

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

**CASE NO:** 2025-002087

SYLECIA MCINTYRE, Appellant,

v.

WESTWOOD TOWN HOMES, Respondent.

**RECEIVED**

**Jan 30 2026**

**SC Court of Appeals**

**MOTION TO STRIKE RESPONDENT’S RETURN FOR FRAUD ON THE COURT AND  
MISREPRESENTATION**

TO THE HONORABLE CLERK AND JUDGES OF THE COURT OF APPEALS:

COMES NOW, Appellant Sylecia McIntyre, and moving with extreme urgency, moves this Court to STRIKE the “Return to Motions” filed by Respondent Westwood Town Homes on January 28, 2026, on the following grounds:

**WILLFUL MISREPRESENTATION OF RECORD:**

Respondent Counsel asserts that “Appellant has provided no proof” of compliance. This is a provable falsehood. Appellant holds verified proof of three (3) rental tenders (Nov, Dec, Jan) delivered to and received by Respondent’s agent on January 20, 2026.

**PHYSICAL EVIDENCE OF TENDER:**

Compliance is verified by USPS Tracking No. 9589 0710 5270 3195 8806 76. The administrative record confirms delivery at 12:16 pm to the Respondent’s location.

**BAD FAITH CONDUCT:**

Respondent’s agent (“Keisha”) attempted to “repackage” and return these tenders on January 21, 2026, in a bad-faith maneuver to manufacture a default. Appellant rightfully Refused for Cause this improper return to maintain the legal tender pursuant to UCC § 3-603.

**FRAUD ON THE COURT:**

Counsel for Respondent has a duty of candor. Filing a legal instrument claiming a total lack of proof while the Appellant holds verified USPS delivery receipts is a fraudulent attempt to mislead this Court.

**RELIEF SOUGHT:**

Appellant respectfully requests that this Court STRIKE the Respondent's Return immediately to prevent irreparable harm and grant the pending Motion for Judicial Notice of Tender.

**VERIFICATION**

I, Sylecia McIntyre, declare under penalty of perjury under the laws of the State of South Carolina that the foregoing is true and correct to the best of my knowledge and belief.

**Date:** January 30, 2026

/s/ Sylecia McIntyre

Sylecia McIntyre, Petitioner Pro Se  
1855 E. MAIN Street Ste14-219  
Spartanburg, SC [29307]

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**CASE NO:** 2025-002087

SYLECIA MCINTYRE, Appellant,

v.

KEISHA NORRIS, Respondent.

**AFFIDAVIT OF TENDER AND PROOF OF COMPLIANCE**

I, Sylecia McIntyre, being of sound mind and over the age of 18, do hereby declare and affirm the following under penalty of perjury under the laws of the State of South Carolina:

**MANDATORY TENDER:** On January 15, 2026, I successfully tendered three (3) separate payments intended to satisfy rental obligations for the months of November, December, and January, in accordance with previous bond requirements.

**METHOD OF DELIVERY:** Said tenders were sent via the United States Postal Service (USPS) and were tracked under Tracking Number: 9589 0710 5270 3195 8806 76.

**PROOF OF RECEIPT:** According to the official USPS administrative record, the package containing these three tenders was DELIVERED to the Respondent's address and received by an individual on January 20, 2026, at 12:16 pm.

**REBUTTAL OF FALSE CLAIMS:** I have reviewed the "Return to Motions" filed by Respondent's counsel on January 28, 2026. The claim that I have "provided no proof" of compliance is factually false. I hold the verified delivery receipt for the tenders mentioned above.

**BAD FAITH CONDUCT:** On January 21, 2026, the Respondent's agent attempted an unauthorized and improper return of said payments outside of proper legal channels. I rightfully Refused for Cause this return to preserve the integrity of the tender.

FURTHER AFFIANT SAYETH NOT.

**VERIFICATION**

I, Sylecia McIntyre, declare under penalty of perjury under the laws of the State of South Carolina that the foregoing is true and correct to the best of my knowledge and belief.

Date: January 30, 2026

/s/ Sylecia McIntyre

Sylecia McIntyre, Petitioner Pro Se

1855 E. MAIN Street Ste14-219

Spartanburg, SC [29307]

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

SYLECIA MCINTYRE, Appellant,

v.

WESTWOOD TOWN HOMES, Respondent.

CASE NO: 2025-002087

**[PROPOSED] ORDER TO STRIKE RESPONDENT'S RETURN**

This matter comes before the Court on Appellant's Motion to Strike the Respondent's "Return to Motions" filed on January 28, 2026. After reviewing the Motion and the attached evidence of tender, the Court finds:

**EVIDENCE OF COMPLIANCE:** Appellant has provided verified proof of delivery (USPS Tracking No. 9589 0710 5270 3195 8806 76) showing that rental tenders were delivered to Respondent on January 20, 2026.

**MISREPRESENTATION:** Respondent's assertion that "no proof" of compliance exists is contradicted by the verified administrative record.

**STRIKING OF PLEADING:** A pleading containing material misrepresentations of fact is subject to being struck to preserve the integrity of the judicial process.

IT IS HEREBY ORDERED that Respondent's "Return to Motions" filed on January 28, 2026, is STRICKEN from the record.

IT IS FURTHER ORDERED that the Court takes Judicial Notice of Appellant's Tender of Payment.

IT IS SO ORDERED.

Date: \_\_\_\_\_

Judge, South Carolina Court of Appeals

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**Jan 30 2026**

**SC Court of Appeals**

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I have this day served a true and correct copy of the following pleading 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 strike respondent's return for fraud on the court and misrepresentation
- Affidavit of tender and proof of compliance
- Proposed order
- 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

Spartanburg, SC 29307

Date: January, 30 2026

**RECEIVED**

**Jan 30 2026**

**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 strike respondent's return for fraud on the court and misrepresentation
- Affidavit of tender and proof of compliance
- Proposed order
- Proof of Service

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

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

Spartanburg, SC 29307

Date: January 30, 2026