

**RULE 240 MOTION TO ACCEPT TRANSCRIPT REQUEST OUT OF TIME, IN LIGHT OF
CONSTRUCTIVE-TRUST STEWARDSHIP, REDEMPTION CONTEXT, AND NON-ABANDONMENT OF
THE TRUST RES** *Case No. [2025-002352] January 7, 2026*

The Appellant appears solely in fiduciary capacity as Steward Trustee of the STCJ Network Revocable Living Trust ("the Trust"). In that capacity, the Steward Trustee invokes this Court's equitable supervisory authority in conscience over matters of trust-res stewardship, and asks the Court to recognize as done that which ought to have been done with respect to the timing and acceptance of the transcript request.

This invocation is made:

- in fulfillment of fiduciary duty to protect the res and beneficiaries,
- in pursuit of settlement and restoration rather than controversy, and
- in reliance upon the maxims that:
 - Equity abhors forfeiture;
 - Equity presumes against abandonment where vigilance is present;
 - Equity regards as done that which ought to have been done; and
 - Equity will not suffer a wrong without a remedy.

RECEIVED
Jan 09 2026
SC Court of Appeals

Consistent with the principle, preserved in the Judicature tradition, that **where law and equity differ upon the same subject, equity prevails**, the Steward Trustee tenders the following.

I. BACKGROUND AND ORDER DATE

The hearing below occurred on May 30, 2025 in the Clarendon County Court of Common Pleas before the Hon. Clifton Newman.

The order affecting the trust res was **not executed and entered until October 23, 2025**, as reflected in the written order and related confidential memorandum of lodgment.

The Trustee's appellate obligations therefore arose in practical effect only after the order was executed in writing.

II. CHRONOLOGY OF FIDUCIARY DILIGENCE (NOVEMBER–DECEMBER 2025)

On November 20, 2025, the Steward Trustee lodged with this Court a Notice of Appeal in Exclusive Equity, together with a Correspondence–Incoming list of documents stamped

“RECEIVED – Nov 20 2025 – SC Court of Appeals,” which identified the trust-equity filings, exhibits, and record materials being tendered.

During December 2025, the Steward Trustee engaged in additional lodgments directed to the chambers of Chief Judge H. Bruce Williams, requesting that the trust-res matter be treated in exclusive equity, in chambers / in camera, and removed from the public docket. This included email correspondence and a written Private Equity Lodgment Cover Letter with attached trust instruments and notices.

On December 30, 2025, the Steward Trustee executed and transmitted a written transcript request to Court Reporter Julia Titus-Emerson, identifying the May 30, 2025 hearing and requesting cost and deposit instructions.

On December 31, 2025, in direct response to the Court’s deficiency correspondence dated December 22, 2025, the Steward Trustee transmitted a Curing Deficiency submission to Clerk Kitchings, enclosing: the order being appealed, a Rule-207 motion regarding transcript timing, a copy of the transcript request letter, and the Court’s own deficiency letters.

Taken together, these steps demonstrate **continuous fiduciary vigilance and stewardship**, not delay or abandonment. Any apparent gap between May and late December reflects:

- the time required for the order to be formally entered and signed,
- the Trustee’s preparation and lodgment of equity instruments and the notice of appeal, and
- prompt pursuit of the transcript once the order, appeal, and equity lodgments were in place.

In equity, **vigilance and conscience — not bare calendar intervals — measure diligence.**

III. NON-ABANDONMENT AND CONSTRUCTIVE-TRUST POSTURE

Throughout this period, the Steward Trustee remained in actual possession and constructive stewardship of the res, having previously conveyed the property into the STCJ Network Revocable Living Trust by Trust Transfer Grant Deed and Certificate of Trust.

The Trustee has **never abandoned the res**, and has remained in **continuous possession and constructive stewardship**. Equity presumes **non-abandonment where vigilance is present**, rebutting any inference of waiver or forfeiture.

In conscience and under the teachings of the equity fathers, such circumstances call for **constructive-trust protection and restoration**, not forfeiture based upon procedural timing alone.

Acceptance of the transcript request out of time ensures that the Court may consider:

- the sealed equity lodgments and exemplified materials,
- the non-abandonment and constructive-trust narrative, and
- the Steward Trustee's consistent efforts to seek settlement and closure in equity.

IV. EQUITABLE INVOCATION AND RELIEF

WHEREFORE, in fiduciary duty and conscience, the Steward Trustee invokes this Court to:

1. **Accept the transcript request out of time** and deem the Trustee's efforts as **substantial and sufficient compliance** in light of the continuous fiduciary efforts described above;
2. Direct that the transcript of the May 30, 2025 hearing be prepared upon deposit and transmitted to this Court in the ordinary course; and
3. Grant such further equitable assistance in stewardship and restoration of the trust res as the conscience of the Court may deem appropriate, consistent with equity's abhorrence of forfeiture and its presumption against abandonment where vigilance is present.

Respectfully submitted in fiduciary Conscience,

By: Samuel Tucker Collins Jr

Samuel Tucker Collins Jr., Steward Trustee

STCJ NETWORK REVOCABLE LIVING TRUST

Certified under fiduciary conscience. All equitable rights reserved.

January 7, 2026

Samuel Tucker Collins Jr.

Appearing pro se in fiduciary capacity as
Steward Trustee of the STCJ Network Revocable Living Trust (Appellant)
2398 Hotel Street
Alcolu, South Carolina 29001
Email: stcjnetwork@protonmail.com

EXHIBIT A

December 30, 2025

Ms. Julia Titus-Emerson
P.O. Box 122
Lake City, SC 29560
Email: jemerson@sccourts.org

Re: Request for Preparation of Transcript

Case: *Collins v. West Palmetto Holdings, LLC* (Case No. CP1400208)

Court: Clarendon County Court of Common Pleas

Judge: **Clifton Newman**

Hearing/Proceeding Date- May 30, 2025

Dear Ms. Titus-Emerson

I am writing to formally request preparation of the transcript(s) for the above-referenced matter for purposes of appellate review.

Please advise:

1. whether you are the assigned court reporter for the proceeding(s),
2. the estimated cost of transcription, and
3. the procedure for payment and scheduling.

I will promptly remit any required deposit upon receiving your cost estimate.

I thank you for your assistance.

Respectfully,

Samuel Tucker Collins Jr.

Samuel Tucker Collins Jr.

Appearing pro se in fiduciary capacity as
Steward Trustee of the STCJ Network Revocable Living Trust (Appellant)



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

December 31, 2025

Samuel Tucker Collins, Jr.
C/O 2398 Hotel Street
Alcolu SC 29001

EXHIBIT B

Re: Samuel T. Collins, Jr. v. West Palmetto Holdings, LLC
Appellate Case No. 2025-002352

Dear Mr. Collins:

Upon reviewing your motion to order the transcript outside of the filing deadlines, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and each deficiency must be corrected within ten (10) days of the date of this letter or your filing will not be considered:

- The required filing fee has not been submitted. The correct filing fee is \$50.00.
- A proof of service has not been provided. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.

Very truly yours,

Handwritten signature of Jay A. Kitchings in cursive script.
CLERK

cc: James Martin Page, Esquire

Samuel Tucker Collins Jr.

Appearing pro se in fiduciary capacity as

Steward Trustee of the STCJ Network Revocable Living Trust (Appellant)

2398 Hotel Street

Alcolu, South Carolina 29001

Email: stjnetwork@protonmail.com

Exhibit 16

December 30, 2025

Clerk of Court

South Carolina Court of Appeals

* Re: Curing Deficiency, Collins v. West Palmetto Holdings, LLC

Appeal No.: 2025-002352

To Clerk Jenny Abbott Kitchings:

Please accept the enclosed materials submitted in response to the Court's deficiency notice dated December 22, 2025. The filing includes:

1. A copy of the order being appealed
2. A Motion pursuant to Rule 207, SCACR, regarding transcript request outside the original time period
3. A copy of the transcript request letter to the court reporter

These materials are submitted for the purpose of curing the identified deficiencies and ensuring the appellate record proceeds in compliance with the South Carolina Appellate Court Rules.

Respectfully submitted,

Samuel Tucker Collins Jr.

Samuel Tucker Collins Jr.

Appearing pro se in fiduciary capacity as

Steward Trustee of the STCJ Network Revocable Living Trust (Appellant)

AFFIDAVIT OF STEWARD TRUSTEE

**The State of South Carolina
The County of Clarendon**

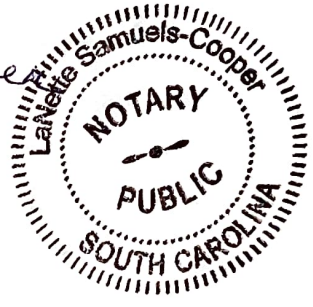
I, **Samuel Tucker Collins, Jr.**, being duly sworn, state that the chronology and facts recited in this motion concerning the order date, the November 20, 2025 lodgment, the December 2025 equity submissions to this Court, the transcript request, and the deficiency-cure submission together with the assertion of **continuous possession, vigilance, and constructive stewardship of the res, and non-abandonment**, are true and correct to the best of my knowledge and belief.

By: Samuel Tucker Collins Jr
Signature of Affiant

Subscribed and sworn before me this 5th day of Jan., 2026
LaNette Samuels Cooper
Signature of Notary Public

Printed Name of Notary: LaNette Samuels Cooper

My Commission Expires: _____
LaNette Samuels Cooper
Notary Public, State of South Carolina
My Commission Expires April 26, 2029



FORM-7 CERTIFICATE OF SERVICE

FORM-7 CERTIFICATE OF SERVICE

(separate page — signed, not notarized)

I hereby certify that I served a copy of this **Rule 240 Motion to Accept Transcript Request Out of Time**, together with its attached exhibits, by depositing the same in the United States Mail, first-class postage prepaid, properly addressed to the following recipients, on this 7 day of January, 2026

- Chief Judge H. Bruce Williams
- Clerk Jenny Abbott Kitchings
- James Martin Page, Esq., counsel for Respondent
- South Carolina Court Administration
- Court Reporter Julia Titus-Emerson

RECEIVED

Jan 09 2026

SC Court of Appeals

By: Samuel Tucker Collins Jr.

Samuel Tucker Collins Jr., Steward Trustee

STCJ NETWORK REVOCABLE LIVING TRUST

Certified under fiduciary conscience. All equitable rights reserved.