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**Jan 07 2026**

**SC Court of Appeals**

**IN THE SOUTH CAROLINA COURT OF APPEALS**

**Case No.:** 2025-002087

McIntyre v. Westwood Town Homes

**Motion to Cure Filing Deficiency, Reassert Indigent Status, Request Waiver of Motion Fees, and Request Leave to Amend Appeal Pursuant to Rule 240, SCACR**

TO: The Clerk of the South Carolina Court of Appeals and all interested parties:

COMES NOW the Appellant, Sylecia McIntyre, and respectfully moves this Court for leave to cure a filing deficiency pursuant to SCACR Rule 240. This motion is submitted in direct response to the Clerk's letters dated January 5, 2026, which identified nonpayment of the \$250 appeal filing fee as a basis for potential dismissal. Appellant asserts that she remains unable to pay the fee and hereby reaffirms indigent status by sworn affidavit, attached hereto.

**GROUND FOR MOTION**

**1. Timeliness of Motion**

This Motion is submitted within the permissible window following the Clerk's deficiency notice, and is filed in good faith to correct and preserve appellate review.

**2. Procedural Integrity Under Rule 240**

Rule 240 allows for indigent appellants to proceed without prepayment of costs. Appellant invokes this right due to ongoing financial hardship, and reasserts that her previously submitted IFP packet should remain valid or be accepted upon supplementation.

**3. Request for Relief from Motion Filing Fees:**

In addition to the above, Appellant respectfully requests that the Court waive, defer, or otherwise suspend the \$50 motion filing fees associated with related filings in this appeal, due to ongoing indigency as affirmed in the attached affidavit and previous documentation.

4. Alternatively, Appellant requests an extension of time to submit said filing fees, not to exceed March 1, 2026, or such other reasonable date as the Court may grant.
5. This request is made in good faith and in alignment with South Carolina Appellate Court Rule 240, and is intended to preserve Appellant's access to all necessary relief without prejudice due to inability to pay at this time.

**6. Material Evidence of Inability to Pay**

Attached is an updated sworn affidavit declaring the Appellant's present financial condition, lack of employment, sole caregiver responsibilities, and reliance on public aid and donations. Appellant is without access to \$250 and respectfully asks that the deficiency be cured via this motion.

**7. No Prior Abuse or Dilatory Tactic**

This is not a motion for reconsideration under Rule 221©, nor is it a delay tactic. It is a good-faith effort to comply with procedural rules and preserve the right to appellate review.

**PRAYER FOR RELIEF**

Wherefore, Appellant respectfully requests that this Court:

1. Accept this Motion to cure the filing deficiency related to the IFP application;
2. Grant leave to proceed in *forma pauperis* under SCACR Rule 240 without payment of the \$250 appeal fee;
3. Prevent dismissal of this appeal on financial grounds and allow the matter to be reviewed on the merits; and
4. Grant such other relief as the Court deems just and proper.

**Respectfully Submitted,**

/s/ Sylecia McIntyre

Sylecia McIntyre

1855 E. Main Street

Spartanburg, SC 29307

Dated: Jan 6, 2026

**To: South Carolina Court of Appeals**

**RE: McIntyre v. Westwood Town Homes | Appellate Case No. 2025-002087**

**Affidavit**

I, Sylecia McIntyre, declare under penalty of perjury that:

1. I was previously granted in forma pauperis status in connection with federal litigation involving the same or substantially related claims or parties.
2. As of the date of this affidavit, I have been unable to retrieve a full physical or digital printout of the approval documentation due to platform restrictions and limited access. Attached is a screenshot reflecting partial confirmation of filing activity under the IFP provision.
3. I did not initiate the case with a filing fee, nor did I receive any invoice, denial notice, or instruction at the time requiring fee payment due to my IFP status. No communication advised that my waiver was ineffective or denied prior to the current denial notice.
4. This affidavit is offered in good faith to preserve my procedural rights under Rule 240 of the South Carolina Appellate Court Rules, and to respectfully request that the court take judicial notice of my indigent status pending submission of physical proof, or grant leave to amend the record to include such once obtained.

Respectfully Submitted,

/s/ Sylecia McIntyre

Sylecia McIntyre

1855 E. Main Street

Spartanburg, SC 29307

Dated: Jan 6, 2026



### Docket Activity Report

U.S. District Court -- District of South Carolina

Report Filed Period: 7/15/2025 - 7/16/2025

Case Number/Title	Dates	Category/ Event	Docketed by	Notes
<a href="#">7:25-cv-07189-DCC McIntyre v. Westwood Townhomes, LLC</a>	Entered: 07/16/2025 09:56:08 Filed: 07/16/2025	Category: order Event: Order - No Service - Non Inmate Document: <a href="#">8</a>	rweb Type: crt	Cause: 28:1443(1) Rent, Lease & Ejection NOS: Contract: Other Office: Spartanburg Presider: Donald C Coggins, Jr Jury demand: None Case Flags: PROSE
	Entered: 07/16/2025 10:00:17 Filed: 07/16/2025	Category: order Event: Order on Motion for Leave to Proceed In Forma Pauperis Document: <a href="#">9</a>	rweb Type: crt	
	Entered: 07/16/2025 10:02:10 Filed: 07/16/2025	Category: motion Event: Report and Recommendation Document: <a href="#">10</a>	rweb Type: crt	
	Entered: 07/16/2025 10:04:43 Filed: 07/16/2025	Category: misc Event: Transfer of Case Management Document: <a href="#">11</a>	rweb Type: crt	
	Entered: 07/16/2025 10:05:22 Filed: 07/16/2025	Category: notice Event: Notice of Change of Case Number Document: <a href="#">12</a>	rweb Type: crt	
	Entered: 07/16/2025 10:06:37 Filed: 07/16/2025	Category: misc Event: Document Mailed Document: <a href="#">13</a>	rweb Type: crt	

#### Selection Criteria for Report

Case number	7:25-cv-7189
Filed Date	7/15/2025 - 7/16/2025
Entered Date	All
Office	All
Nature of Suit	All
Cause	All
Case type	All
Case flags	All
Open Cases	No
Closed Cases	No
Event Category	All
Docket Text	summary
Sort by	case number
Total Number of Docket Entries: 6	

#### PACER Service Center

##### Transaction Receipt

07/16/2025 10:36:52

PACER Login:	Mcintyresyleciat	Client Code:	
Description:	Docket Activity Report	Search Criteria:	7:25-cv-07189-DCC Filed From: 7/15/2025 Filed To: 7/16/2025
Billable Pages:	1	Cost:	0.10

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**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I have this day served a true and correct copy of the following pleadings by depositing the same in the United States Mail, properly addressed with first-class postage prepaid, and directed to the attorneys of record as listed below:

**Documents Served:**

- Motion to Cure Filing Deficiency, Reassert Indigent Status, Request Waiver of Motion Fees, and Request Leave to Amend Appeal Pursuant to Rule 240, SCACR
- Affidavit
- Proof Of Service

**Served Upon:**

Cassidy Coates Price, P.A.  
Attn: Ross Plyler & Tiffany H.  
P.O. Box 10529  
Greenville, South Carolina 29603

I certify that the above-referenced documents were placed in a sealed envelope and deposited with the United States Postal Service on this date.

/s/ Sylecia McIntyre

Sylecia McIntyre, Appellant

1855 E. Main Street, Suite 14-219

Spartanburg, SC 29307

Phone: 803-662-8281

Date: January 7, 2026

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**SC Court of Appeals**

**PROOF OF SERVICE**

I, Sylecia McIntyre, hereby certify under penalty of perjury that I have served a true and correct copy of the following documents:

- Motion to Cure Filing Deficiency, Reassert Indigent Status, Request Waiver of Motion Fees, and Request Leave to Amend Appeal Pursuant to Rule 240, SCACR
- Affidavit
- Proof Of Service

Upon counsel of record by depositing the same in the U.S. Mail, first-class postage prepaid, addressed as follows:

Cassidy Coates Price, P.A.  
Attn: Ross Plyler and Tiffany H.  
P.O. Box 10529  
Greenville, South Carolina 29603

I certify that the above-referenced documents were placed in a sealed envelope and deposited with the United States Postal Service on this date.

/s/ Sylecia McIntyre

McIntyre, Appellant

1855 E. Main Street, Suite 14-219

Spartanburg, SC 29307

Phone: 803-662-8281

Date: January 7, 2026