

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

APPEAL FROM SALUDA COUNTY
Court of Common Pleas
The Honorable Donald B. Hocker, Circuit Court Judge

Appellate Case No. 2025-002567
Case No. 2025-CP-41-00100

RECEIVED

MAR 30 2026

SC Court of Appeals

Hugh Parks Price,

Appellant,

v.

Lisa Lee Molstad,

Respondent.

**APPELLANT'S RETURN TO RESPONDENT'S MOTION TO STRIKE AND FOR
EXTENSION OF DEADLINE**

INTRODUCTION

Appellant Hugh Parks Price, appearing pro se, respectfully submits this Return in opposition to Respondent's Motion to Strike and for Extension of Deadline for Respondent's Initial Brief (hereinafter "Motion to Strike"), filed and received by this Court on March 19, 2026. Respondent seeks to strike Items 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, and 32 from Appellant's Designation of Matter to be Included in the Record on Appeal, to strike corresponding passages from Appellant's Initial Brief, and to extend the deadline for Respondent's Initial Brief. For the reasons set forth herein, the Motion to Strike should be denied in full, or in the alternative, granted

only to a limited extent that does not prejudice Appellant's core constitutional and statutory arguments.

ARGUMENT

I. THE CHALLENGED ITEMS ARE PROPERLY INCLUDED IN THE DESIGNATION BECAUSE THEY WERE PRESENTED TO, REFERENCED IN, OR ARE DIRECTLY RELEVANT TO THE PROCEEDINGS BEFORE THE LOWER COURT.

Rule 209(b) of the South Carolina Appellate Court Rules (SCACR) provides that a Designation of Matter to be Included in the Record on Appeal "may only propose to include portions of the transcript, pleadings, orders, exhibits, or other materials which may be properly included in the Record on Appeal." Rule 210(c), SCACR, in turn states that the Record "shall not, however, include matter which was not presented to the lower court or tribunal."

Respondent broadly contends that Items 21 through 32 were not "presented to the lower court." This contention, however, conflates the standard for admissibility at trial with the standard for inclusion in the record on appeal. The record on appeal encompasses not merely exhibits admitted into evidence, but also the "pleadings, orders, exhibits, or other materials" that were part of the proceedings — including materials filed with, referred to before, or acted upon by the lower court.

The November 20, 2025 circuit court hearing transcript — which Respondent herself attached to the Motion to Strike — confirms that Appellant specifically referenced and relied upon the Supreme Court recusal orders, the transcript of the magistrate court proceeding, and the title documents in his presentation to Judge Hocker. These items were therefore brought before the lower court during the appeal proceeding. Their inclusion in the Record on Appeal is proper.

Moreover, the recusal orders (Items included in the challenged group) are official orders of the South Carolina Supreme Court and the Office of Court Administration. They are judicial records, not party-created documents. Exclusion of official court orders from the Record on Appeal would deprive this Court of materials essential to evaluating the jurisdiction and validity of the magistrate court proceedings — the precise issues at the core of this appeal.

II. TO THE EXTENT ANY CHALLENGED ITEMS WERE NOT FORMALLY ADMITTED BELOW, RULE 212, SCACR PROVIDES THE PROPER MECHANISM FOR SUPPLEMENTATION — NOT WHOLESALE EXCLUSION.

Rule 212, SCACR expressly provides a mechanism for supplementing the Record on Appeal. Rather than striking items that bear directly on the constitutional and jurisdictional questions presented in this appeal, this Court should, if it deems any item not properly designated, consider whether supplementation of the record is appropriate under Rule 212. Wholesale exclusion of documents bearing on judicial recusal, statutory bond procedure violations, and property seizure during the pendency of an appeal would deprive this Court of the ability to fully and fairly adjudicate the questions presented.

The South Carolina Supreme Court has recognized that appellate courts retain inherent authority to ensure that the record is adequate for review of constitutional and due process claims. Exclusion of materials that go to the very heart of whether the magistrate and circuit courts acted within their jurisdiction would undermine this Court's capacity to render a just and informed decision.

III. THE CHALLENGED BRIEF PASSAGES CORRESPOND TO INDEPENDENTLY PRESERVED ARGUMENTS AND SHOULD NOT BE STRICKEN.

Respondent identifies three passages in Appellant's Initial Brief for striking: (1) page 7, Paragraph E; (2) page 11, line 6; and (3) pages 17 through 18, Heading VI. Each of these passages is supported by arguments that are independently grounded in the hearing transcript and other items not subject to the Motion to Strike.

The passage at page 7, Paragraph E, references the condition of Appellant's personal property, which is relevant to the ongoing nature of the irreparable harm resulting from the ejectment — a matter this Court may consider in evaluating whether a stay is appropriate. The passage at page 11, line 6, regarding the lowboy trailer, is referenced in the context of property that remained on the premises and was not addressed prior to the execution of the writ.

The passage at pages 17 through 18, Heading VI, addresses the ongoing emergency resulting from the execution of the writ during the pendency of an appeal. Appellant acknowledges that the proper vehicle for seeking a stay pending appeal is a petition filed pursuant to Rule 241, SCACR, rather than inclusion in the initial brief. Appellant is filing a separate Petition for Supersedeas under Rule 241, SCACR, contemporaneously with this Return. Accordingly, the Court may address the substance of the emergency relief argument through that proper procedural channel, and the Court need not strike the brief passage in question, as it provides factual context relevant to that petition.

IV. RESPONDENT'S REQUEST FOR AN EXTENSION OF DEADLINE SHOULD BE DENIED OR, ALTERNATIVELY, LIMITED.

Respondent requests an extension of thirty (30) days following the filing of Appellant's revised brief (if the Motion is granted) or thirty (30) days from the Court's order (if denied). This request is premature and unnecessary. If the Motion to Strike is denied, no revision of Appellant's

Initial Brief is required, and there is no basis for extending Respondent's briefing deadline. Respondent should be held to the existing briefing schedule. If the Motion is granted in any part, any extension granted to Respondent should be narrowly tailored and should not operate to indefinitely delay the resolution of this appeal.

CONCLUSION

For the foregoing reasons, Appellant Hugh Parks Price respectfully requests that this Court:

1. DENY Respondent's Motion to Strike in full;
2. In the alternative, if any items are stricken, permit Appellant to substitute supplementation of the Record on Appeal under Rule 212, SCACR, rather than requiring re-filing of the Initial Brief;
3. DENY Respondent's request for an extension of the briefing deadline if the Motion to Strike is denied in full; and
4. Grant such other and further relief as this Court deems just and proper.

Respectfully submitted,

/s/ Hugh Parks Price

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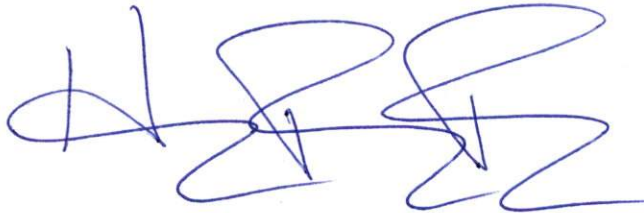
Date: March ^{30th}~~25~~, 2026

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of March, 2026, I served a true and correct copy of the foregoing Appellant's Return to Respondent's Motion to Strike and for Extension of Deadline upon the following by United States mail, first-class postage prepaid, and by electronic mail:

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/s/ Hugh Parks Price
Hugh Parks Price, pro se



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