

From: [Tony Williams](#)
To: [Court Of Appeals Filings](#)
Cc: [Melling, Andrew](#); compliance@lowes.com; [Gibson, Lisa](#)
Subject: Re: Appellant's Sur-Reply to Respondents' Opposition to Reinstate Appeal, and the Proof of Service.
Date: Wednesday, March 11, 2026 9:53:31 PM

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SUPPLEMENTAL FILING: RULE 240 MOTION FOR CASE 00079

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

APPELLANT'S MOTION PURSUANT TO RULE 240, SCACR, TO PROCEED WITHOUT A TRANSCRIPT

Appellant Tony Williams, appearing *Pro Se*, respectfully moves this Court pursuant to **Rule 240, SCACR**, for an Order permitting this appeal to proceed based on the record already on file, without the requirement of a transcript under Rule 207, SCACR.

I. GROUNDS FOR MOTION

1. **Procedural Impossibility:** The orders appealed from were issued as administrative or "clerical" actions. No testimonial record or stenographic transcript exists that can clarify the jurisdictional fraud documented in the **01/08 C-Track Certification**.
2. **Face of the Record Review:** The issues in this appeal concern **Extrinsic Fraud** and **Subject Matter Jurisdiction**. Under *Chewning v. Ford Motor Co.*, 354 S.C. 72 (2003), these issues are reviewable on the face of the record. The existing electronic records from the South Carolina Judicial Department are sufficient for a full determination of the merits.
3. **Response to Opposition:** This motion is submitted to resolve the procedural dispute raised in Respondents' March 10, 2026, filing. Appellant contends that a transcript of a void proceeding provides no value to the Court and that requiring one would reward the Respondents' "fishing expedition" in Case No. 2023-CP-07-01623.

II. PRAYER FOR RELIEF

Appellant respectfully requests that the Court grant this Motion, waive the requirements of Rule 207, and allow the appeal to proceed to briefing.

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SC Court of Appeals

Respectfully submitted,

s/ Tony Williams

Plaintiff Pro Se

Dated: March 11, 2026

On Wed, Mar 11, 2026, 12:30 Tony Williams <twtony6371@gmail.com> wrote:

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.

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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."

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No transcript of a hearing can "cure" or "override" a fraudulent order that contradicts the Court's own electronic docket.

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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**:

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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.

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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