

RECEIVED

Feb 27 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

MOTION TO DISMISS APPEAL

Eric Ragsdale *pro se*
121 Shumpert Road
West Columbia, S.C. 29172
803.309.0539
Ericragsdale60@gmail.com
Pro Se Appellant

The Phillips Firm, LLC
by Robert B. (Sam) Phillips, Esq.
1025 Calhoun Street, #3
Columbia, SC 29201
803.726.4268
sam@phillipsfirm.net
Attorney for Respondent

Introduction

Respondent Crescent Roofing & Remodeling, LLC moves to dismiss the appeal of Appellant Eric Ragsdale (Appellate Case No. 2024-000420) pursuant to Rules 240 and 260 of the South Carolina Appellate Court Rules. In pertinent part, Rule 260 requires that “the Clerk shall issue an order of dismissal ... [w]henver it appears that an appellant or a petitioner has failed to comply with the requirements of” the South Carolina Appellate Court Rules. Rule 260(a), SCACR. Rule 240(a) specifically allows for a motion to dismiss an appeal. Appellant Eric Ragsdale has deliberately failed to comply with the South Carolina Appellate Court Rules (hereinafter “Rules”) and prosecuted this appeal with willful disobedience to the Court’s rules and orders. Although the Notice of Appeal in this matter was filed on March 14, 2024; Appellant has yet to file a record on appeal or a final brief that complies with the Rules after the passage of nearly two (2) years. Significantly, Appellant has taken no action toward perfecting this appeal for almost three (3) months following this Court’s last order addressing the very issues created by Appellant’s antics. *See Order filed November 18, 2025* attached as **Exhibit A**. One need look no further than the Court’s own table of filings in this matter to discover Appellant’s repeated non-compliance with the Rules’ deadlines, the Court Clerk’s specific written directives to Appellant, and orders of the Court itself. *Table retrieved on 2/26/2026 and attached as **Exhibit B***. A summary of these instances follows. While failure to comply with the Court’s deadlines is grounds for dismissal under Rule 260(a), SCACR, Appellant’s willful disobedience to the Rules regarding the creation of the Record on Appeal provides an independent ground for dismissal.

Respondent therefore asks this Court to strike this appeal pursuant to Rule 260, SCACR for Appellant’s repeated and willful noncompliance with the Rules. Alternatively, Respondent seeks an order from this Court requiring the Record on Appeal to include the motions and other

documents set forth in Respondent's Designation of Matter to be Included in the Record Appeal as required by Rule 209, SCACR. Respondent's Matters were the very documents argued to, and considered by, the Court below. If this Court fails to grant the relief sought and allows this appeal to continue on the Appellant's Designation of Matters, the Court will be countenancing an appeal of an order issued in response to motions that will NOT be included in the Record on Appeal.

Citation of Facts and Authority

In pertinent part, Rule 209 requires each party to produce a Designation of Matter to be Included in the Record of Appeal (hereinafter "Designation") that "set[s] forth with specificity those parts of the transcript, pleadings, orders, exhibits, or other materials which he proposes to include in the record on appeal." Rule 209(a), SCACR. Appellant's initial Designation did not include the very motions that are the subject of the order appealed from including Plaintiff's Motion to Compel Discovery Responses; Plaintiff's Motion for an ADR Extension, and the joint Exhibits filed in support of those two motions. All motions and exhibits were filed November 1, 2023. *Plaintiff's Motion to Compel* and *Motion for an ADR Extension* will be referred to collectively as the "Subject Motions" and are attached hereto as **Exhibit C**. The accompanying exhibits are not included as they are not relevant to his Motion.

Respondent's counsel received Appellant's initial Designation on April 29, 2025. The Designation not only omitted the Subject Motions, it included three designations of material that was neither filed with, nor considered by, the trial court including "Emergency Notice of Motion and Motion of Defendant to Quash Plaintiff's Motion to Compel ... (Designation Item #8)," "Rule to Show Cause Exhibits ... (Item #5)," and "Plaintiff's Discovery Responses (Item #6)" hereinafter these three designations will be referred to as "Improper Designations." Respondent's counsel immediately objected to the Improper Designations pointing out that they violated Rule 210(c),

SCACR in a letter to Appellant dated May 7, 2025. Appellant didn't respond to either Respondent's May 7th Letter regarding the Improper Designations or counsel's attempt to confer with him about it. Respondent's counsel therefore wrote to Appellant again on August 6, 2025 repeating the explanation of why the Improper Designations were violative of Rule 210(c), SCACR and why the Rules required the Subject Motions to be included in the Record of Appeal. As with Respondent's earlier letter, Appellant refused to engage with counsel over the dispute, so Respondent filed its competing Designation of Matter to be Included in the Record on Appeal without objection on September 18, 2025. *Appellant's Initial Designation (April 29, 2025), Counsel Letters to Appellant Objection to Appellant's Designation (May 7 and August 6, 2025), and Respondent's Designation (September 18, 2025)* are collectively attached as **Exhibit D**.

Rather than complying with the clear and easily met requirements of the South Carolina Appellate Court Rules regarding the Designation, Appellant filed a Motion to Strike Respondent's initial brief, sought permission to include the Improper Designation in the Record, and asked for leave to correct his other errors in his September 8, 2025 Motion to Strike. Respondent filed a timely return opposing Appellant's Motion asking the Court to, *inter alia*, strike Appellant's Improper Designations and include the Subject Motion in Appellant's Designation pursuant to the Rules of Appellate Practice. This Court granted Respondent's request to strike the Improper Designations, but did not require the inclusion of the Subject Motions in Appellant's Designation by Order dated November 18, 2025. Respondent asked the Court to reconsider the omission of the Subject Motions from its November 18th Order in a letter dated November 19, 2025, but the Court demurred on December 2, 2025. Appellant filed an Amended Designation on December 1, 2025 which still did not include the Subject Motions. *Court of Appeal Order filed November 18, 2025; Respondent's Request to Reconsider the November 18th Order filed November 19, 2025,*

Clerk's No Action Letter denying request for reconsideration on December 2, 2025, and Appellant's Amended Designation filed December 1, 2025 are collectively attached as **Exhibit E**. For the sake of brevity, Respondent relies on the procedural history contained in the Court's Order of November 18, 2025 for a description of the parties' various filings that produce the Order as the filings are voluminous and not necessary for this Motion.

Since Appellant's filing of the Amended Designation on December 1, 2025, Appellant has neither filed, nor attempted to file, a final brief or record that is compliant with the South Carolina Rules of Appellate Practice. If such materials were permitted to be filed, this would be a travesty of an appeal as the Record would not include the very motions that were the subject of the hearing and Order that is being appealed from. Materials not provided to, nor considered below, cannot be included in Appellant's Designation of materials because they are "not relevant to the appeal." Rule 209(b), SCACR. Rule 210(c) also limits the Record on Appeal to material considered below: "The Record on Appeal shall include matter designated to be included by any party under Rule 209 ... [and] shall not, however, include matter which was not presented to the lower court." Rule 210(c), SCACR. Throughout the long process to perfect this appeal, Appellant has offered no authority to permit his willful non-compliance with the Rules, nor does any such authority. Although the Subject Motions were before the trial court, argued to the trial court at a hearing, and were the basis of the Order appealed from, Appellant/Defendant refused to include them in the Designation while simultaneously including material neither filed with, nor argued to, the trial court. On three (3) separate occasions during the process, Respondent's counsel made Appellant aware of these requirements; nevertheless, Appellant made no attempt to comply with the Rules.

Rather than complying with the Rules that were clearly explained to him, Appellant filed a frivolous Motion to Strike Respondent's initial brief and permit his use of the Improper

Designations for no reason recognized by any South Carolina authority. This amounts to a willful disobedience of the Court's authority and the rules governing the operation of this Court. Delay could be the only motive for disobedience of the simple requirement to only include materials considered by a court that issued an order based on those materials, and nothing else. More shockingly, Appellant's Motion asks this Court ratify his noncompliance with the Court's own rules, requirements and orders.

The intentional, voluntary and willful failure to comply with the clear instructions of a South Carolina court is a universally recognized as contempt of that court's authority and procedures. In *State v. Bevilacqua*, 316 S.C. 122, 129,447 S.E.2d 213, 217 (Ct. App. 1994), this Court defined a "willful act" as "one done voluntarily and intentionally with the specific intent to do something the law forbids, or with the specific intent to fail to do something the law requires to be done, that is to say with the bad purpose either to disobey or disregard the law." While *Bevilacqua* was considering a contempt sanction for willful disobedience to a court's order, our Supreme Court considered the "bad faith, willful disobedience or gross indifference" of a party who engaged in "frivolous and serial, abusive filings for the purpose of delay" by an attorney involved in singer James Brown's long running estate case. *Bauknight v. Pope*, 914 S.E.2d 848, 855 (S.C. 2025). While a comparison of the willful disobedience of an attorney to that of a *pro se* litigant is distinguishable in most instances, the unique facts of this matter erase that distinction. Appellant willfully failed to comply with very simple rules he undertook to obey by choosing to represent himself such as meeting the Court's deadlines and commands. It is axiomatic that a *pro se* litigant must comply with all rules of court procedure. See *State v. Burton*, 356 S.C. 259, 265 fn.5, 589 S.E.2d 6 (S.C. 2003) (holding that "pro se litigants are held to the same standards as attorneys.").

Appellant was repeatedly informed of the Court’s simple requirements to meet its deadlines and include only materials put before the trial judge in the Record on Appeal. Despite those points being driven home several times, Appellant made no effort to comply with them but instead filed a frivolous Motion to Strike Respondent’s brief and ask this Court to countenance Appellant’s misconduct which could have produced nothing for the Appellant except further delay of the adjudication of Respondent’s original claims. In *Bauknight*, the Supreme Court relied on Rule 11 of the South Carolina Rules of Civil Procedure to impose the obligation that an attorney’s signature “constitutes a certificate by him that he has read the pleading, motion or other paper; that to the best of his knowledge, information and belief there is good ground to support it; and that it is not interposed for delay.” Rule 11(a), SCRPC. This certification requirement applies equally to both attorneys and “[a] party who is not represented by an attorney.” *Id.* The *Bauknight* Court amplified the trial court’s holding that the errant attorney’s conduct was a “willful and purposeful” violation of Rule 11 because she was made aware of her misconduct, but “offered no reasonable explanation or justification for her conduct that would allow the court to excuse her actions” which the trial court went on to characterize as “willful and purposeful.” 914 S.E.2d at 852-53. The trial court concluded her “bad faith, willful disobedience or gross indifference justify[ed] a severe sanction.” 914 S.E.2d at 853. While Respondent is not requesting the same severe monetary sanction imposed in *Bauknight*, it should certainly be entitled to a dismissal under Rule 260(a), SCACR which Respondent notes has similar requirements to Rule 11, SCRPC.

Other Instances of Non-Compliance with South Carolina’s Appellate Court Rules

Appellant’s additional instances of Non-Compliance are set forth below and can be found on the Court of Appeal table of filings for this case attached hereto as **Exhibit B**. During this appeal, Appellant has:

- failed to pay the required filing fee as required by Rule 203(d)(1)(B), SCACR. See Letter from Clerk, SC Court of Appeals (March 21, 2024);
- failed to file notice of appeal with lower court as required by Rule 203(d)(1)(B), SCACR. See Letter from Clerk, SC Court of Appeals (March 21, 2024);
- failed to timely request production of the hearing transcript, and to pay for that production, as required by Rule 207(a)(1), SCACR. See correspondence from Appellant to Clerk, SC Court of Appeals without copying Respondent (March 24 to April 12, 2024);
- failed to inform Respondent of Appellant's delays in order the transcript as required by Rule 207(a)(1), SCACR. See correspondence from Appellant to Clerk, SC Court of Appeals without copying Respondent (March 24 to April 12, 2024);
- failed to timely obtain the transcript of the hearing below as required by Rule 207(a)(1), SCACR. See Letter from Clerk, SC Court of Appeals (June 10, 2024); and
- failed to timely file and serve Appellant's initial brief as required by Rule 208(a)(1), SCACR; failed to file a compliant proof of service as required by Rule 262(c)(3), SCACR; and had still not paid the required filing fee as required by Rule 203(b)(1)(B), SCACR. See Letter from Clerk, SC Court of Appeals (July 10, 2024).

In addition to the numerous instances set forth above, Appellant failed to comply with the requirements of creating the Record on Appeal. This Court's Clerk required Appellant to file his initial brief and designation of matters to be included on appeal by July 21, 2024. See *Letter from Clerk, SC Court of Appeals* (July 10, 2024) in **Exhibit B**. Appellant failed to comply with Clerk's July 10th Letter so Clerk instructed Appellant to file his initial appeal and designation of matters to be included on appeal by October 5, 2024. See *Letter from Clerk, SC Court of Appeals* (September 24, 2024) in **Exhibit B**. Once again, Appellant failed to comply with Clerk's Sept. 2024 Letter so the Clerk required Appellant to file his initial appeal and designation of matters to be included on appeal by December 4, 2024. See *Letter from Clerk, SC Court of Appeals* (November 25, 2024) in **Exhibit B**. Once again, Appellant failed to comply with Clerk's Nov. 25th Letter so the Court itself ordered Appellant to file his initial brief and designation of matters to be included on appeal

by January 24, 2025. See *Crescent Roofing & Remodeling, LLC v. Eric Ragsdale*, App. Case No. 2024-000420 (Ct. App. Jan. 14, 2025) in **Exhibit B**. Appellant failed to timely comply with this Court's January 24, 2025 deadline; nevertheless, the Court extended the filing deadline to April 7, 2025. See *Crescent Roofing & Remodeling, LLC v. Eric Ragsdale*, App. Case No. 2024-000420 (Ct. App. Mar. 6, 2025) in **Exhibit B**. As before, Appellant made no attempt to comply with the Court of Appeals' Order of March 6, 2025. Not only did he not file and serve his initial appeal and designation of matters to be included on appeal by the Court's April 7, 2025 deadline, Appellant has not filed them as of the filing of this Motion. See *Letter from Clerk, SC Court of Appeals* (April 23, 2025) in **Exhibit B**.

Each individual order and letter listed above is attached hereto in chronological order as **Exhibit F**. They are include to demonstrate that Appellant's disobedience of the Rules was not the honest mistake of a litigant new to the Court's procedures. Compliance with deadlines is a well-established part of modern life and society. While Appellant may have begun the appeal process in ignorance of the Rules, they were quickly and repeatedly brought to his attention, then deliberately ignored by him. The documents submitted as **Exhibit F**, as well as the other material described above are more than sufficient grounds for dismissing an appeal, an admittedly radical step in all but the most egregious cases. This is that egregious case.

Conclusion

Respondent Crescent Roofing & Remodeling, LLC asks this Court to dismiss the appeal of Appellant Eric Ragsdale pursuant to Rule 240 of the South Carolina Appellate Court Rules and related authority set forth above due to Appellant's willful disobedience with this Court's order and procedural rules. Alternatively, Respondent seeks an order from this Court requiring the

Record on Appeal to include the motions and other documents set forth in Respondent's Designation of Matter to be Included in the Record Appeal as required by Rule 209, SCACR.

THE PHILLIPS FIRM, LLC
Attorney & Counselor at Law

/s/Robert B. Phillips

By Robert B. (Sam) Phillips, Esq.

SC Bar # 16954

1025 Calhoun Street #3

Columbia, SC 29201

(803)726-4268

Sam@PhillipsFirm.Net

27 February 2026

Attorney for the Respondent

The South Carolina Court of Appeals

Crescent Roofing & Remodeling, LLC, Respondent,

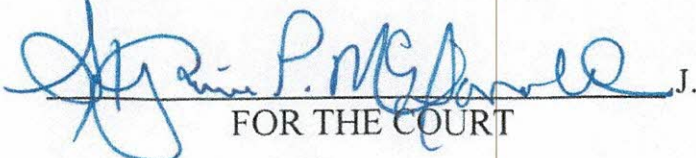
v.

Eric Ragsdale, Appellant.

Appellate Case No. 2024-000420

ORDER

On August 6, 2025, Respondent filed its initial brief. On September 8, 2025, Appellant filed a motion seeking to strike Respondent's initial brief, requesting certain matters be preserved for appellate review, requesting all matters designated in Appellant's designation of matter be included in the record on appeal, and for leave to correct any errors in Appellant's brief. Respondent filed a return, opposing Appellant's motion and seeking sanctions and to strike Appellant's April 29, 2025 designation of matter. Specifically, Respondent argues items 5, 6, and 8 are not properly before this court because they were not presented to the circuit court. Appellant did not file a reply. After careful consideration, Appellant's September 8, 2025 motion is denied. Additionally, Respondent's request for sanctions is denied; however, Respondent's request to strike matters 5, 6, and 8 from Appellant's April 29, 2025 designation of matter is granted. *See* Rule 210(c), SCACR ("The [r]ecord shall not, however, include matter which was not presented to the lower court or tribunal."). Within ten days of the date of this order, Appellant shall serve and file an amended designation of matter omitting items 5, 6, and 8.


FOR THE COURT

Columbia, South Carolina

FILED
Nov 18 2025



cc:

Eric Ragsdale

Robert Sam Phillips, Esquire

South Carolina Appellate Case Management System

CLERK'S OFFICE
SUPREME COURT
COURT OF APPEALS

C-Track, the browser based CMS for Appellate Courts.

Appellate Case No. ...

Cases

Case Search

Participant Search

Disclaimer: The information and documents available here should not be relied upon as an official record of action. Only filed documents can be viewed. Some documents received in a case may not be available for viewing. Some documents originating from a lower court, including records and appendices, may not be available for viewing.

Case Information: 2024-000420

Court: Court of Appeals **Classification:** Appeal - Common Pleas - Other

Short Title: Crescent Roofing & Remodeling, LLC v. Eric Ragsdale **Case Status:** Final Briefing / Record

[View Full Title](#)

Consolidated:

Filed Date: 03/14/2024 **Oral Argument Date:**

Disposition Date: **Disposition Type:**

Remittitur Date:

Lower Court or Tribunal: Lexington (2022CP3203934)

- Party Information

Appellate Role	Party Name	Former	Attorney(s)
Appellant	Eric Ragsdale	N	Self Represented
Respondent	Crescent Roofing & Remodeling, LLC	N	Robert Sam Phillips

Views

Display: Descending

Event Information

Filed Date	Event Information	Doc
12/02/2025	Correspondence - Outgoing (No Action Letter)	
12/01/2025	Designation of Matter - Amended Designation of Matter Filed (Appellant)	
11/19/2025	Correspondence - Incoming (Regarding Order for Motion to Strike)	
11/18/2025	Non-Dispositional Decision - Order (Motion to Strike - Granted)	
10/15/2025	Correspondence - Outgoing (Appeal Held in Abeyance)	
10/14/2025	Motion - No Reply - Strike	
09/26/2025	Correspondence - Incoming (Copy of Appellant's Initial Brief and Transcript)	
09/18/2025	Designation of Matter - Designation of Matter Filed (Respondent)	
09/18/2025	Motion - Return - Strike	
09/08/2025	Motion - Strike	
08/18/2025	Correspondence - Outgoing (One Bound Copy Request)	
08/06/2025	Initial Brief - Respondent	
07/24/2025	Non-Dispositional Decision - Order (Motion - Dismiss)	
06/19/2025	Correspondence - Incoming (Regarding Motion to Dismiss)	
06/19/2025	Motion - No Return - Dismiss	
05/28/2025	Motion - Dismiss	
05/27/2025	Correspondence - Incoming (Copy of Letter from Respondent to Appellant)	
04/29/2025	Designation of Matter - Designation of Matter Filed (Appellant)	
04/29/2025	Deficiency - Correction (Appellant's Initial Brief)	
04/23/2025	Deficiency - Deficiency Letter Sent (Appellant's Initial Brief)	
04/07/2025	Correspondence - Incoming (Attachments to Appellant's Initial Brief)	
04/07/2025	Correspondence - Incoming (Copy of Transcript)	
04/07/2025	Initial Brief - Appellant	



03/06/2025	Non-Dispositional Decision - Extension Granted (Appellant's Initial Brief)	
01/24/2025	Motion - Extension of Time (2nd) (Appellant's Initial Brief) and for Permission to File Without Fee	
01/14/2025	Non-Dispositional Decision - Extension Granted (Appellant's Initial Brief)	
12/04/2024	Deficiency - Correction (Motion for Extension)	
11/25/2024	Non-Dispositional Decision - Withdrawn or Ended (Motion for Extension)	
09/24/2024	Deficiency - Second Deficiency Letter Sent (Motion for Extension)	
07/29/2024	Deficiency - Partial Correction (Motion for Extension)	
07/10/2024	Deficiency - Deficiency Letter Sent (Motion for Extension)	
07/09/2024	Motion - Extension of Time (1st) (Appellant's Initial Brief)	
06/17/2024	Transcript Documents - Transcript Delivered - Direct Appeal	
06/10/2024	Correspondence - Outgoing (Transcript Overdue Letter)	
06/10/2024	Transcript Documents - Emails from Appellant Regarding Transcript	
04/18/2024	Transcript Documents - Emails Regarding Transcript	
04/11/2024	Transcript Documents - Other Correspondence	
04/02/2024	Deficiency - Correction (Notice of Appeal)	
03/21/2024	Transcript Documents - Transcript Ordered	
03/21/2024	Deficiency - Deficiency Letter Sent (Notice of Appeal)	
03/21/2024	Correspondence - Outgoing (Notice of Appeal Initial Letter)	
03/14/2024	Notice of Appeal (Civil) - Initial	

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

EXHIBIT C to Respondent's Motion to Dismiss Appeal

Exhibit Includes:

1. Plaintiff's Motion to Compel, filed Nov. 1, 2023
2. Plaintiff's Motion to Extend ADR Deadline, filed Nov. 1, 2023.

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF LEXINGTON)	Civil Action No. 2022-CP-32-03934
)	
Crescent Roofing & Remodeling LLC,)	
)	
Plaintiff,)	NOTICE OF MOTION AND MOTION
)	TO COMPEL
v.)	
)	
Eric Ragsdale,)	
)	
Defendant.)	
_____)	

TO: DEFENDANT ERIC RAGSDALE, *pro se*.

PLEASE TAKE NOTICE that Plaintiff Crescent Roofing & Remodeling LLC, by and through his attorney, Robert B. "Sam" Phillips, Esq, will move at a date and time to be set by the Court, but not sooner than ten (10) days after service hereof, for an Order compelling Defendant Eric Ragsdale to produce information and/or documents responsive to Plaintiff's First Set of Interrogatories and Requests for Production served on 23 July 2023. This Motion is brought pursuant to the South Carolina Rules of Civil Procedure, including Rules 7, 33, 34 & 37 and is based upon the grounds stated below:

1. On January 11, 2021, Defendant Eric Ragsdale entered into an agreement with Plaintiff Crescent Roofing & Remodeling LLC to replace the roof and perform some interior painting on Mr. Ragsdale's residence at 121 Shumpert Road in West Columbia for an agreed upon price of \$21,627.94 plus a contingency to replace rotted wood found underneath the existing roof at an additional cost. See Exhibit 1.

2. Crescent replaced the roof on January 18-19, 2021 and performed the interior painting on April 23, 2021. The total cost of the project was \$21,852.94 (original contract price plus cost of replacing three (3) sheets of plywood at \$75.00 per sheet).
3. At the start of the project on January 11th, Mr. Ragsdale made an initial payment of \$1,000 to Crescent Roof. Thereafter, Ragsdale's home insurer made three (3) partial payments toward the work on January 27th (\$2,815.30), February 12th (\$9,936.75), and April 23rd (\$3,198.33).
4. After receiving a total of \$16,950.38 toward the total amount due, Plaintiff attempted to collect the remaining balance of \$4,902.56 from Mr. Ragsdale pursuant to their agreement, but Mr. Ragsdale refused. Thereafter, Crescent Roofing & Remodeling LLC filed suit for breach of contract against Mr. Ragsdale in magistrate's court to collect this remaining balance.
5. Defendant Eric Ragsdale filed a counterclaims in Magistrate's Court for \$21,627.64 plus punitive damages thereby causing the case to be moved from Magistrate's Court to the Lexington County Circuit Court.
6. After learning that it could not represent itself in Circuit Court as it had in Magistrate's Court, Plaintiff Crescent Construction hired the undersigned attorney who filed an appearance in this matter on July 23, 2023.
7. On July 23, 2023, Plaintiff's counsel served Defendant Ragsdale with Interrogatories and Requests to Produce. See Exhibit 2.
8. On July 25, 2023, Plaintiff's counsel reached out to court appointed mediator Yolanda Courie to propose a continuation of the mediation so that the Defendant would have an opportunity to respond to discovery observing that "mediations without the benefit of discovery responses rarely succeed." Exhibit 3. Mediator Courie agreed recognizing "the mediation will be more

meaningful with some discovery.” She went onto propose additional dates for a mediation in November of 2023. Id.

9. Defendant Ragsdale was copied on the correspondence between Plaintiff’s counsel and mediator, and was specifically asked if he agreed to the postponement. Defendant did not raise any objection to postponing the mediation at that time.

10. Plaintiff served Defendant Ragsdale with discovery on July 23, 2023. Exhibit 4.

11. Mr. Ragsdale did not respond in the required 30 days, so Plaintiff’s counsel granted him a thirty (30) day extension on August 28, 2023. See Exhibit 5.

12. In addition to asking for an extension of time in which to answer Plaintiff’s discovery, Defendant Ragsdale indicated he was “reaching out to offer settlement options in the matter.” Exhibit 5.

13. Plaintiff’s counsel responded to the Defendant’s request for “settlement options” by explaining that “[once] I have an opportunity to review your discovery responses and confer with my client, I will reach back out to you to discuss a settlement. As it stands now, I know nothing more about your claims than what you put in your Answer.” Exhibit 5. Defendant did not raise any objection to postponing the mediation at that time.

14. Defendant Ragsdale failed to produce any response to Plaintiff’s discovery after the 30-day extension, so Plaintiff’s attorney reached out to him again on October 4, 2023 to inquire about the status of his discovery responses. See Exhibit 6.

15. On October 8, 2023, Defendant produced a few responses to Plaintiff’s discovery, but lodged various objections to 95% of the Plaintiff’s Interrogatories and Requests to Produce. See Exhibit 7.

16. Defendant's October 8th discovery objections were simple recitals of standard discovery objections that had little relevance to Plaintiff's Interrogatories and Requests to Produce. For example, Defendant objected to the efficacy of every Standard Interrogatory (from Rule 33(b), SCRCPP) asked by the Plaintiff.

17. The objections Defendant raised to Plaintiff's first five (5) Interrogatories are representative of the objections raise to each of the remaining Interrogatories:

- a. In response to Plaintiff's Interrogatory #1, drawn directly from Standard Interrogatory #1, Rule 33(b)(1) SCRCPP that seeks the identities of witnesses known to a party, the Defendant objected claiming the Interrogatory "deviate[d] or purport[ed] to impose requirements other than or in addition to those required by the South Carolina Rules of Civil Procedure."
- b. In response to Plaintiff's Interrogatory #2, drawn directly from Standard Interrogatory #2, Rule 33(b)(2) SCRCPP that seeks photos and documents related to the a party's counterclaims, the Defendant objected claiming the Interrogatory "seek[s] information or documents outside the scope of discovery permissible by the South Carolina Rules of Civil Procedure."
- c. In response to Plaintiff's Interrogatory #3, drawn directly from Standard Interrogatory #6, Rule 33(b)(6) SCRCPP that seeks the name(s) of any expert(s) a party intends to rely upon, the Defendant objected claiming the Interrogatory "seek[s] information or documents protected by future Attorney-Client Privilege, the litigant or Attorney Work Product Doctrine, or any other applicable privilege or immunity."
- d. In response to Plaintiff's Interrogatory #4, drawn directly from Standard Interrogatory #4, Rule 33(b)(4) SCRCPP that inquires about a party's insurance coverage, the Defendant objected claiming the Interrogatory "seek[s] information or documents that are beyond his custody, possession, or control and/or seeks information that is equally available to Plaintiffs."
- e. In response to Plaintiff's Interrogatory #5, drawn directly from Standard Interrogatory #5, Rule 33(b)(5) SCRCPP which asks for a party's itemized statement of damages claim, the Defendant objected claiming the Interrogatory "seek[s] information or documents for any period of time beyond any appliable statute of limitations."

18. Plaintiff's counsel wrote the Defendant on October 23, 2023 responding to each of his objections and again asked the Defendant to provide the discovery responses to which the Plaintiff is entitled. See Exhibit 8.

19. In response to Plaintiffs Counsel's October 23rd letter seeking discovery responses, Defendant Ragsdale reneged on his agreement with Counsel answer discovery then discuss settlement, and sought to penalize Plaintiff for the parties joint decision to postpone mediation. See Exhibit 5.

20. Although Defendant Ragsdale's seeks more than \$20,000.00 from Plaintiff through his counterclaims, the Defendant only produced a single invoice for \$2,460.64 as evidence of his damages. The invoice from Carolina Heating Service, Inc. of Greenville, South Carolina documents a repair to Defendant's Generac Generator on January 18, 2021. See Exhibit 9. This damages claim is doubtful on its face because the Plaintiff's crew began its work on the Defendant's roof on January 18th and did not witness either the alleged damage or the repair claimed by the Defendant with this invoice.

21. Plaintiff consulted with the Defendant regarding this Motion to Compel in its October 23rd letter. Exhibit 8.

22. Defendant's subsequent conduct makes it clear that without a Court Order, the Defendant will not provide the discovery responses Plaintiff is entitled to pursuant to the South Carolina Rules of Civil Procedure.

23. Additionally, Plaintiff asks this Court for an award of reasonable attorney's fees in the amount of Eight Hundred and Seventy-Five Dollars (\$875.00) to defer the financial burden imposed by Defendant's bad-faith objections to discovery that is clearly authorized by the South Carolina Rules of Civil Procedure. See Exhibit 10.

WHEREFORE, Plaintiff Crescent Roofing & Remodeling LLC respectfully requests that this Court order Defendant Eric Ragsdale to withdraw his all objections to the Plaintiff's Discovery and produce the requested discovery. Plaintiff Crescent Roofing & Remodeling LLC also requests that the Court award it the costs and attorney's fees incurred in the filing of this Motion pursuant to Rule 37(a)(4), SCRPC.

THE PHILLIPS FIRM, LLC
Attorney & Counselor at Law

s/Robert B. Phillips

By Robert B. (Sam) Phillips, Esq.
SC Bar # 16954
1025 Calhoun Street #3
Columbia, SC 29201
(803)726-4268
Sam@PhillipsFirm.Net

Attorney for the Plaintiff.

1 November 2023

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)

Crescent Roofing & Remodeling LLC,)
)
)
Plaintiff,)
)
v.)
)
Eric Ragsdale,)
)
)
Defendant.)
)
_____)

IN THE COURT OF COMMON PLEAS

Civil Action No. 2022-CP-32-03934

**NOTICE OF MOTION AND
PLAINTIFF'S MOTION FOR
ADR EXTENSION**

TO: DEFENDANT ERIC RAGSDALE, *pro se*.

PLEASE TAKE NOTICE that Plaintiff Crescent Roofing & Remodeling LLC, by and through his attorney, Robert B. "Sam" Phillips, Esq, is moving for an ADR Extension with the Honorable Debra R. McCaslin, Chief Judge for Administrative Purposes for Common Pleas in the Eleventh Judicial Circuit. This Motion is brought pursuant to Rules 33, 34 & 37 of the South Carolina Rules of Civil Procedure; Rule 10 of the South Carolina's Alternative Dispute Resolution Rules; and is based upon the grounds stated below:

1. On January 11, 2021, Defendant Eric Ragsdale entered into an agreement with Plaintiff Crescent Roofing & Remodeling LLC to replace the roof and perform some interior painting on Mr. Ragsdale's residence at 121 Shumpert Road in West Columbia for an agreed upon price of \$21,627.94 plus a contingency to replace rotted wood found underneath the existing roof at an additional cost. See Exhibit 1.
2. Crescent replaced the roof on January 18-19, 2021 and performed the interior painting on April 23, 2021. The total cost of the project was \$21,852.94 (original contract price plus cost of replacing three (3) sheets of plywood per the contract contingency of \$75.00 per sheet).

3. At the start of the project on January 11th, Mr. Ragsdale made an initial payment of \$1,000 to Crescent Roof. Thereafter, Ragsdale's home insurer made three (3) partial payments toward the work on January 27th (\$2,815.30), February 12th (\$9,936.75), and April 23rd (\$3,198.33).
4. After receiving a total of \$16,950.38 toward the total amount due, Plaintiff attempted to collect the remaining balance of \$4,902.56 from Mr. Ragsdale pursuant to their agreement, but Mr. Ragsdale refused. Thereafter, Crescent Roofing & Remodeling LLC filed suit for breach of contract against Mr. Ragsdale in magistrate's court to collect this remaining balance.
5. Defendant Eric Ragsdale filed a counterclaims in Magistrate's Court for \$21,627.64 plus punitive damages thereby causing the case to be moved from Magistrate's Court to the Lexington County Circuit Court.
6. Plaintiff's owner conducted a walk through with Mr. Ragsdale after the completion of the painting and roofing work. Mr. Ragsdale did not raise most of the issues set forth in his counterclaims during that walk through with Plaintiff only learning of those claims during this litigation.
7. After learning that it could not represent itself in Circuit Court as it had in Magistrate's Court, Plaintiff Crescent Construction hired the undersigned attorney who filed an appearance in this matter on July 23, 2023.
8. On July 23, 2023, Plaintiff's counsel served Defendant Ragsdale with Interrogatories and Requests to Produce attached hereto as Exhibit 2.
9. On July 25, 2023, Plaintiff's counsel reached out to court appointed mediator Yolanda Courie to propose a continuation of the mediation so that the Defendant would have an opportunity to respond to discovery observing that "mediations without the benefit of discovery responses rarely succeed." Exhibit 3. Mediator Courie agreed recognizing "the mediation will be more

meaningful with some discovery.” She went onto propose additional dates for a mediation in November of 2023. Id.

10. Defendant Ragsdale was copied on the correspondence between Plaintiff’s counsel and mediator, and was specifically asked if he agreed to the postponement. Defendant did not raise any objection to postponing the mediation at that time.

11. Plaintiff served Defendant Ragsdale with discovery on July 23, 2023. Exhibit 4.

12. Mr. Ragsdale did not respond in the required 30 days, so Plaintiff’s counsel granted him a thirty (30) day extension on August 28, 2023. Defendant did not raise any objection to postponing the mediation at that time, in fact, he indicated that he was “reaching out to offer settlement options in the matter.” . See Exhibit 5.

13. Plaintiff’s counsel responded to the Defendant’s request for “settlement options” by explaining that “[once] I have an opportunity to review your discovery responses and confer with my client, I will reach back out to you to discuss a settlement. As it stands now, I know nothing more about your claims than what you put in your Answer.” Exhibit 5. Defendant did not raise any objection to postponing the mediation at that time either.

14. Defendant Ragsdale failed to produce any response to Plaintiff’s discovery after the 30-day extension, so Plaintiff’s attorney reached out to him again on October 4, 2023 to inquire about the status of his discovery responses. Exhibit 6.

15. On October 8, 2023, Defendant produced a few responses to Plaintiff’s discovery, but lodged various objections to 95% of the Plaintiff’s Interrogatories and Requests to Produce. Defendant did not raise any objection to postponing the mediation at that time either. See Exhibit 7.

16. Defendant's October 8th discovery objections were simple recitals of standard discovery objections that had little relevance to Plaintiff's Interrogatories and Requests to Produce. For example, Defendant objected to the efficacy of every Standard Interrogatory (from Rule 33(b), SCRCF) asked by the Plaintiff.

17. The objections Defendant raised to Plaintiff's first five (5) Interrogatories are representative of the objections raise to each of the remaining Interrogatories:

- a. In response to Plaintiff's Interrogatory #1, drawn directly from Standard Interrogatory #1, Rule 33(b)(1) SCRCF that seeks the identities of witnesses known to a party, the Defendant objected claiming the Interrogatory "deviate[d] or purport[ed] to impose requirements other than or in addition to those required by the South Carolina Rules of Civil Procedure."
- b. In response to Plaintiff's Interrogatory #2, drawn directly from Standard Interrogatory #2, Rule 33(b)(2) SCRCF that seeks photos and documents related to the a party's counterclaims, the Defendant objected claiming the Interrogatory "seek[s] information or documents outside the scope of discovery permissible by the South Carolina Rules of Civil Procedure."
- c. In response to Plaintiff's Interrogatory #3, drawn directly from Standard Interrogatory #6, Rule 33(b)(6) SCRCF that seeks the name(s) of any expert(s) a party intends to rely upon, the Defendant objected claiming the Interrogatory "seek[s] information or documents protected by future Attorney-Client Privilege, the litigant or Attorney Work Product Doctrine, or any other applicable privilege or immunity."
- d. In response to Plaintiff's Interrogatory #4, drawn directly from Standard Interrogatory #4, Rule 33(b)(4) SCRCF that inquires about a party's insurance coverage, the Defendant objected claiming the Interrogatory "seek[s] information or documents that are beyond his custody, possession, or control and/or seeks information that is equally available to Plaintiffs."
- e. In response to Plaintiff's Interrogatory #5, drawn directly from Standard Interrogatory #5, Rule 33(b)(5) SCRCF which asks for a party's itemized statement of damages claim, the Defendant objected claiming the Interrogatory "seek[s] information or documents for any period of time beyond any appliable statute of limitations."

18. Plaintiff's counsel wrote the Defendant on October 23, 2023 responding to each of his objections and again asked the Defendant to provide the discovery responses to which the Plaintiff is entitled. See Exhibit 8.

19. In response to Plaintiffs Counsel's October 23rd letter seeking discovery responses, Defendant Ragsdale reneged on his agreement with Counsel to delay mediation now seeks to penalize Plaintiff for the parties joint decision to postpone mediation.

20. Defendant Ragsdale was fully apprised by Plaintiff's Counsel that Plaintiff disputes all of his claims of faulty workmanship, misrepresentations and damage caused by Plaintiff's workers.

21. In joint email communication with both the Defendant and Mediator Courie, Plaintiff's counsel made it clear why a short delay in meditation was necessary in order to conduct discovery so the Plaintiff could evaluate the validity of the Defendant's many claims. See Exhibit 3.

22. Defendant Ragsdale not only agreed to a delay in meditation in order to complete discovery, he later inquired about direct settlement negotiations with the Plaintiff when he asked for more time to respond to the Plaintiff's discovery. See Exhibit 5.

23. Defendant Ragsdale's "agreement" to a mediation delay only changed after Plaintiff's counsel rejected his attempt to avoid providing the Plaintiff with information and documents he is entitled to through discovery.

24. Although Defendant Ragsdale's seeks more than \$20,000.00 from Plaintiff through his counterclaims, the Defendant only produced a single invoice for \$2,460.64 as evidence of his damages. The invoice from Carolina Heating Service, Inc. of Greenville, South Carolina purports to document a repair to Defendant's Generac Generator on January 18, 2021. See Exhibit 9. This damages claim is doubtful on its face because the Plaintiff's crew began its work on the

Defendant's roof on January 18th and did not witness either the alleged damage or the repair claimed by the Defendant.

25. Mediation is a voluntary process that is; nevertheless, required by Rule 3(a) of the Alternative Dispute Resolution Rules (hereinafter "SCADRR") for all civil actions.

26. While mediation is mandatory, the SCADRR allows and encourages litigants in civil matters to conference about the conduct of the mediation; however, such a conference is not a basis for delaying other requirements such as discovery. Rule 5(b), SCADRR.

27. While the SCADRR rules imposes a Three Hundred day (300) limit for conducting a mediation, Rule 5(e), SCADRR allows parties to file a good faith motion for a deferral. Plaintiff filed such a motion prior to Defendant's request for ADR sanctions.

28. It is clear that ADR sanctions are only appropriate "[i]f any person or entity subject to the ADR Rules violates any provision of the ADR Rules **without good cause.**" Rule 10(a), SCADRR (emphasis added).

29. This matter was begun by Plaintiff in Magistrate's Court wherein the Plaintiff business was able to represent itself.

30. Plaintiff was slow to recognize that as a business, it would not be able to maintain its representation without a lawyer after the Defendant's counterclaims caused the case to be moved to Circuit Court. This delay in obtaining an attorney caused no prejudice to the Defendant as Defendant did not pursue any discovery nor reached out to the Plaintiff about settlement possibilities.

31. Plaintiff's counsel moved expeditiously in addressing mandatory mediation within two (2) days of his appearance in this matter.

32. In *Ross v. Waccamaw Community Hospital*, 744 S.E.2d 547 (S.C. 2013), our Supreme Court addressed the consequences of failing to comply with a statutory mediation requirement in a medical malpractice case. The court characterized the failure as a “non-jurisdiction procedural defect” and refused to impose a harsh sanction noting that the trial court “retains the discretion to permit the mediation process to continue” past a mediation deadline. 744 S.E.2d at 551.

33. Relying on the *Ross* decision, the South Carolina Court of Appeals declined to sanction the failure to meet a mediation deadline upon a showing that the non-compliant party made an attempt to work with the opposing party to obtain necessary discovery in order to facilitate discovery and a mediation. *Rickerson v. Karl*, 770 S.E.2d 767 (S.C. Ct. App. 2015).

34. Plaintiff asks this Court for an order in this matter deferring mandatory mediation until the end of the year (2023) in order to provide the Plaintiff with an opportunity to pursue information and documents through a Motion to Compel discovery responses from the Defendant.

WHEREFORE, Plaintiff Crescent Roofing & Remodeling LLC respectfully requests that this Court order that mandatory mediation be deferred in this matter until the end of 2023 in order to provide Plaintiff with time to have his Motion to Compel discovery responses from Defendant Eric Ragsdale heard and decided upon.

THE PHILLIPS FIRM, LLC
Attorney & Counselor at Law

s/Robert B. Phillips
By Robert B. (Sam) Phillips, Esq.
SC Bar # 16954
1025 Calhoun Street #3
Columbia, SC 29201
(803)726-4268
Sam@PhillipsFirm.Net

Attorney for the Plaintiff.

1 November 2023

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

EXHIBIT D to Respondent's Motion to Dismiss Appeal

Exhibit Includes:

1. Appellant's Initial Designation, filed April 29, 2025,
2. Respondent's Counsel Letter to Appellant Objecting to Initial Designation, dated May 7, 2025.
3. Respondent's Counsel Letter to Appellant Objecting to Initial Designation, dated August 6, 2025), and
4. Respondent's Initial Designation, filed September 18, 2025.

RECEIVED

Apr 29 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley Price, Circuit Court Judge

Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

The Appellant proposes the following be included in the record on Appeal:

1. Courts Record Of Respondent's Complaint and Appellant's Counterclaim;
2. Order dated February 14, 2024;
3. Transcript Of Motion To Compel Hearing;
4. Response Of Defendant To Alternate Dispute Resolution Rule To Show Cause;
5. Rule To Show Cause Exhibits Documents 1,2,3,4,5A,B,6,7A,B,C,8 Page 1,2,3,4,9A,B,C,D,10,11 1&2;
6. Plaintiff's Discovery Response;
7. Plaintiff's Reply To Defendant's Request For Sanctions;
8. Emergency Notice Of Motion And Motion Of Defendant To Quash Plaintiff's Motion To Compel Or In The Alternative To Stay Plaintiff's Motion To Compel Discovery To File Appropriate Objections.

I certify that this designation contains no matter which is irrelevant to this appeal.

April 29, 2025



THE PHILLIPS FIRM, LLC
ATTORNEY & COUNSELOR AT LAW

Via Email Only

Appellant Eric Ragsdale
ericragsdale60@gmail.com

RECEIVED

May 27 2025

SC Court of Appeals

7 May 2025

RE: Errors in Your Designation of Matters to be Included on Appeal

Mr. Ragsdale,

I just received your **Designation of Matters** in the mail. It contains material that was not presented to the trial court during the February 6, 2024 Motion to Compel hearing you are appealing from. The Record on Appeal cannot contain material not presented to the trial court during the relevant hearing leading to the ruling you are appealing from pursuant to Rule 210(c) of the South Carolina Rules of Appellate Practice. Specifically, you improperly seek to include material that was not present to, nor considered by, Judge Bentley Price during the February 6th hearing including Item #5 Rule to Show Cause Exhibits, Item #6 Plaintiff's Discovery Responses and Item #8 Emergency Notice of Motion and Motion of Defendant to Quash Plaintiffs Motion to Compel. I ask that you remove them from the Designation and Record.

As for Item #5, the only "exhibits" filed for the February 6th Hearing were those attached to the Plaintiff's Motion to Compel and Reply to Defendant's Request for ADR Sanctions. The exhibits you seek to include in the record seem to be from some other filing and therefore can not be a part of the record per Rule 210(c) because they were not considered by Judge Price.

As for Item #6, the February 6th hearing concerned compelling discovery responses from you, the defendant in the matter. Plaintiff's discovery responses were raised to the Court and therefore can not be included in the record of this appeal per Rule 210(c).

Lastly, as for Item #8, you did not file any response to Plaintiff's Motion to Compel. As noted in the first paragraph of Judge Price's order, you emailed a document styled an Emergency Motion to the Court on the night preceding the February 6th hearing, but it was not admitted during the hearing because it was not properly filed with the court or served on the Plaintiff. You can not add material not before the trial judge to the record on appeal pursuant to Rule 210(c).

Please remove Items 5, 6, and 8 from the Designation; otherwise, I shall seek to have the Designation stricken.

Sincerely,

Robert B. (Sam) Phillips

cc: Court of Appeals (ctappfilings@sccourts.org)

OFFICE ADDRESS

2001 ASSEMBLY STREET, STE 101
COLUMBIA, SC 29201

(803) 726-4269

WWW.PHILLIPSFIRM.NET

MAILING ADDRESS

1025 CALHOUN STREET, BOX 3
COLUMBIA, SC 29201



THE PHILLIPS FIRM, LLC
ATTORNEY & COUNSELOR AT LAW

August 6, 2025

Eric Ragsdale
121 Shumpert Road
West Columbia, SC 29172

RE: Errors in Your Designation of Matters to be Included on Appeal

Mr. Ragsdale,

Attached please find a copy of the Respondent's Initial Brief and Proof of Service documents that were emailed to you earlier today.

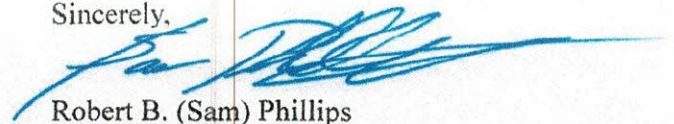
Additionally, I have not heard back from you regarding my earlier correspondence concerning your **Designation of Matters**. You will recall that I pointed out to you the requirements of Rule 210(c) of the South Carolina Rules of Appellate Practice that record of the appeal "shall not ... include matter which was not presented to the lower court or tribunal." As the Appealant you are responsible for producing the "Record on Appeal [which] shall be arranged in the following order: the title page, index, orders, judgments, decrees, decisions, pleadings, transcript, charges, and exhibits and other materials or documents." Rule 210(c), SCACR. Several of the materials you designated were not filed with the Circuit Court nor considered by Judge Bentley Price at the February 6th hearing including your Item #5 Rule to Show Cause Exhibits, Item #6 Plaintiff's Discovery Responses, and Item #8 Emergency Notice of Motion and Motion of Defendant to Quash Plaintiffs Motion to Compel. I ask that you remove them from the Designation and Record.

Items that were before the Judge, and that I have asked you to include in the Record on Appeal include the following:

- Hearing Transcript.
- Plaintiff's Complaint.
- Defendant's Answer and Counter Claim.
- Plaintiff's Motion to Compel Discovery Responses.
- Plaintiff's Motion for an ADR Extension.
- The ten (10) joint exhibits filed with the Motions to Compel and for an Extension.

If you require copies of any of the aforementioned documents, let me know and I can email them to you.

Sincerely,



Robert B. (Sam) Phillips

cc: Court of Appeals (ctappfilings@sccourts.org)

OFFICE ADDRESS
2001 ASSEMBLY STREET, STE 101
COLUMBIA, SC 29201

(803) 726-4269
WWW.PHILLIPSFIRM.NET

MAILING ADDRESS
1025 CALHOUN STREET, BOX 3
COLUMBIA, SC 29201

RECEIVED

Sep 18 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

**RESPONENT'S DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

Eric Ragsdale *pro se*
121 Shumpert Road
West Columbia, S.C. 29172
803.309.0539
Ericragsdale60@gmail.com
Pro Se Appellant

The Phillips Firm, LLC
by Robert B. (Sam) Phillips, Esq.
1025 Calhoun Street, #3
Columbia, SC 29201
803.726.4268
sam@phillipsfirm.net
Attorney for Respondent

Respondent proposes the following to be included in the Record on Appeal. Respondent's attorney attempted to consult with Appellant to settle disputes over the record (see attachment), but has not received any response.

1. Transcript of Hearing, February 6, 2024 (all 15 pages).
2. Plaintiff's Complaint.
3. Defendant's Answer and Counterclaims.
4. Plaintiff's Motion to Compel Discovery Responses.
5. Plaintiff's Motion for an ADR Extension.
6. The ten (10) joint exhibits filed with Motions to Compel and for an ADR Extension.

I certify that this designation contains no matter which is irrelevant to this appeal or that was not before the Court at the time of the Order appealed from.

THE PHILLIPS FIRM, LLC
Attorney & Counselor at Law

/s/Robert B. Phillips
By Robert B. (Sam) Phillips, Esq.
SC Bar # 16954
1025 Calhoun Street #3
Columbia, SC 29201
(803)726-4268
Sam@PhillipsFirm.Net

August 18, 2025

Attorney for the Respondent

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

EXHIBIT E to Respondent's Motion to Dismiss Appeal

Exhibit Includes:

1. Court of Appeal Order filed November 18, 2025.
2. Respondent's Request to Reconsider the November 18th Order filed November 19, 2025.
3. Clerk's No Action Letter denying Request for Reconsideration dated December 2, 2025.
4. Appellant's Amended Designation filed December 1, 2025.

The South Carolina Court of Appeals

Crescent Roofing & Remodeling, LLC, Respondent,

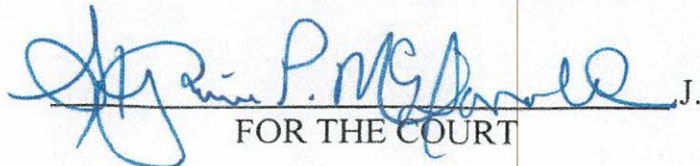
v.

Eric Ragsdale, Appellant.

Appellate Case No. 2024-000420

ORDER

On August 6, 2025, Respondent filed its initial brief. On September 8, 2025, Appellant filed a motion seeking to strike Respondent's initial brief, requesting certain matters be preserved for appellate review, requesting all matters designated in Appellant's designation of matter be included in the record on appeal, and for leave to correct any errors in Appellant's brief. Respondent filed a return, opposing Appellant's motion and seeking sanctions and to strike Appellant's April 29, 2025 designation of matter. Specifically, Respondent argues items 5, 6, and 8 are not properly before this court because they were not presented to the circuit court. Appellant did not file a reply. After careful consideration, Appellant's September 8, 2025 motion is denied. Additionally, Respondent's request for sanctions is denied; however, Respondent's request to strike matters 5, 6, and 8 from Appellant's April 29, 2025 designation of matter is granted. *See* Rule 210(c), SCACR ("The [r]ecord shall not, however, include matter which was not presented to the lower court or tribunal."). Within ten days of the date of this order, Appellant shall serve and file an amended designation of matter omitting items 5, 6, and 8.


FOR THE COURT

Columbia, South Carolina

FILED
Nov 18 2025



THE PHILLIPS FIRM, LLC
ATTORNEY & COUNSELOR AT LAW

Via Email to ctappfilings@sccourts.org

Caitlyn Singleton
Senior Appeals Specialist
South Carolina Court of Appeals

Re: Clarification of Court's Order dated November 18, 2025
Crescent Roofing & Remodeling, LLC v. Eric Ragsdale
Appellate Case No. 2024-000420

19 November 2025

RECEIVED
Nov 19 2025
SC Court of Appeals

Dear Ms. Singleton,

I received your email of November 18th with the aforementioned Order. In Respondent's Return to Appellant's Motion to Strike Respondent's Brief (attached hereto with exhibits), Respondent sought three (3) actions from the Court of Appeal:

- (1) Dismiss Appellant's appeal or,
- (2) Strike documents that were not provided to the trial court from Appellant's Designation of Matter to be Included in Record on Appeal (hereinafter "Designation"), and
- (3) Order Appellant to include certain documents filed with and considered by the trial court in the Designation per the Respondent's request pursuant to Rule 209, SCACR.

While the Court ruled on issues 1 & 2, it did not address issue (3) which will undoubtedly cause further delay in the perfection of this Appeal.

In pertinent part, the Order commands that "[w]ithin ten days of the date of this order, Appellant shall serve and file an amended designation of matter omitting items 5, 6, and 8." While this is the relief sought by Respondent's Issue #2, the Order makes no reference to Respondent's request to include documents that were properly raised to, and argued before, the trial court in Issue #3. Respondent counsel had previously attempted to have Appellant include those documents in the Designation going so far as to provide Appellant with a draft Designation. See Respondent's Return to the Appellant's Motion to Strike Respondent's Initial Brief at **Exhibit H**.

The Rules of Appellate Procedure are clear and very commonsensical. Material filed with, and considered, by the lower court may be designated by either party for inclusion in the Record on Appeal while material that was not presented to the lower court cannot be designated. An appeal would be transformed into a continuation of the dispute below if new material could be presented for the first time during the appeal.

OFFICE ADDRESS
2001 ASSEMBLY STREET, STE 101
COLUMBIA, SC 29201

(803) 726-4269
WWW.PHILLIPSFIRM.NET

MAILING ADDRESS
1025 CALHOUN STREET, BOX 3
COLUMBIA, SC 29201

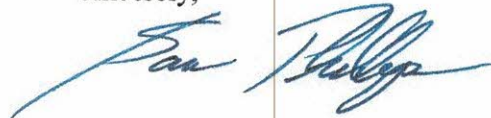
Letter to South Carolina Court of Appeals
19 November 2025
Page -2-

Similarly, the Court of Appeals could not fully and fairly adjudicate an appeal if relevant material considered by the lower court were withheld by the whim of a party. This is clearly the intent of Rules 209 and 210 of the South Carolina Appellate Court Rules. The “must clearly identify what the party desires to have included ... [AND] the Designation may only propose to include portions of the transcript, pleadings, order, exhibits and other material which may be properly included in the Record [pursuant to Rule 210(c), SCACR].” Rule 209(b), SCACR. Rule 210(c), SCACR clearly requires that the “Record shall not ... include matter which was not presented to the lower court.” “A party shall not include any matter in his designation which is not relevant to the appeal.” Rule 209(b), SCACR. A party’s “signature constitutes a certificate that the Designation contain no matter which is irrelevant to the appeal.” Rule 209(c), SCACR.

While the text of the Court’s November 18th Order certainly does not allow for the exclusion of the material designated by the Respondent, it also does not specifically require the Appellant to conform to the requirements of Rules 209 and 210, SCACR. In light of the excessive delays in perfecting this appeal, I would ask that the Court clarify the requirements of the Amended Designation to include matters designated by Respondent.

I have attached Respondent’s Return to the Motion to Strike along with its exhibits in support of this request. Thank you in advance for your consideration of this matter.

Sincerely,



Robert B. (Sam) Phillips, Esq.

cc: Appellant Eric Ragsdale (via email)



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 02, 2025

Mr. Robert Sam Phillips, Esquire
1025 Calhoun Street
#3
Columbia SC 29201

Re: Crescent Roofing & Remodeling, LLC v. Eric Ragsdale
Appellate Case No. 2024-000420

Dear Counsel:

We are in receipt of your correspondence filed on November 19, 2025. If you wish to request relief from this Court, you must do so in the form of a motion pursuant to Rule 240 of the South Carolina Appellate Court Rules. No further action will be taken on your correspondence.

Very truly yours,

Jasmine D. Smith, Deputy
CLERK

cc: Eric Ragsdale

RECEIVED

Dec 01 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley Price, Circuit Court Judge

Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

AMENDED DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

The Appellant proposes the following be included in the record on Appeal:

1. Courts Record Of Respondent's Complaint and Appellant's Counterclaim;
2. Order dated February 14, 2024;
3. Transcript Of Motion To Compel Hearing;
4. Response Of Defendant To Alternate Dispute Resolution Rule To Show Cause;
5. # 5 STICKEN PER COURT ORDER FILED NOVEMBER 18, 2025
6. # 6 STICKEN PER COURT ORDER FILED NOVEMBER 18, 2025
7. Plaintiff's Reply To Defendant's Request For Sanctions;
8. #8 STICKEN PER COURT ORDER FILED NOVEMBER 18, 2025.

I certify that this amended designation contains no matter which is irrelevant to this appeal.
December 1 2025.

Respectfully,

Eric Ragsdale, Prose
Appellant
121 Shumpert Rd
West Columbia S.C. 29172
Ericragsdale60@gmail.com
803 309-0539

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

EXHIBIT F to Respondent's Motion to Dismiss Appeal

Exhibit Includes:

Letters from the Clerk of the South Carolina Court of Appeals and Orders from the Court of Appeals repeatedly extending deadlines missed by the 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

March 21, 2024

Eric Ragsdale
121 Shumpert Rd.
West Columbia SC 29172

Re: Crescent Roofing & Remodeling, LLC v. Eric Ragsdale
Appellate Case No. 2024-000420

Dear Mr. Ragsdale:

Upon reviewing your notice of appeal, 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 this matter will be dismissed:

- The required filing fee has not been submitted. The correct filing fee is \$250.00.
- You must provide proof of filing a copy of your notice of appeal with the clerk of the lower court.

Very truly yours,

A handwritten signature in blue ink that reads "Catherine S. Harrison, deputy".

CLERK

cc: Robert Sam Phillips, Esquire

From: [Eric Ragsdale](#)
To: [Green, Pamela E.](#)
Cc: [Court Of Appeals Filings; Transcripts](#)
Subject: Re: Crescent Roofing v. Eric Ragsdale
Date: Thursday, April 11, 2024 12:59:55 PM

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

If you did please provide, I can't seem to find where you did in the stream of emails, or is that asking to much for the service you provide, in a court mandated process.

Or you can ask the court to assign another reporter if you prefer not to work with a pro,se litigant, whom is depending on the skill of others

Thank you

On Thu, Apr 11, 2024 at 12:47 PM Green, Pamela E. <PGreen@sccourts.org> wrote:
I gave you the estimate in the previous emails

Get [Outlook for iOS](#)

From: Eric Ragsdale <ericragsdale60@gmail.com>
Sent: Thursday, April 11, 2024 12:45:21 PM
To: Court Of Appeals Filings <ctappfilings@sccourts.org>; Green, Pamela E. <PGreen@sccourts.org>; Transcripts <transcripts@sccourts.org>
Subject: Re: Crescent Roofing v. Eric Ragsdale

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

I get that, I need an estimated full amount to send you for processing the transcript. I am on a time requirement per the rules to provide a brief for my appeal.

Such production may require requesting an extension of time that I have to be prompt according to the rules and your schedule may not meet the requirements and if not, an extension request would be required on your part that I am sure you are aware.

Please provide this estimate full amount to obtain a money order since you do not except personal checks.

Thank you
Eric Ragsdale

On Mon, Apr 8, 2024 at 2:30 PM Green, Pamela E. <PGreen@sccourts.org> wrote:
It is \$4.25 per page. Court Admin told me the hearing lasted for 40 minutes. Not 20.

There is no way to get an exact estimate. It is only an estimate and that's the best estimate I can give you.

Pamela E. Green

Circuit Court Reporter

At-Large

From: Eric Ragsdale <ericragdsdale60@gmail.com>

Sent: Monday, April 8, 2024 1:05 PM

To: Green, Pamela E. <PGreen@sccourts.org>

Subject: Re: Crescent Roofing v. Eric Ragsdale

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

I received your message but I'm not sure the amount you are charging for the hearing that was about 20 minutes in duration. Please let me know the cost and if this is an estimated cost, how can I know an exact cost based on the per page.

Thank you

Eric Ragsdale

On Sun, Mar 24, 2024 at 5:03 PM Green, Pamela E. <PGreen@sccourts.org> wrote:

Mr. Ragsdale,

I have been asked by Court Administration to prepare the above referenced transcript. I can only give you an estimate of the cost for this transcript. It looks like the hearing lasted for about 40 minutes. That would usually be about a 50 page transcript.

If you wish to receive this transcript, please send a money order or cashier's check to my address of PO Box 819 Reidville SC 29375 and I will prepare this for you when I receive the payment. Thank you.

Pamela E. Green

Circuit Court Reporter

At-Large

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.



# 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](http://www.sccourts.org)

June 10, 2024

Eric Ragsdale  
121 Shumpert Rd.  
West Columbia SC 29172

Re: Crescent Roofing & Remodeling, LLC v. Eric Ragsdale  
Appellate Case No. 2024-000420

Dear Mr. Ragsdale:

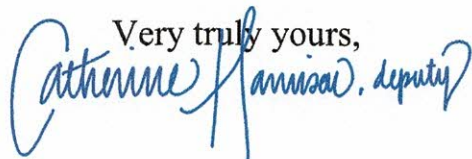
Our records indicate that the transcript in the above matter should have been delivered. As of today's date, we have not received any information indicating that the court reporter has been granted an extension. Further, you have not notified us that you have failed to receive the transcript, nor have we received your initial brief.

If you have not yet received the transcript, Rule 207 of the South Carolina Appellate Court Rules requires you to contact the Office of Court Administration. The address for Court Administration is as follows:

South Carolina Office of Court Administration  
1220 Senate Street, Suite 200  
Columbia, SC 29201  
[transcripts@sccourts.org](mailto:transcripts@sccourts.org)

Be sure to copy the Court and opposing counsel with all correspondence concerning the transcript.

Please advise the Court of the status of the transcript within ten (10) days of the date of this letter, or your appeal will be dismissed.

Very truly yours,  
Catherine Hannisa, deputy

CLERK

cc: Robert Sam Phillips, Esquire



# 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](http://www.sccourts.org)

July 10, 2024

Eric Ragsdale  
121 Shumpert Rd.  
West Columbia SC 29172

Re: Crescent Roofing & Remodeling, LLC v. Eric Ragsdale  
Appellate Case No. 2024-000420

Dear Mr. Ragsdale:

Upon reviewing your motion for an extension of time, 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 accompanying proof of service is not in compliance with the SCACR. Pursuant to Rule 262(c)(3), SCACR, and *Re: Methods of Electronic Filing & Service Under Rule 262 of the South Carolina Appellate Court Rules*, S.C. Sup. Ct. Order dated May 6, 2022, only lawyers admitted to practice in South Carolina may serve other lawyers using the lawyer's primary email address in AIS. You must provide a proof of service stating that a copy of your motion has been mailed to opposing counsel.
- The required filing fee has not been submitted. The correct filing fee is \$50.00.

Very truly yours,

  
CLERK

cc: Robert Sam Phillips, Esquire



# 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](http://www.sccourts.org)

September 24, 2024

Eric Ragsdale  
121 Shumpert Rd.  
West Columbia SC 29172

Re: Crescent Roofing & Remodeling, LLC v. Eric Ragsdale  
Appellate Case No. 2024-000420

Dear Mr. Ragsdale:

Upon reviewing your motion for an extension of time, 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. This is the Court's second request for this deficiency correction:

- The accompanying proof of service is not in compliance with the SCACR. Pursuant to Rule 262(c)(3), SCACR, and *Re: Methods of Electronic Filing & Service Under Rule 262 of the South Carolina Appellate Court Rules*, S.C. Sup. Ct. Order dated May 6, 2022, only lawyers admitted to practice in South Carolina may serve other lawyers using the lawyer's primary email address in AIS. You must provide a proof of service stating that a copy of your motion has been mailed to opposing counsel.

Very truly yours,

A handwritten signature in blue ink that reads "Catherine Harrison, deputy".

CLERK

cc: Robert Sam Phillips, Esquire



# 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](http://www.sccourts.org)

November 25, 2024

Eric Ragsdale  
121 Shumpert Rd.  
West Columbia SC 29172

Re: Crescent Roofing & Remodeling, LLC v. Eric Ragsdale  
Appellate Case No. 2024-000420

Dear Mr. Ragsdale:

As of the date of this letter, this Court has not received a corrected proof of service for your motion for an extension of time. Therefore, no action will be taken on your motion. You must serve and file your appellant's initial brief and designation of matter within ten (10) days of the date of this letter or this appeal will be dismissed.

Very truly yours,

A handwritten signature in blue ink that reads "Catherine S. Harrison, deputy". The signature is written in a cursive style.

CLERK

cc: Robert Sam Phillips, Esquire

# The South Carolina Court of Appeals

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

Appellate Case No. 2024-000420

The Honorable Bentley Price  
Lexington County  
Trial Court Case No. 2022CP3203934

---

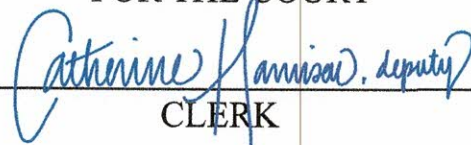
ORDER

---

The time for serving and filing the appellant's initial brief and designation of matter is hereby extended until January 24, 2025.

FOR THE COURT

BY

  
CLERK

Columbia, South Carolina

cc:  
Eric Ragsdale  
Robert Sam Phillips, Esquire

**FILED**  
**Jan 14 2025**

---

# The South Carolina Court of Appeals

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

Appellate Case No. 2024-000420

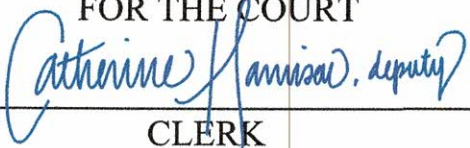
The Honorable Bentley Price  
Lexington County  
Trial Court Case No. 2022CP3203934

---

## ORDER

---

The appellant filed a motion for an extension of time to serve and file the appellant's initial brief and designation of matter and to waive the filing fee for this motion. The motion is Granted. The time for serving and filing the appellant's initial brief and designation of matter will expire on April 7, 2025. No further extensions will be granted absent extraordinary circumstances.

FOR THE COURT  
BY  CLERK

Columbia, South Carolina

cc:  
Eric Ragsdale  
Robert Sam Phillips, Esquire

**FILED**  
**Mar 06 2025**

**RECEIVED**

**Feb 27 2026**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, ..... Respondent,

v.

Eric Ragsdale, ..... Appellant.

\_\_\_\_\_  
**PROOF OF SERVICE**  
\_\_\_\_\_

**Documents Hereby Served of the Appellant:**

- 1) RESPONDENT’S MOTION TO DISMISS APPEAL**
- 2) EXHIBITS A – F.**
- 3) CERTIFICATE OF SERVICE.**
- 4) RECEIPT FOR MOTION FEE.**

On behalf of **Respondent Crescent Roofing & Remodeling LLC**, Respondent in the above-captioned matter, I hereby certify that I have served a copy of the aforementioned documents upon **Appellant Eric Ragsdale** by emailing them to him and also by mailing copies of them via USPS, all postage paid, to 121 Shumpert Road, West Columbia, SC 29172 on this **27<sup>TH</sup> day of February, 2026.**

/s/ Robert B. Phillips  
Robert B. (Sam) Phillips, Esq.

Columbia, South Carolina



RECEIVED

Feb 27 2026

SC Court of Appeals

## The South Carolina Court of Appeals

Robert Sam Phillips  
1025 Calhoun Street  
#3  
Columbia SC 29201

02/27/2026

### RECEIPT #107371

**Case No:** 2024-000420  
**Case Short Title:** Crescent Roofing & Remodeling, LLC v. Eric Ragsdale  
**Event:**  
**Fee Type:** Motion Fee Filed After 10-15-18  
**Amount:** \$50.00  
**Payment Type:** Check  
**Reference No:** 5740  
**Check/Money Order Date:** 02/27/2026  
**Comments:** Motion to Dismiss (e-filed 2/27/2026)