

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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Mar 26 2026

SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Jennifer B. McCoy, Circuit Court Judge

Appellate Case No: 2025-002408

Debra Nelson, Appellant,

v.

Hunt Law, LLC and
Bonnie Travaglio Hunt, Esq., Respondents.

**RESPONDENTS' REPLY TO APPELLANT'S
RESPONSE [sic] TO RESPONDENTS' MOTION FOR ATTORNEY'S FEES**

Respondents, by and through their undersigned counsel, submit this Reply to Appellant's Return to Respondents' Motion for Attorney's Fees under Rule 222, SCACR.

AUTHORITY

1. Rule 222(a), SCACR. Costs on Appeal. To whom allowed. *Unless otherwise ordered by the appellate court or agreed by the parties, costs shall be taxed against the appellant when the appeal is dismissed or judgment on appeal is affirmed.*

2. Rule 222(b), SCACR. Costs on appeal. Costs allowed. *The party shall be entitled to recover an attorney's fee in an amount which shall be set by order of the Supreme Court. By order dated January 17, 2018, the amount of attorney's fee was set at \$2,500.*

3. Rule 240(c)(3), SCACR. Motions and Petitions Generally. Form and content of motions and petitions. *Where the Record on Appeal or Appendix has not been filed, or where the facts relied on in support of the motion are not contained in the Record on Appeal or Appendix, the parties shall file affidavits and other documents in support of their positions.*

4. Austin v. Stokes-Craven Holding Corp., 406 S.C. 187, 750 S.E.2d 78 (2013). *It is within the Court's discretion whether to award fees and costs under Rule 222.*

ARGUMENT

Appellant asks the Court to deny or reduce Respondents' request for attorney's fees because imposition of them would constitute "an extreme and undue financial hardship, frustrating the purpose of allowing indigent parties access to the courts." This argument is unpersuasive. Appellant has taken and continues to take full advantage of access to the courts as a *pro se* litigant. She is or has been a *pro se* plaintiff in numerous cases¹ as detailed in Respondents' Return to Appellant's Motion to proceed *in forma pauperis* ("IFP"), which is part of the record.

Appellant has also filed motions to recuse judges, complaints against judges (including the trial judge in this very matter), and even sued Respondents' counsel personally. Many of her filings contain obvious errors, such as incorrect and nonexistent citations, apparently generated by AI without proper review. Exempting Appellant from Rule 222 fees here would only encourage further meritless filings at Respondents' (and the Court's) expense.

¹None of which has been successful.

Appellant has the financial ability to file lawsuits and appeals but now claims imposition of mandated attorney's fees will cause her "undue and extreme financial hardship." However, Appellant has not been granted IFP status, nor has she submitted any affidavit or material with her return to Respondents' Motion supporting her position as Rule 240(c)(3), SCACR requires. While a litigant may proceed *pro se*, that status does not grant immunity from the Rules or the mandatory fee provision of Rule 222.

Additionally, the procedural basis for dismissal (untimely notice of appeal) does not weigh against the fee award. Rule 222 exists precisely to compensate the prevailing party when an appellant fails to perfect the appeal and forces the respondent to defend post-filing motions. The Rule contains no "merits" or "good faith" exception.

Moreover, Appellant's *pro se* status and claimed financial circumstances do not override the mandatory language of Rule 222. Respondents' have been forced to pay significant sums out of pocket to defend this matter. Equity therefore favors Respondents, who were required to defend an untimely appeal and multiple motions filed by a litigant with a documented pattern of abusive filings across multiple courts.

CONCLUSION

WHEREFORE, Respondents request the Court deny Appellant's request to deny or reduce fees and award the full \$2,500 attorney's fee under Rule 222(b), SCACR, to be added to the remittitur.

[signature page to follow]

Respectfully submitted,

A handwritten signature in blue ink that reads "Andrew W. Countryman". The signature is fluid and cursive, with a horizontal line extending from the end of the name.

Andrew W. Countryman
State Bar No. 72700
COUNTRYMAN LAW FIRM
210 Wingo Way, Ste. 400
Mt. Pleasant, SC 29464
843-253-4477
awc@countrymanlawfirm.com
Counsel for the Respondents

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PROOF OF SERVICE

I certify this day, March 26, 2026, I served Respondents' reply to Appellant's Response (return) to motion for attorney's fees on Appellant, *pro se*, by depositing a copy in the United States Mail, postage prepaid addressed as follows:

Debra Nelson
2718 Crestline Dr.
N. Charleston, SC 29405



Andrew W. Countryman
State Bar No. 72700
COUNTRYMAN LAW FIRM
210 Wingo Way, Ste. 400
Mt. Pleasant, SC 29464
843-253-4477
awc@countrymanlawfirm.com
Counsel for the Respondents