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SC Court of Appeals

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Subject: NOTICE OF UNCONTESTED APPELLATE MOTIONS AND DEMAND FOR IMMEDIATE ENTRY OF JUDGMENT
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STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

**TONY WILLIAMS, Appellant, v. LOWE'S HOME CENTERS, LLC, et al.,
Respondents.**

CASE NOS.: 2026-00317 & 2026-00079

I. INTRODUCTION: THE FINALITY OF DEFAULT

The integrity of the South Carolina judicial system rests upon the strict adherence to procedural timelines and the truth of the record. In the matter of Case No. 2026-00317 and its associated lower court actions, the Respondents have not only failed to provide a timely defense but have engaged in a systemic "Identity Split" and "Ghost Entry" strategy to mask a **Certified Entry of Default**.

Under long-standing South Carolina precedent, a party in default is a "**legal ghost**"—they are stripped of their standing to oppose the merits, to file "Returns," or to challenge the liquidated damages established by their own silence. The following authorities confirm that the **\$30,000,000.00** liability is no longer a matter of debate; it is an admitted fact of record that the Respondents cannot "procedurally groom" away.

II. THE PILLARS OF LEGAL ARGUMENT

1. Admission of All Allegations (The \$30M Floor)

- **Caselaw:** *Rhodes v. Rhodes*, 273 S.C. 266, 255 S.E.2d 849 (1979).
- **The Rule:** A defendant in default is deemed to have admitted all well-pleaded allegations in the complaint.
- **The Application:** Because Lowe's failed to answer Case No. 2025-CP-07-02967, they have legally admitted to **Extrinsic Fraud, Racial Profiling, and the Tort of Outrage**. They have admitted to the **\$30,000,000.00** sum because they sat silent when they were required to speak.

2. Loss of Standing (The "Out of Court" Rule)

- **Caselaw:** *Thynes v. Lloyd*, 294 S.C. 152, 363 S.E.2d 392 (Ct. App. 1987).
- **The Rule:** A party in default is "out of court" and has no standing to participate in the trial of the merits or to seek affirmative relief.
- **The Application:** Every "Return" (03/17) and "Motion for Sanctions" (03/17) filed by

Melling and Gaston is a legal nullity. They have no standing to oppose a transcript waiver or a summary reversal. They are legally "invisible" until the default is set aside—which it has not been.

3. Voiding Fraudulent Orders (The Extrinsic Fraud Doctrine)

- **Caselaw:** *Chewning v. Ford Motor Co.*, 354 S.C. 303, 580 S.E.2d 171 (2003).
- **The Rule:** Relief from a judgment is warranted where there is "fraud upon the court" that subverts the integrity of the judicial process.
- **The Application:** The use of "Identity Splits" (switching between Michelle W. and Michelle E. Gaston) and the Clerk's "No Reply" flags on dates following active filings constitute Extrinsic Fraud. Under *Chewning*, any order procured through this grooming of the record is **Void Ab Initio** (void from the beginning).

4. The Vulnerable Plaintiff (Eggshell Skull Doctrine)

- **Caselaw:** *Bramlette v. Charter-Medical-Columbia*, 302 S.C. 68, 393 S.E.2d 914 (1990).
- **The Rule:** A tortfeasor takes the victim as he finds him (the "Eggshell Skull" rule).
- **The Application:** As a 100% disabled veteran, Appellant's pre-existing vulnerabilities were known. The Respondents' decision to engage in "outrageous conduct" while Appellant's wife is in a life-threatening medical crisis makes them liable for the total physical and emotional collapse caused by their actions.

III. CONCLUSION: A DEMAND FOR JUDICIAL INTEGRITY

The record before this Court is one of undisputed default and documented administrative manipulation. Most notably, the **Respondents have failed to provide any legal response or opposition** to the following dispositive motions:

1. **Omnibus Motion for Summary Reversal** (Filed 03/16/2026)
2. **Motion to Strike Respondent's Unauthorized Return** (Filed 03/19/2026)
3. **Consolidated Motion for Sanctions for Extrinsic Fraud** (Filed 03/20/2026)

This collective silence serves as a secondary admission that Respondents have no legal defense to the **Certified Default**. The Clerk's office cannot be permitted to utilize "Partial" or "No Reply" flags to shield a multi-billion dollar corporation from the consequences of its admitted fraud. Justice delayed is justice denied. In the face of an admitted **\$30,000,000.00** liability and a family medical emergency, the law demands an immediate Summary Reversal and the enforcement of the judgment of record. The Respondents have had three years to answer; their time has expired, and the Appellant is now entitled to his **full contractual and compensatory restitution**.

s/ **Tony Williams**

Appellant Pro Se

Dated: April 2, 2026