRPC Rule 8.4(d)(e) It is professional misconduct for a lawyer to: (d) engage in conduct involving dishonesty, fraud, deceit or misrepresentation; (e) engage in conduct that is prejudicial to the administration of justice;
<https://www.sccourts.org/resources/judicial-community/court-rules/appellate/rule-407/rule-84/>

⁴ See RULE 3.3: CANDOR TOWARD THE TRIBUNAL

(a) A lawyer shall not knowingly:

(1) make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer;

(3) offer evidence that the lawyer knows to be false.

<https://www.sccourts.org/resources/judicial-community/court-rules/appellate/rule-407/rule-33/>

intentionally malicious to state that the Appellant was dishonest and absurd, when in fact it is the Respondents' Attorney who has committed a purposeful, premeditated and frivolous infraction; an act of psychological projection demonstrated by the Respondents' Attorney.⁵ It appears that this nefarious behavior and manipulation of the truth on the Respondents' Attorney's part has been committed to conceal his underhanded actions, and through such, promote and perpetuate Fraud Upon the Court.^{6,7} Again, at the center of this act is dishonesty; a violation of Attorney Rules of Professional Conduct in South Carolina.^{8,9} This flawed reasoning is deceitful and absurd. Moreover, the Appellant has in no way committed any infraction of dishonesty as Respondents' Attorney alleges. The Respondents' Attorney's convoluted events presents no proof or credible evidence to support his allegation, and therefore, he is simply casting aspersions, for he is the one that is deceitful and prevaricative. This tactic and behavior by the Respondents' Attorney is an established pattern of his, one that has repeated itself in previous filings. This ploy on the Respondents' Attorney's part has

⁵ **See: What Is Psychological Projection-And How Does It Impact Mental Health.**

<https://www.newporthealthcare.com/resources/press/psychological-projection/>

⁶ "1. A knowing misrepresentation or knowing concealment of a material fact made to induce another to act to his or her detriment. • Fraud is usu. a tort, but in some cases (esp. when the conduct is willful) it may be a crime. — Also termed *intentional fraud*. 'Fraud has been defined to be, any *kind of artifice by which another is deceived*. Hence, all surprise, trick, cunning, dissembling, and other unfair way that is used to cheat any one, is to be considered as fraud.' John Willard, *A Treatise on Equity Jurisprudence* 147 (Platt Potter ed., 1879). 2. A reckless misrepresentation made without justified belief in its truth to induce another person to act. 3. A tort arising from a knowing or reckless misrepresentation or concealment of material fact made to induce another to act to his or her detriment. • Additional elements in a claim for fraud may include reasonable reliance on the misrepresentation and damages resulting from this reliance." **See** [FRAUD, Black's Law Dictionary \(12th ed. 2024\)](#)

⁶ Intrinsic fraud, on the other hand, is fraud which was presented and considered in the trial. *Hagy v. Pruitt*, 339 S.C. 425, 529 S.E.2d 714 (2000). It is fraud which misleads a court in determining issues and induces the court to find for the party perpetrating the fraud. *Hilton Head Ctr. v. South Carolina Pub. Serv. Comm'n, supra*. **See** [Chewning v. Ford Motor Co., 354 S.C. 72, 81, 579 S.E.2d 605, 610 \(2003\)](#)

⁷ "Intrinsic fraud, on the other hand, is fraud which was presented and considered in the trial. *Hagy v. Pruitt*, 339 S.C. 425, 529 S.E.2d 714 (2000). It is fraud which misleads a court in determining issues and induces the court to find for the party perpetrating the fraud. *Hilton Head Ctr. v. South Carolina Pub. Serv. Comm'n, supra*. " **See** [Chewning v. Ford Motor Co., 354 S.C. 72, 81, 579 S.E.2d 605, 610 \(2003\)](#)

⁸ **See** SCRPC Rule 8.4(d)(e), *supra* note 3, pg. 4.

⁹ **See** RULE 3.3: CANDOR, *supra* note 4, pg. 4.

been crafted and executed to distract this Honorable Court from the truth; acts that appear fit for sanctions by the Court, should the Court so deem it.^{10,11,12}

3. Denied. Appellant admits that Appellant's requests for extensions of time for extraordinary medical reasons with leave of court, were in fact granted on the dates as noted in the Court Record. However, this legitimate request has been met with protest previously from the Respondents' Attorney. Furthermore, the Appellant's Motion for an Extension of Time filed on October 27, 2025, did not toll the briefing schedule under The South Carolina Appellate Court rules, as the Respondents' Attorney alleges. The Respondents' Attorney is in error regarding his understanding of the definition and application of the word "toll" and the phrase "equitable tolling". See the following footnotes and definitions.^{13,14} The concept of a motion for an extension of time under The South Carolina Court of Appeals is not an automatic right, but one that the Court may consider when a litigant seeks an extension of time or relief from a deadline *as it applies to the party seeking relief, under specific conditions*. However, the party seeking an extension of time or relief from a deadline must have *good cause* like extraordinary circumstances, and must demonstrate *diligence* in pursuing his/her rights in addressing the matter. The SCACR, Rule 240(a) allows for such

¹⁰ **RULE 269. FRIVOLOUS APPEALS, PETITIONS, MOTIONS, OR RETURNS** *See:*

<https://www.sccourts.org/resources/judicial-community/court-rules/appellate/rule-269/>

¹¹ **RULE 413, RULE 7, GROUNDS FOR DISCIPLINE; SANCTIONS IMPOSED; DEFERRED DISCIPLINE**

AGREEMENT *See:* <https://www.sccourts.org/resources/judicial-community/court-rules/appellate/rule-413/rule-7/>

¹² *See* SCRPC Rule 8.4(d)(e), *supra* note 3, pg. 4.

¹³ Toll Definition: **1.** To annul or take away <toll a right of entry>. **2.** (Of a time period, esp. a statutory one) to stop the running of; to abate <toll the limitations period>. See equitable tolling. **3.** *Hist.* To raise or collect a tax or due for the use of something.

See [TOLL, Black's Law Dictionary \(12th ed. 2024\)](#)

¹⁴ Equitable Tolling Definition: **1.** The doctrine that the statute of limitations will not bar a claim if the plaintiff, despite diligent efforts, did not discover the injury until after the limitations period had expired, in which case the statute is suspended or tolled until the plaintiff discovers the injury. • Equitable tolling does not require misconduct such as concealment by the defendant. **2.** The doctrine that if a plaintiff files a suit first in one court and then refiles in another, the statute of limitations does not run while the litigation is pending in the first court if various requirements are met. • Among those requirements are (1) timely notice to the defendant; (2) no prejudice to the defendant; and (3) reasonable and good-faith conduct on the part of the plaintiff. **3.** A court's discretionary extension of a legal deadline as a result of extraordinary circumstances that prevented one from complying despite reasonable diligence throughout the period before the deadline passed. See (for all three senses) statute of limitations (1). *See* [EQUITABLE TOLLING, Black's Law Dictionary \(12th ed. 2024\)](#)

motions for extensions of time.¹⁵ The Respondents' Attorney failed to seek an extension of time demonstrating good cause nor did he demonstrate diligence in performing such by taking the appropriate leave of Court to accomplish this objective. The Respondents' Attorney's Return of October 28, 2025, also did not pause the deadline for the submission of his Final Brief as he so alleges, and it did not apply to this situation in the immediate matter. The SCACR, Rule 240(b), specifically notes that “**(b) Stay of Time Limits.** Unless otherwise provided by these Rules, or ordered by the appellate court, the time limits imposed by these Rules shall not be stayed by the filing of a motion or petition.”¹⁶ It does not state, as Respondents' Attorney so alleges, that Rule 240(b) justifies “. . . a pause in the deadlines pending the Court's resolution.” This is an absolute fabrication by the Respondents' Attorney as found in paragraph three (3) of his Return dated December 22, 2025. Furthermore, per the SCACR, Rule 211(a), the Final Briefs are due *20 days* after the service of the Record on Appeal, quoted as follows: “**(a) Time to Serve and File.** Within twenty (20) days after the service of the Record on Appeal, each party shall serve a copy of the party's final brief(s) on every other party to the appeal, and file the final brief(s) with the clerk of the appellate court.”¹⁷ The filing in the record will show that the Record on Appeal was filed with the South Carolina Court of Appeals on September 25 and 26, 2025. Counting *20 days* forward on this basis makes the Respondents' Attorney's Final Brief due on October 16, 2025.

In contrast, due to Appellant's extraordinary health circumstances, the Appellant was compelled to seek equity by filing a Motion for Extension of Time for his Final Brief and

¹⁵ *See* South Carolina Appellate Court Rules, Rule 240, Motions and Petitions Generally (a). *See:* <https://www.sccourts.org/resources/judicial-community/court-rules/appellate/rule-240/>

¹⁶ *See* South Carolina Appellate Court Rules, Rule 240, Motions and Petitions Generally (b). *See:* <https://www.sccourts.org/resources/judicial-community/court-rules/appellate/rule-240/>

¹⁷ *See* South Carolina Appellate Court Rules, Rule 211(a) Final Briefs. *See:* <https://www.sccourts.org/resources/judicial-community/court-rules/appellate/rule-211/>

Final Reply Brief. His deadline for filing his Final Brief and Reply Brief was granted by the Court, giving the Appellant until December 2, 2025, for submission of his Final Briefs, placing the Appellant on a different track of time in terms of a filing deadline. The Respondents' Attorney's track of time and deadline to file his Final Brief was predicated upon the Appellate Court Rules as they would normally apply.¹⁸ This fact was not altered by the Court. The Respondents' Attorney failed to file a motion for an extension of time, demonstrate diligence, and did not seek leave of Court.¹⁹ The Respondents' Attorney is in error with his statement that references, “. . . the Court's November 5, 2025 order disposing of the motion” as is noted in Respondents' Attorney's Return of December 22, 2025, paragraph three (3). The Order of November 5, 2025, was only for the Court's granting of the Appellant's Motion for his extension of time to file his Final Brief and his Final Reply Brief. *It did not apply to the Respondents' Attorney as he is attempting to erroneously assert.* The Respondents' Attorney *did not promptly* file his Final Brief on November 25, 2025, as he so alleges, and there is no basis of fact for his making of such a claim. The Respondents' Attorney did not file his Final Brief according to the Court's deadline, which was October 16, 2025. The Respondents' Attorney's Final Brief filing of November 25, 2025, was 41 days beyond the due date of October 16, 2025, and was not filed promptly as he purports. This is not in compliance with the spirit of Rule 211(a) of the SCACR as the Respondents' Attorney states. In fact, Rule 211(a) states: “**(a) Time to Serve and File.** Within twenty (20) days after the service of the Record on Appeal, each party shall serve a copy of the party's final brief(s) on every other party to the appeal, and file the final brief(s) with the clerk of

¹⁸ *Ibid.*

¹⁹ *See* South Carolina Appellate Court Rules, Rule 240, *supra*, note 12, pg. 6.

the appellate court.”²⁰ The fact remains that the Respondents’ Attorney was 41 days beyond the due date for his filing of his Final Brief. His false explanation is nothing more than a coverup for his untimely filing. This is a schema of deception employed by the Respondents’ Attorney, similar to what he has executed in the past, which has been brought to the attention of the Court previously. Here again, the Respondents’ Attorney has attempted and acted to convolute and distort the truth to fit his intended machinations.^{21,22} The Respondents’ Attorney has committed *abuse of process* and *fraud upon the Court* by contorting and thereby prevaricating statements of what the Court Rules stipulate. His statements are contrary to the actual wording and meaning of the Court Rules.^{23,24,25}

4. Denied. The Appellant admits that he has received proper and justifiable extensions of time, which were filed timely and with proper leave of court. As to the Respondents’ Attorney not filing for any extensions of time, this was strictly his prerogative within the judicial process, based upon his appropriate and justifiable need to exercise such. However, he chose not to file for any extensions of time. The Appellant was compelled to exercise this option due to extraordinary health issues, and has benefitted from the Court’s wisdom and good judgement. However, the Appellant followed Court rules and proper procedures. In fact, these extensions of time have provided equity to the Appellant, as he has been disadvantaged due to his extraordinary health conditions, which conditions have impaired him from filing by the stipulated deadlines set by the Court. There is nothing comical about seeking a

²⁰ See South Carolina Appellate Court Rules, Rule 211(a), *supra*, note 13, pg. 7.

²¹ See RULE 3.3: CANDOR, *supra* note 4, pg. 4.

²² See SCRPC Rule 8.4(d)(e), *supra* note 3, pg. 4.

²³ “The improper and tortious use of a legitimately issued court process to obtain a result that is either unlawful or beyond the process’s scope. • Broadly speaking, an actor is liable for abuse of process whenever it can be proved that judicially issued process has been used to achieve some objective outside the purpose for which the process is intended.” See [ABUSE OF PROCESS](#), *Black’s Law Dictionary* (12th ed. 2024)

²⁴ See [FRAUD](#), *Black’s Law Dictionary* (12th ed. 2024), *supra* note 6, pg. 5.

²⁵ See [Chewning v. Ford Motor Co.](#), 354 S.C. 72, 81, 579 S.E.2d 605, 610 (2003), *supra* note 7, pg. 5.

justifiable resolution to the Respondents' Attorney's gross untimeliness in the Respondents' Attorney's filing of his Final Brief, untimely, and the prejudice that it imposes upon the Appellant. The latter issues have already been cited in Appellant's Motion to Strike Respondents' Attorney's Final Brief Due To Untimely Filing of December 17, 2025. Furthermore, in contrast to the Respondents' Attorney's contention that his filing was proper in every aspect, the fact is that the Respondents' Attorney's Final Brief was not proper in all aspects and in all respects as noted and supported by the aforementioned Appellant's Motion to Strike and as explained herein.²⁶

5. Denied. Pursuant to Rules 208(a)(4) and 211, SCACR, striking a brief for untimely filing by Respondents' Attorney rests solely at the Court's discretion, as does the decision for any Motion brought before the Court. Appellant agrees that these matters and decisions fall under the purview and authority of the Court. However, the Respondents' Attorney alleges that the Appellant's Motion to Strike for untimely filing is improper by virtue of him filing a motion under the aforementioned rules. Although it is true that the decision rests solely at the Court's discretion, this matter must be adjudicated by the Court. Moreover, Respondents' Attorney's allegation that the Court has already accepted his untimely Final Brief by virtue of it being filed, is flawed and baseless in substance. The Respondents' Attorney is grossly misguided in arguing that his Final Brief has already been reviewed and adopted by the Court as *Fait Accompli*, a premise that is highly improper and erroneous.²⁷ The Appellant is fairly certain that the Clerk of Court of The South Carolina Court of Appeals accepts most filings to the Court unless there

²⁶ *See* South Carolina Appellate Court Rules, Rule 211(a) and (b) Final Briefs. *See:* <https://www.sccourts.org/resources/judicial-community/court-rules/appellate/rule-211/>

²⁷ *See* "Making a situation that is irreversible and other people have to live with." The Law Dictionary. *Featuring Black's Law Dictionary, 2nd Ed.* *See:* <https://thelawdictionary.org/fait-accompl/>

is a gross error or departure from the norm.²⁸ As to the present matter, the truth is that there is no movement regarding this untimely filing, unless a motion is waged by the opposing party bringing the matter to the forefront of this Honorable Court for consideration. It is only then that the Court will bear upon this transgression committed by Respondents' Attorney, that the Court will decide the appropriate treatment that this issue rightfully deserves. Appropriately and henceforth, a disposition and a ruling will be rendered by the Court. Contrary to the Respondents' Attorney's flawed thinking and baseless position that the Court has already decided this matter and has accepted Respondents' Attorney's Final Brief, and that there is no basis for exclusion, the Court's decision has not been rendered on the status of this matter and therefore remains to be considered and adjudicated. Respondents' Attorney's statement is a misinterpretation and misapplication of the Court filing process. This is an erroneous presumption on behalf of the Respondents' Attorney, which is disrespectful to the Court, as he presumes and states that actions and a position have already been taken by the Court. This is an erroneous and frivolous presumption assumed by the Respondents' Attorney in order to contort the facts leading to a misguided, expedient, and erroneous explanation and justification for his actions. Regardless of the Respondents' Attorney's flawed and baseless position and conclusion, the Appellant prays that this Honorable Court rules to exclude the Respondents' Attorney's grossly untimely Final Brief for all the reasons noted herein and in the Appellant's Motion to Strike Respondents' Attorney's Final Brief Due To Untimely Filing, filed on December 17, 2025. Pursuant to the aforementioned Rules and any other rules that the Court deems fitting, this Motion is before this Honorable Court for consideration and final disposition.

²⁸ *See* South Carolina Court Rules, Rule 4. E-Filing and E-Service. <https://www.sccourts.org/resources/judicial-community/court-rules/e-filing/rule-4/>

6. Denied. The Respondents' Attorney is in absolute error regarding what Rule 211(b) SCACR states and demands of both the Appellant and Respondent in the submission of the Final Briefs. In fact, the Respondents' Attorney is in violation of Rule 211(b)(2). The rule reads: "**Correction of Typographical Errors and Misspellings.** The party may correct obvious typographical errors and misspellings which were contained in the initial brief. No other changes may be made." *See:* <https://www.sccourts.org/resources/judicial-community/court-rules/appellate/rule-211/>. The rule allows for typographical and misspellings which appear in the initial brief and corrections thereof. It seeks accuracy in this regard through these corrections *but does not allow for any other changes*. The Respondents' Attorney has changed the text and the context, and therefore the meaning of the narrative; an obvious and blatant infraction. Therefore, the Respondents' Attorney's Final Brief does not comply with the dictates of this rule and in fact violates the rule substantially as was explained in the Appellant's Motion to Strike Respondents' Attorney's Final Brief of December 17, 2025, that is now before this Honorable Court. By his purposeful infractions, the Respondents' Attorney makes a mockery of the judicial process and prevaricates without hesitation before the Court.^{29,30,31}

²⁹ **RULE 413, RULE 7, GROUNDS FOR DISCIPLINE; SANCTIONS IMPOSED; DEFERRED DISCIPLINE**

AGREEMENT, (a) (1) (5). *See:* <https://www.sccourts.org/resources/judicial-community/court-rules/appellate/rule-413/rule-7/>

³⁰ *See* SCRPC Rule 8.4(d)(e), *supra* note 3, pg. 4.

³¹ *See* RULE 3.3: CANDOR, *supra* note 4, pg. 4.

WHEREFORE, for the reasons provided heretofore, the Appellant respectfully requests that this Honorable Court grant this petition by the Appellant as per his Motion to Strike Respondents' Attorney's Final Brief of December 17, 2025. Furthermore, the Appellant prays that the Order from this Honorable Court deny Respondents' Attorney's Return, and grant the Appellant any further relief associated with having to respond to the Respondents' Attorney's Return in consideration of the inequitable nature of the Respondents' Attorney's attempt to be relieved of Appellant's Motion of December 17, 2025, and to also grant any additional relief that the Court deems just and proper.

Respectfully submitted,

/s/ Dr. Lad Santiago

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Dated January 5, 2026

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM SPARTANBURG COUNTY

Court of Common Pleas

J. Derham Cole, Circuit Court Judge

Appellate Case No. 2024-001239

Dr. Lad Santiago,

Appellant.

v.

Stephen N. Garcia, as Attorney for
Oscar Avila Hernandez, et.al.,

Respondents.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 5th day of January, 2026, he served counsel for the Respondents with a copy of Appellant's Response To Respondents' Return To Appellant's Motion To Strike Respondents' Attorney's Final Brief Due To Untimely Filing in this matter by mailing a copy of the same by the United States Mail to the following address:

Stephen N. Garcia, Esquire
604 Pettigru Street
Greenville, South Carolina 29601

/s/ Dr. Lad Santiago

Dr. Lad Santiago
5041 N. Blackstock Rd.
Spartanburg, SC 29303

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Jan 05 2026

SC Court of Appeals

Dr. Lad Santiago
5041 North Blackstock Road
Spartaburg, South Carolina 29303

January 5, 2026

The Honorable Jenny Abbott Kitchings, Clerk
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

RE: Dr. Lad Santiago, Appellant v. Oscar Avila Hernandez, et.al., Respondents
Appellate Case No. 2024-001239

Dear Ms. Kitchings:

Attached for filing is the Appellant's Response To Respondents' Return To Appellant's Motion to Strike Respondents' Attorney's Final Brief Due to Untimely Filing.

Also enclosed is the Certificate of Service of filing this same document on the Respondents' attorney, Stephen N. Garcia.

Please confirm receipt of this filing.

Sincerely,

/s/ Dr. Lad Santiago

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drladsantiago@gmail.com
Pro Se for Appellant

cc: Stephen N. Garcia, Esquire
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Attorney for Respondents