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SC Court of Appeals

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Subject: APPELLANT'S OBJECTION TO MOTION FOR SUBSTITUTION OF COUNSEL
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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

Lower Case No.: 2025-CP-07-01666

APPELLANT'S OBJECTION TO MOTION FOR SUBSTITUTION OF COUNSEL

Appellant Tony Williams, appearing *pro se*, respectfully moves this Court for an Order denying the Respondents' Motion for Substitution of Representation filed March 12, 2026. This Objection is grounded in South Carolina law requiring judicial oversight of attorney withdrawals and the existence of irreconcilable conflicts of interest that threaten the integrity of these proceedings.

I. MANDATORY COMPLIANCE WITH RULE 11(b), SCRPC

Under **Rule 11(b), SCRPC**, which is applicable to these proceedings, an attorney of record may only be changed by consent of the parties or upon cause shown by "**order of the Court, and not otherwise.**" Appellant does *not* consent to this substitution. In *Ex Parte: J.P. Strom, Jr.*, 343 S.C. 257, 539 S.E.2d 699 (2000), the South Carolina Supreme Court held that "strict adherence to Rule 11(b)" is required because an attorney who has made a formal appearance is "**not at liberty to abandon [the] case**" without explicit judicial approval. Mr. Melling remains the Counsel of Record and remains personally accountable for the pending record until this Court holds otherwise.

II. DILATORY TACTICS AND PREJUDICE TO APPELLANT

The timing of this motion is transparently dilatory. As established in *Hulse v. Coastal Limousine*, 330 S.C. 542, 500 S.E.2d 105 (Ct. App. 1998), the Court must consider the prejudice to the opposing party when an attorney seeks to withdraw.

1. **Imminent Deadlines:** A critical March 21, 2026, deadline for the Appellate Transcript

is pending. A substitution now is intended to create a procedural "reset" to excuse the Respondents' failure to produce the record.

2. **Medical Crisis:** Appellant's spouse is currently in a life-threatening medical crisis resulting from the "outrageous conduct" and "extrinsic fraud" documented in this appeal. Allowing counsel to "jump ship" while the Plaintiff is in a state of crisis is a violation of the duty of candor.

III. IRRECONCILABLE CONFLICTS OF PROPOSED SUBSTITUTE

The proposed substitute, **Michelle Gaston (S.C. Bar #107320)**, is legally unfit to represent the Respondents under **Rule 1.7, RPC (Conflict of Interest)** and **Rule 3.7, RPC (Lawyer as Witness)**.

1. **Party Conflict:** Ms. Gaston is a named **Party-Defendant** in related litigation (Case No. **2025-CP-07-02967**) involving the same fraudulent records at issue here.
2. **Parallel Appeals:** Ms. Gaston also represents Lowe's in **Appellate Case No. 2026-00317** (Lower Case No. **2025-CP-27-01325**), where she is defending the very "Ghost Orders" that are the subject of the instant fraud allegations. As a party and a necessary witness to the systemic misuse of bar licenses and fraudulent records, Ms. Gaston cannot provide the independent representation required by the Court.

WHEREFORE, Appellant respectfully requests that this Court:

1. **DENY** the Motion for Substitution;
2. **STAY** any removal of Andrew Melling until the **Rule 240 Motion** regarding the **01/08 C-Track Proof** is resolved; and
3. **SCHEDULE** an emergency hearing to address the "No Excuse" status of this appeal.

s/ **Tony Williams**

Plaintiff Pro Se

Dated: March 13, 2026