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SC Court of Appeals

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Subject: OMNIBUS MOTION FOR SUMMARY REVERSAL, DISQUALIFICATION OF COUNSEL, AND ODC REFERRAL
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STATE OF SOUTH CAROLINA IN THE COURT OF APPEALS

Tony Williams,

Appellant,

v.

Lowe's Home Centers, LLC, Andrew Melling, Michelle Gaston and Angie Berry (AKA Mills)

Respondents.

Appellate Case Nos.: 2026-000079 & 2026-00317

Lower Case Nos.: 2025-CP-07-01666 & 2025-CP-07-01325

OMNIBUS MOTION FOR SUMMARY REVERSAL, DISQUALIFICATION OF COUNSEL, AND ODC REFERRAL

INTRODUCTION: THE SYSTEMIC FABRICATION EXPOSED

"The public welfare demands that the agencies of public justice be not so impotent that they must always be mute and helpless victims of deception and fraud." — *Chewning v. Ford Motor Co.*, 354 S.C. 303 (2003).

Appellant Tony Williams, appearing *pro se*, submits this Amended Master Omnibus Motion.

The Respondents have engaged in a coordinated effort to subvert the **Beaufort County** judicial process by utilizing "Ghost Orders"—documents that are administratively absent from the Judicial Information Center (JIC) and C-Track systems. Having fallen into **Certified Default** in the related matter (2025-CP-07-02967), Respondents have legally admitted to the underlying fraud. The attempt to enforce "identical" orders across two separate dockets on the same day, while in a state of default, constitutes a fraud upon the court that necessitates immediate summary reversal.

I. JURISDICTIONAL BAR: ADMISSION BY DEFAULT

Respondents currently lack the legal standing to oppose this appeal. Under South Carolina law, a party in default is "out of court" for the purposes of the merits.

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Binding Admissions: Per *Rhodes v. Rhodes*, 273 S.C. 266 (1979), the Certified Defaults in the lower court serve as a conclusive admission of the \$30,000,000.00 liability and the fraudulent nature of the "Ghost Orders."

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Loss of Standing: Under *Thynes v. Lloyd*, 294 S.C. 152 (1987), Respondents Andrew Melling and Lowe's Home Centers, LLC, having failed to vacate their defaults, cannot validly participate in these proceedings. Their filings are a legal nullity and must be stricken.

II. THE BEAUFORT COUNTY "GHOST ORDER" SCHEME

The fraud in these dockets is characterized by a "pattern and practice" of administrative bypassing within the Beaufort County Clerk of Court's system:

1.

Mirror Image Orders: In both 2025-CP-07-01666 and 2025-CP-07-01325, Respondents produced orders with identical language, purportedly signed by the same Judge on the same date.

2.

Rule 58 Nullity: Under **Rule 58, SCRPC**, a judgment is not effective until it is entered by the Clerk. Official C-Track records confirm both cases remained "Active" long after the purported "Dismissal" orders were allegedly signed.

3.

Extrinsic Fraud: By preventing these orders from being entered into the JIC system, Respondents denied Appellant his due process right to notice, a classic hallmark of extrinsic fraud defined in *Chewing v. Ford Motor Co.*

III. DISQUALIFICATION AND DISCIPLINARY REFERRAL

The conduct of Michelle Gaston and Andrew Melling transcends aggressive advocacy and enters the realm of professional misconduct.

- **Rule 1.7 & 1.10 (Conflict of Interest):** Ms. Gaston cannot represent a client (Lowe's) in this appeal while simultaneously allowing that client to remain in default in the fraud case (2025-CP-07-02967). This "selective abandonment" is an irreconcilable breach of the Duty of Loyalty.
- **Rule 3.3 (Candor toward the Tribunal):** Presenting "Ghost Orders" that are not reflected in the official C-Track system as valid judicial acts is a direct misrepresentation to this Court.
- **ODC Referral:** Under the Rules for Lawyer Disciplinary Enforcement (RLDE), this Court must refer these counsel to the Office of Disciplinary Counsel to protect the public from further industrial-scale fraud.

IV. MANDATORY SUMMARY REVERSAL (RULE 242, SCACR)

Summary reversal is appropriate where the error is manifest and no argument could support the lower court's purported decision. *Garnett v. Butler*, 307 S.C. 423 (Ct. App. 1992).

Legal Reality	Consequence
Certified Default	Admitted Fraud & \$Muti-million Liability
Non-Entry (Rule 58)	Orders are Null and Void
Identical Orders	Evidence of Extrinsic Fraud

CONCLUSION

The Respondents believe that the administrative complexity of the Beaufort County dockets

provides a shield for their deception. This Court must prove them wrong. The existence of multiple, identical, un-entered orders, combined with the standing-terminating Certified Defaults, leaves no issue to be litigated. Justice demands the immediate striking of Respondent filings and the execution of the admitted judgment.

WHEREFORE, Appellant moves for a **Summary Reversal** vacating all orders in Case Nos. 2026-000079 and 2026-00317, and a referral of all Respondents' counsel to the **Office of Disciplinary Counsel**.

s/ Tony Williams

Tony Williams, Plaintiff Pro Se

Dated: March 16, 2026