

**Mar 11 2026****SC Court of Appeals**

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**Subject:** Appellant's Sur-Reply to Respondents' Opposition to Reinstate Appeal, and the Proof of Service.  
**Date:** Wednesday, March 11, 2026 12:31:40 PM

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This filing is submitted to correct the record regarding South Carolina legal authorities and to provide self-authenticating electronic records necessary for the Court's consideration of the Motion to Reinstate.

A copy has been served upon Respondents' counsel via U.S. Mail today, March 11, 2026.

S/Tony Williams Pro se

## **THE STATE OF SOUTH CAROLINA**

### **IN THE COURT OF APPEALS**

**Tony Williams, Appellant,**

**v.**

**Lowe's Home Centers, LLC and Andrew Melling, Respondents.**

**Appellate Case No. 2026-000079**

**(Beaufort County Case No. 2025-CP-07-01666)**

### **APPELLANT'S SUR-REPLY TO RESPONDENTS' OPPOSITION**

Appellant Tony Williams, appearing *pro se*, hereby submits this Sur-Reply to address the material misrepresentations and irreconcilable conflicts of interest contained in Respondents' March 10, 2026, filing.

#### **I. THE VALIDITY OF *STONO RIVER CONSTR. CO. V. HILL***

Respondents assert to this Court that *Stono River Constr. Co. v. Hill*, 306 S.C. 531, 413 S.E.2d 43 (Ct. App. 1992) [Corrected Citation] "does not exist." This is a blatant misrepresentation. *Stono River* is a published opinion of the South Carolina Court of Appeals and is the governing authority on the "procedurally mute" status of defaulted parties. Respondents' attempt to characterize this authority as non-existent highlights the bad faith and "lack of diligence" that has led to their multiple defaults across four related

cases.

## II. THE TRANSCRIPT IS NOT DISPOSITIVE IN THE FACE OF EXTRINSIC FRAUD

Respondents argue that the absence of a transcript is "fatal" under Rule 207, SCACR. This is a legal red herring.

- The 01/08 C-Track Proof is a self-authenticating record of this Court's own system. It confirms the case was **ACTIVE** at the moment the lower court claimed it was "dismissed."
- No transcript of a hearing can "cure" or "override" a fraudulent order that contradicts the Court's own electronic docket.
- Under *Chewning v. Ford Motor Co.*, 354 S.C. 72, 579 S.E.2d 605 (2003), **Extrinsic Fraud**—fraud that induces a court to find jurisdiction where none exists—voids the proceeding entirely. A transcript of a void proceeding is not a prerequisite for appellate review of jurisdictional fraud.

## III. RESPONDENTS' IRRECONCILABLE CONFLICT OF INTEREST

Andrew Melling, Esq., is a named Respondent in this appeal and a primary witness to the underlying allegations of fraud. His continued representation violates the **Lawyer-Witness Rule**:

- **Rule 3.7, RPC:** A lawyer shall not act as advocate at a trial in which the lawyer is likely to be a necessary witness. Melling is the only individual who can explain the use of the "1995 DOB stranger's record" to manufacture a "clerical error" defense.
- **Rule 1.7, RPC:** Melling's primary interest is now self-preservation, which creates a "Concurrent Conflict of Interest" with his client, Lowe's. This is evidenced by his recent attempt to use Case No. 2023-CP-07-01623 & 2025-CP-07-01666 as a "fishing expedition" for non-party data to retroactively cure his misconduct.

## IV. CONCLUSION

Respondents seek dismissal based on a technicality to avoid a review of the 01/08 C-Track proof. To allow this dismissal to stand would be to allow a "clerical fiction" to supersede the Court's own record and reward an attorney for misrepresenting the existence of South Carolina case law.

**WHEREFORE**, Appellant respectfully requests that the Court **REINSTATE** the appeal.

**Respectfully Submitted,**

s/ Tony Williams

Tony Williams, *Appellant Pro Se*

145 Fort Sullivan Drive, Ridgeland, SC 29936

Dated: March 11, 2026