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Jan 20 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of
Appeals
[In The Supreme
Court]

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

Jennifer B. McCoy, Court Judge

Appellate Case No. 2024-
001925

South Carolina Federal Credit Union
Respondent,

v.

Richard Nathaniel Thames,
Appellant.

**RESPONSE IN OPPOSITION TO RESPONDENT'S MOTION TO DISMISS AND REQUEST FOR
EXTENSION**

The Appellant, Richard Thames, in propria persona, and respectfully files this response in opposition to the Motion to Dismiss and for Extension filed by Respondent South Carolina Federal Credit Union. For the reasons set forth below, the Court should deny Respondent's motion and grant a limited extension, if deemed necessary.

1. Substantial Compliance and Good Faith Effort

While the record on appeal may contain minor procedural deficiencies, the Appellant has made a bona fide effort to compile a complete record of the proceedings below. Technical irregularities, such as pagination issues and omitted designations, are correctable and do not warrant dismissal, especially given that the record's substance remains intact.

2. Correctability of Deficiencies

The issues identified, such as non-consecutive page numbering and missing designated documents, are purely procedural and can be remedied without dismissing the appeal. Under Rule 210 of the South Carolina Appellate Court Rules, the Court possesses the authority to permit supplementation or correction of the record to ensure it accurately reflects the proceedings.

3. Lack of Prejudice

The deficiencies do not materially prejudice Respondent's ability to respond or prepare its brief. The record, although imperfect, contains sufficient evidence to facilitate appellate review on the merits.

4. Focus on Procedural Trivialities in lieu of Substantive Review

Respondent's motion appears to be predicated on minor procedural issues rather than substantive grounds for appeal. Dismissing an appeal on such grounds contravenes the fundamental purpose of appellate review, which is to examine the merits of the case. Courts generally recognize that procedural irregularities should be corrected rather than used as a basis for dismissing an appeal, particularly when the issues are non-prejudicial and easily remedied.

5. Procedural Flexibility for Pro Se Litigants

Given that the Appellant is proceeding pro se, the Court should exercise leniency in procedural matters, consistent with principles favoring access to justice and the resolution of cases on their substantive merits.

6. Request for Limited Extension

The Appellant respectfully requests a 15-day extension to correct the record, including the addition of all designated documents and proper pagination, to facilitate a complete and accurate record for review. Should the Court find it appropriate or necessary, this extension should be granted to ensure the case proceeds on its substantive issues.

7. No Willful Non-Compliance

There is no evidence that the omissions or irregularities were intentional or designed to obstruct the appellate process. These are administrative deficiencies that can be readily corrected.

8. Legal Precedent

South Carolina courts favor resolving appeals on the merits and have cautioned against dismissing cases for procedural irregularities that are curable. Dismissal in this context would be inconsistent with established case law and the policies underlying appellate review.

CONCLUSION

The Appellant respectfully requests that the Court:

- Deny Respondent's Motion to Dismiss.
- Grant a limited extension of fifteen (15) days, if deemed necessary or appropriate, to correct the record.
- Allow Respondent sufficient time to respond once the record is properly corrected.

January 20th, 2026

Respectfully submitted,

Richard
Thames
PO Box 412
St Stephen, South Carolina 29479
(843) 312-0051
Appellant

S/ Richard Thames

FORM 7
PROOF OF SERVICE OF RESPONSE IN OPPOSITION TO MOTION TO DISMISS

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PROOF OF SERVICE

I certify that I have served the Response in Opposition to Motion to Dismiss on South Carolina Federal Credit union by depositing a copy of it in the United States Mail, postage prepaid, on January 20th, 2026, addressed to his attorney of record, Reid E. Dyer, Cynthia Jordan Lowery, Moore & Van Allen, 78 Wentworth Street, Charleston, South Carolina 29401.

January, 20th 2026

Richard Thames
PO Box 412
St Stephen, South Carolina 29479
(843) 312-0051
Appellant

S/ Richard Thames