

Rule 240 Motion to Clarify Caption, Clarify Record Context, and Direct Administrative Handling of Sealed Equity Lodgment

**IN THE COURT OF APPEALS
STATE OF SOUTH CAROLINA**

**Samuel Tucker Collins, Jr., appearing solely in fiduciary capacity as Steward Trustee of the
STCJ Network Revocable Living Trust, Appellant,**

v.

West Palmetto Holdings, LLC, Respondent.

Appellate Case No.: 2025-002352

January 7, 2026

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SC Court of Appeals

EQUITY-CONTEXT INVOCATION

The Steward Trustee appears **solely in fiduciary duty**, invoking the Court's **equitable conscience** to clarify the caption and record context so that the matter may be recognized as it truly is — **a trust-res stewardship and constructive-trust restoration matter**, rather than an adversarial commercial dispute.

This clarification supports **settlement, restoration, and truth-in-record-formation**, and reflects the maxim that **equity looks to substance rather than form**, particularly where fiduciary capacity and stewardship are at issue. This clarification advances settlement, prevents mischaracterization, and reflects the maxim that **equity looks to substance rather than form**.

FACTUAL CLARIFICATION

1. The property at issue was **conveyed into the STCJ Network Revocable Living Trust** prior to the proceedings, and the Steward Trustee has remained in **continuous possession and vigilance over the res**.
2. he Trustee appears **not in personal capacity**, but solely in **fiduciary capacity as Steward Trustee**, acting under duty toward the beneficiaries and the trust estate.
3. Attached as **Exhibit D** is an excerpt of the **Trust Transfer Grant Deed and Trust Certificate**, evidencing **trust-res continuity, fiduciary conveyance, and stewardship posture**.
4. Attached again by reference as **Exhibit B** is an excerpt of the **Private Equity Lodgment**, reflecting the consistent invocation of **trust-equity conscience stewardship** throughout the matter.
5. Clarification of caption and record context serves **truth, conscience, and restoration**, **prevents procedural distortion of substance**, supports equitable understanding, and aligns with the Judicature principle that equity prevails when correction is needed to prevent procedural distortion of substance.

CAPTION CLARIFICATION REQUESTED

The Steward Trustee invokes the Court to clarify the caption and record to reflect the true capacity of appearance as:

“Appellant, appearing solely in fiduciary capacity as Steward Trustee of the STCJ Network Revocable Living Trust,” without substituting parties, but aligning the record with the fiduciary and constructive-trust nature of the matter.

ADMINISTRATIVE HANDLING OF FUTURE LODGMENTS

The Trustee further invokes guidance that:

- sealed or conscience-directed materials relating to trust-res stewardship,
- be received ministerially for custody, and routed for judicial consideration in equity-mode / chambers where appropriate,
- consistent with the historic treatment of trust and conscience matters.

This supports restoration, settlement, and final closure, rather than procedural conflict or forfeiture of context.

EQUITABLE INVOCATION AND RELIEF

The Steward Trustee invokes the Court to:

1. **Clarify the caption** to accurately reflect fiduciary-capacity appearance;
2. **Clarify the record context** consistent with constructive-trust stewardship and **non-abandonment of the res**;
3. **Direct appropriate routing and recognition of sealed stewardship materials** in equity-mode where appropriate; and
4. **Recognize such clarification as an act of conscience**, preventing forfeiture of meaning and truth in the record and **supporting restoration rather than prejudice by omission**.

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

AFFIDAVIT OF CAPACITY AND RECORD CONTEXT

The State of South Carolina
The County of Clarendon

I, **Samuel Tucker Collins, Jr.**, being duly sworn, state as follows:

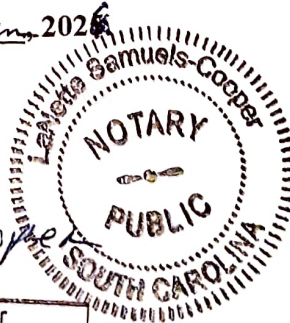
1. I appear in this matter **solely in fiduciary capacity as Steward Trustee of the STCJ Network Revocable Living Trust**, and not in personal capacity.
2. The property at issue was previously **conveyed into the Trust**, and I have remained in **continuous possession, vigilance, and fiduciary stewardship over the res.**
3. The clarification sought in the accompanying motion is made in **good-faith fiduciary duty** to ensure that the caption and record context **reflect true fiduciary capacity and constructive-trust posture**, and not a personal or commercial dispute.
4. These statements are made **not for argument or procedural advantage**, but to assist the Court in **equity and conscience**, consistent with the maxims that **equity looks to substance rather than form and presumes against forfeiture where stewardship is present.**
5. To the best of my knowledge and belief, the foregoing statements are **true and correct** and are offered in fulfillment of **fiduciary stewardship of the trust res.**

By: Samuel Tucker Collins Jr
Samuel Tucker Collins, Jr., Steward Trustee

The State of South Carolina
The County of Clarendon

Subscribed and sworn before me this 8 day of Jan 2026

LaNette Samuels Cooper
Signature of Notary Public



Printed Name: LaNette Samuels Cooper

My Commission Expires: _____

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

EXHIBIT H
EXCERPT FOR
APPELLATE REFERENCE

RECORDING FURTHER JAMES TUCKER COLLINS LIVING REVOCABLE TRUST
Recorded on September 13, 2003
September 19, 2003

Pgs: 4007-4010
Book: 1319
Pgs: 57-60

**CERTIFICATE OF TRUST
STCJ NETWORK REVOCABLE TRUST**

Samuel Tucker Collins Jr., Trustee
Date of Trust Declaration: July 1, 2005 A.D.

BOOK 1344
PGS: 8710-8712
Pg 3
COT September 19, 2005 10:51:54 AM
Rec: \$10.00 Total: \$10.00
RHONDA B. CARTER - REGISTER OF DEEDS SUMNER COUNTY
BY: CM

CERTIFICATION

I, Samuel Tucker Collins Jr., as Trustee of the STCJ NETWORK REVOCABLE LIVING TRUST, the ("Trust"), do hereby certify the following:

Establishment of Trust:

The Trust was established on July 01, 2005 A.D., as a revocable living trust created by Samuel Tucker Collins Jr., the ("Grantor"), who appointed himself as the Original Trustee. On this day, is duly appointed and now serves as the Original Trustee.

Trustee's Authority:

The Trustee, Samuel Tucker Collins Jr., is fully authorized to manage, administer, and distribute the assets held in the Trust in accordance with the Trust Agreement and applicable principles of trust law. The Trustee May act independently as permitted by the terms of the Trust to execute documents, make decisions, and perform any act necessary for the administration of Trust affairs.

Trust's Purpose:

The Trust exists to manage and distribute the assets of the Grantor for the benefit of the beneficiaries named in the Trust Agreement, according to the Grantor's stated wishes and purposes.

Fiduciary Responsibility:

The Trustee(s) affirm their fiduciary duty to act with loyalty, diligence, and impartiality in the best interests of all named and future beneficiaries of the Trust.

Beneficiaries:

The beneficiaries are identified within the Trust Agreement and may be updated or amended in writing by the Grantor during their lifetime, as provided in the Trust Instrument.

Trust Assets: The Trust may include, but is not limited to, real estate, vehicles, securities, financial accounts, intellectual property, and personal effects. An inventory of Trust Assets is available to the beneficiaries upon proper request under the terms of the Trust.

SAMUEL TUCKER COLLINS JR

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Trust Duration:

This Trust remains revocable during the lifetime of the Grantor. Upon the death of the Grantor, the Trust becomes irrevocable, and the remaining Trustee(s) shall continue administration in accordance with the governing Trust Agreement.

Signatures of Trustee(s): STCJ NETWORK REVOCABLE LIVING TRUST

Signature: Samuel Tucker Collins Sr

Tavie Jackson 9/19/2025
WITNESS

Name: Samuel Tucker Collins Jr., Steward Trustee

Paul Knight 9-19-2025
WITNESS

Date: August 16, 2025

Notary:

On this 16 day of September 2025, before me the undersigned Notary Public, personally appeared before me Samuel Tucker Collins Jr., Known to me to be the Trustee of the STCJ NETWORK REVOCABLE LIVING TRUST, and acknowledge that he executed the foregoing Certificate of Trust for the purposes therein contained.

State of South Carolina

County of Clarendon

Signature of Notary: Tela G. Hilliard

Notary Printed Name: Tela G. Hilliard

My Commission Expires: 9/5/34



TRUST AMENDMENT

This Amendment is made this 18th day of August, 2025, by Samuel Tucker Collins Jr. Grantor and/or Trustee of the STCJ NETWORK REVOCABLE LIVING TRUST ("Trust"), originally declared on July 1, 2005 and duly recorded or established.

RECITALS

WHEREAS, the Grantor/Trustee has reserved the right to amend the Trust; and

WHEREAS, the Grantor/Trustee desires to expressly exempt this private Trust from statutory presumption under federal or state emergency legislation; and

WHEREAS, it is the Grantor/Trustee's intent that the Trust remain private, contractual, and equitable in character.

AMENDMENT

NOW, THEREFORE, the Trust is hereby amended as follows:

1. Exemption Clause

This Trust, its Trustee(s), Beneficiaries, and corpus (res) are expressly exempt from the application, operation, or enforcement of the **Emergency Relief Bankruptcy Act of 1933** and any amendments to the **Trading with the Enemy Act of 1917**, or any other emergency statutes purporting to suspend constitutional rights or convert private trusts into statutory obligations.

2. Private Trust Character

This Trust is declared and recognized as a private, non-statutory trust, founded upon agreement in equity, and shall not be construed to confer jurisdiction upon any public body by presumption.

3. Severability

If any provision of this Amendment is found invalid or unenforceable, the remainder shall remain in full force and effect.

4. Ratification

Except as expressly amended herein, all other terms and provisions of the Trust remain unchanged and in effect.

IN WITNESS WHEREOF, the undersigned executes this Amendment as of the date above.


Signature of Grantor/Trustee

Deed Book 15843 pg. 3802

Filed and Recorded Dec -28-2020 12: 49pm

2020-0169837 - AMENDED.

SPACE ABOVE THIS LINE FOR RECORDER USES

Prepared by: McCall: Bondaryl, Grantor/Grantee

A 'SECURITY' [15 U.S.C. et seq.]

1805 Cumberland Valley Place, SE

Non-Negotiable - Tracer *Flag*

Smyrna, Georgia 30080

NOT A POINT OF LAW

CERTIFICATE

Special Deposit

By: Bondaryl McCall, Grantee

without recourse/without warranty for collection

All Rights, Titles and Interest are reserved under account Number: RA 112 293 435 US

US owed to: BONDARY MCCALL Living Estate Trust

TRUST TRANSFER
GRANT DEED
CONVEYANCE OF
TRUST RES INTO
STCT NETWORK
REVOC. LIVING TRUST
EXHIBIT (D)

SPACE ABOVE THIS LINE FOR RECORDER USESSES

Prepared by: Collins Jr.: Samuel Tucker

2398 Hotel Street

Alcolu, South Carolina [29001]

A 'SECURITY' [15 U. S. et. seq.]

Non-Negotiable -Tracer *Flag*

NOT A POINT OF LAW

CERTIFICATE

Special Deposit

By: Samuel Tucker Collins Jr., Grantee

without recourse/without warranty for collection

All Rights, Titles and Interests are reserved under account Number: RE 940 358 475 US

owed to: SAMUEL TUCKER COLLINS JR., Network Revocable Living Trust

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RECORDING TRANSFER: requested by:
Samuel Tucker Collins Jr., Grantor

WHEN RECORDED MAIL TO:
Samuel Tucker Collins Jr, Trustee
STCJ NETWORK REVOCABLE LIVING TRUST
2398 Hotel Street
Alcolu, South Carolina 29001
The United States In America

Real Property/Res Number:
RE 940 358 475 US



Registered Warranty Bond Number(s):
Z78521772A

TRUST TRANSFER GRANT DEED

THE GRANTOR, whose life estate identity is stated in this Trust Instrument, Samuel Tucker Collins Jr., upon, for and with lawful valuable consideration tendered below, Acknowledgement and Accepted herein, CONVEYS and WARRANTS to the GRANTEE named and signed below STCJ Network Revocable Living Revocable Trust, "Parent Trust" in the country of South Carolina at Clarendon County. This conveyance withdraws/removes the property herein from the public into the Private Living Estate Trust, Samuel Tucker Collins Jr., Grantee.

The following describes the Property/Trust Corpus, Section:

- A. SAMUEL TUCKER EL LIVING REVOCABLE TRUST
- B. THE ARK OF THE COVENANT LIVING REVOCABLE TRUST
- C. Private Property, House located at, 2398 Hotel Street Alcolu, South Carolina 29001
Parcel Number: 183-00-01-005-00
- D. Private Property, Shop located at 6958 Alex Harvin Highway Manning, South Carolina 29102

E.

REDACTED

F. Samuel Tucker Collins Jr- Husband:

- a. State of South Carolina Identification Card Number- 003806XXX
- b. South Carolina Marriage License No.- ML201000XXX
- c. United States of America Passport Card, Number- C38154XXX
- d. United States of America Passport, Book Number- A47971XXX
- e. Washington D.C. Certificate of Live Birth Instrument Number- 1086613XXX
- f. Social Security Card Number- 262-75-XXXX
- g. United States Department of the Army Certificate of Release
- h. or Discharge from the Army (DD214)

G. [REDACTED]
 a. [REDACTED]
 b. [REDACTED]
 c. [REDACTED]
 d. [REDACTED]

H. [REDACTED]
 a. [REDACTED]
 b. [REDACTED]

I. [REDACTED]
 a. [REDACTED]
 b. [REDACTED]
 c. [REDACTED]

REDACTED

- J. Private Conveyance: 2007 Jeep Commander. Vin# 1J8HH68227C691537
- K. Private Conveyance: 2005 Chevy Silverado Vin# 1GCEK19B55E253206
- L. Private Conveyance: 2023 Mitsubishi Outlander Vin# JA4J3UA86PZ052062
- M. Private Conveyance 2006 Ford Fusion Vin# 3FAFP08Z56R170099

Included herein in full and attached herewith by reference.

September 27, 2025
 Date

SAMUEL TUCKER COLLINS JR
 Samuel Tucker Collins Jr., Grantor

September 27, 2025
 Date

Samuel Tucker Collins Jr
 Samuel Tucker Collins Jr., Trustee/Grantee

70F8

Verification and Acknowledgement

United States in America)
State in South Carolina) s. a.
County Clarendon)

Before Me, on this day Collins: Samuel Tucker Jr., known to me to be the natural man described herein, who makes oath under the laws of Jehovah God and the risen Lord Jesus Christ, set forth in the AV1611 English Reformation Bible and in accordance with the Maxims of Equity, declares that every statement given above is the whole truth to the best of his knowledge and experience

Subscribed and affirmed before me on this 27 day of September, 20 25

LaNette Samuels Cooper

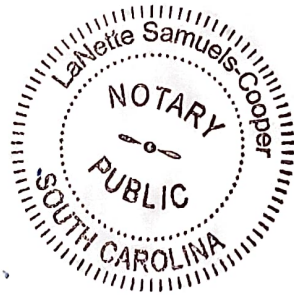
Notary Signature

LaNette Samuels Cooper

Print

My Commission Expires:

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



FORM-7 CERTIFICATE OF SERVICE

I hereby certify that I served a copy of this **Rule 240 Motion to Clarify Caption, Clarify Record Context, and Direct Administrative Handling of Sealed Equity Lodgment**, together with its attached exhibits and supporting affidavit, by depositing the same in the United States Mail, first-class postage prepaid, properly addressed to the following recipients, on this 7th day of January, 2025:

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

RECEIVED

Jan 09 2026

SC Court of Appeals

By: Samuel Tucker Collins Jr

Samuel Tucker Collins Jr., Steward Trustee

STCJ NETWORK REVOCABLE LIVING TRUST

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