

SOUTH CAROLINA COURT OF APPEALS FOR THE 15th CIRCUIT

APPEAL FROM Horry County Court of Common Pleas

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SC Court of Appeals

Victoria Joy Stevens

Pro Se Litigant

Case No. 2025-001237

Victoria Joy Stevens, Appellant

v.

Charles Ard, Respondent

Notice of Motions, and Proposed Order

Victoria Joy Stevens
4311 Bryant Street
Loris, S.C. 29569
(843) 516-1541

Lawrence Smith, Esq.
Rivertown Law
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Attorney for Respondent

January 5, 2026

As Plaintiff in case #2025-001237, Victoria Joy Stevens, gives notice of Motion to Expedite this hearing. The origin of said civil action was an accommodations construction, wiring, and plumbing done sans licensed professionals. Said accommodation, according to inspections could have been fatal, or burnt the Plaintiff's home down. She is still without this accommodation, and in danger bathing. Her income is also greatly deoendant on her investments; an income source greatly affected by this life threatening accommodation, and the pressing need for repairs.

As Plaintiff in case #2025-001237, Victoria Joy Stevens, requests consolidation of multi-pending civil actions. Plaintiff cites **SCRCP 42. Consolidation; Separate Trials**

(a) Consolidation. If actions before the court involve a common question of law or fact, the court may:

(1) join for hearing or trial any or all matters at issue in the actions;

(2) consolidate the actions; or

(3) issue any other orders to avoid unnecessary cost or delay.

- Said actions involve common questions and common facts of law. Opposing Counsel has delayed an action filed in June of 2022, to not be heard for three years. Said delays are attributed to Judge Shopping, an unethical Combined damages were less than \$100,000.00. There were violations of South Carolina Code of Laws, violations 2021 South Carolina Residential Code. Applicable to residential structures like single-family homes, not covered by the main International Building Code (IBC). The **2021 South Carolina Residential Code** incorporates by reference state law requirements regarding the use of specialty contractors, primarily through the state's licensing statutes found in **S.C. Code of Laws Title 40, Chapter 59**. Our state's mandatory licensing requirements, the penalties incurred sans license, and what they cannot do when in violation of this law. Why does Counsel act as if his client has done no wrong, nor broken any laws? When in fact **South Carolina Rule of Professional Conduct 3.1 (Meritorious Claims and Contentions)**: This rule states that "A lawyer shall not bring or defend a proceeding, or assert or controvert an issue therein, unless there is a basis in law and fact for doing so that is not frivolous, which includes a good faith argument for an extension, modification or reversal of existing law".

- **SC Code § 40-59-30 (2024)**

(A) A person or firm who engages or offers to engage in the business of residential building or residential specialty contracting without first having registered with the commission or procured a license from the commission, which has not expired or been revoked, suspended, or restricted or who knowingly presents to, or files with, the commission false information for the purpose of obtaining a license or registering with the commission is guilty of a misdemeanor and, upon conviction, must be fined not less than five hundred dollars or more than ten thousand dollars or imprisoned for not less than thirty days, or both.

(B) Notwithstanding Section 29-5-10, or another provision of law, a person or firm who first has not procured a license or registered with the commission and is required to do so by law may not file a mechanics' lien or bring an action at law or in equity to enforce the provisions of a contract for

residential building or residential specialty contracting which the person or firm entered into in violation of this chapter.

(C) Pursuant to Article 5, Chapter 23, Title 1, the commission may petition an administrative law judge to issue a temporary restraining order enjoining a violation of this chapter, pending a full hearing to determine whether the injunction must be made permanent.

HISTORY: 2002 Act No. 359, Section 1; 2009 Act No. 40, Section 4.

Opposing Counsel inquired as to the lapse in the date of the Defendant's completion and the date of my repair bills. These were totally unexpected bills to have incurred. I hired workers, the Defendant and his former co-Defendant, released from this action due to not being present during completion of the problematic violations of code. I had used these men on six prior jobs. Two jobs which displayed severe violations of code, one which could have burnt my home down, not discovered for a good while. I often commented that I smelled burning. I had to wait until I had funds to repair. I would never waste a worker's time if I did not have money to pay.

in South Carolina, an individual performing a residential project for over \$50,000 without the required license is engaging in an unlawful act that constitutes a **misdemeanor criminal offense**.

Criminal Penalties and Legal Consequences

- **Criminal Charges:** Practicing as an unlicensed contractor for work exceeding the state's monetary threshold (\$10,000 for general or mechanical contracting) is a misdemeanor.
- **Fines and Imprisonment:** Upon conviction, the individual can face imprisonment for up to one year, a fine of up to five thousand dollars, or both.
- **Fraud Charges:** If the contractor lied about their licensing status to obtain money, they could also face charges for obtaining money under false pretenses, which is a crime in South Carolina.
- **Restitution:** The court may order the unlicensed contractor to pay restitution to the homeowner for any losses resulting from sub-standard work, damages, or incomplete projects.
- **Inability to Sue for Payment:** An unlicensed contractor is legally barred from bringing a lawsuit to enforce payment for the work performed, even if the work was completed correctly.
- **Civil Penalties:** The South Carolina Contractors Licensing Board can also impose civil penalties and issue cease and desist orders.
- Concerning Abuse of Process the Defendant's Counsel feigned ignorance of his client's violations of law asks for "such and further relief as deemed just and proper." (closing paragraph, Defendant's Answer, August 11, 2022). In direct conflict with SC Code § 40-59-30 (B)(2024).

Attorney Smith's greatest Abuse of Process was his continual delay of trial until he could get the Judge he wanted. A Judge who would not allow the bills of repairs, violating **Court Rules**

Evidence Rule 803 HEARSAY EXCEPTIONS; AVAILABILITY OF DECLARANT IMMATERIAL

The following are not excluded by the hearsay rule, even though the declarant is available as a witness:

(6) Records of Regularly Conducted Activity. A memorandum, report, record, or data compilation, in any form, of acts, events, conditions, or diagnoses, made at or near the time by, or from information transmitted by, a person with knowledge, if kept in the course of a regularly conducted business activity, and if it was the regular practice of that business activity to make the memorandum, report, record, or data compilation, all as shown by the testimony of the custodian or other qualified witness, unless the source of information or the method or circumstances of

preparation indicate lack of trustworthiness; provided, however, that subjective opinions and judgments found in business records are not admissible. The term "business" as used in this subsection includes business, institution, association, profession, occupation, and calling of every kind, whether or not conducted for profit. even though factually substantiated by Municipal Inspection. Practice of dilatory tactics to have a specific judge hear this case is defined as an Abuse of Process. Abuse of process isn't defined by one specific statute in the South Carolina Code of Laws but is recognized as an intentional tort (civil wrong) through court precedent, requiring an ulterior purpose and willful, improper use of legal process, often involving harassment or delay in order to receive advantage. In South Carolina, the **purposeful delay of a trial solely to secure a specific judge is likely considered an abuse of process or an ethical violation**. This is because the legal process would be used for an improper, ulterior purpose not intended by law.

A "bad motive" or "ulterior purpose" alone is not enough; it must culminate in an improper act that perverts the legal process. Intentionally delaying a trial to "judge shop" is considered a dilatory practice that brings the administration of justice into disrepute and is not a legitimate interest of the client. This is an improper act which delays and perverts the legal process.

In addition I request the court issue a temporary restraining order to prevent the Defendant from liquidating assets.

As a permanently disabled woman this affects my days negatively. I CAN NOT BELIVE THE TREATMENT AND IGNORANCE DISPLAYED BY Counsel in regards to my disability. I need a safe bath, you are more apt to catch me without makeup, than without a bath. I suffer horridly due to the unfair, illegal, and purposeful actions of both the Defendant and his chosen legal counsel. Plans for furtherance of my claims under SCUTPA are being made. I remain,

Yours Truly,

A handwritten signature in cursive script that reads "Victoria Joy Stevens". The signature is written in dark ink and is positioned above the printed name.

Victoria Joy Stevens

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Loris SC 29569

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