

RECEIVED

Apr 07 2026

SC Court of Appeals

From: [Tony Williams](#)
To: [Court Of Appeals Filings](#)
Cc: compliance@lowes.com; [Melling, Andrew](#); [Michelle Gaston](#)
Subject: CROSS-MOTION FOR RULE 11 SANCTIONS
Date: Tuesday, April 7, 2026 4:49:06 PM

*** **EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Tony Williams, Appellant,

v.

Lowe's Home Centers, LLC, Andrew Gordon Melling, and Angie Mills, Respondents.

Appellate Case Nos.: 2026-000079

**APPELLANT'S CROSS-MOTION FOR RULE 11 SANCTIONS,
PUNITIVE DAMAGES, AND REFERRAL FOR UNAUTHORIZED
PRACTICE OF LAW**

**I. INTRODUCTION: THE ARROGANCE OF THE DEFAULTING
PARTY**

"The law does not permit a party to use the shield of the Court as a sword while they remain in open defiance of its mandates." Under the controlling authority of *Thynes v. Lloyd*, 294 S.C. 152 (1987), a party in default is "**out of court.**" Despite this absolute jurisdictional bar, the Respondents—currently admitting to a **\$30,000,000.00 liability** by way of **Certified Default**—have attempted to move this Court for sanctions against the Appellant. This filing is a textbook example of **Bad Faith Litigation** intended to harass a **100% disabled veteran** and distract this Tribunal from the documented **Extrinsic Fraud** and **Identity Splitting** currently infecting the record.

II. ARGUMENT: THE LEGAL BASIS FOR CROSS-SANCTIONS

1. UNAUTHORIZED PRACTICE OF LAW (UPL) AND CLERICAL NULLITY:

Respondents' Motion for Sanctions was filed on the authority of a Non-Dispositional Order signed only by the Clerk. A Clerk of Court lacks the judicial power to confer standing upon a party that is legally "invisible" due to a **Certified Default**. Because no Article III Judge has reviewed the Respondents' status or set aside the default, Michelle Gaston's filing constitutes the **Unauthorized Practice of Law (UPL)** under *State v. Despain*, 319 S.C. 317 (1995). Any filing by an attorney without perfected standing is *void ab initio*.

2. ABUSE OF PROCESS AND RULE 11 VIOLATIONS:

Under **Rule 11, SCRCP** (incorporated via Rule 240, SCACR), an attorney certifies that a filing is not interposed for an improper purpose. Respondents filed a **Deficient** motion (as noted by the Clerk on 04/07/2026) without the required filing fee, while simultaneously abandoning their defense in the associated Case 317. This "scorched earth" tactic—launching fee-less, unauthorized attacks while in default—is a blatant abuse of the appellate process.

3. THE EGGSHELL LITIGANT AND THE TORT OF OUTRAGE:

The Respondents are fully aware of the Appellant's status as a disabled veteran and the life-threatening medical crisis involving his spouse (documented via **Verified Medical Certificate**). To launch a frivolous, procedurally void motion for sanctions under these circumstances exceeds all bounds of decency. Under *Bramlette v. Charter-Medical-Columbia*, 302 S.C. 68, the Respondents must be held liable for the intentional infliction of emotional distress caused by these predatory litigation tactics.

III. CONCLUSION: PROTECTING THE INTEGRITY OF THE TRIBUNAL

The Respondents' strategy is a "shell game": swap the attorney via a clerical order, skip the filing fee, and attempt to sanction the victim. Under *Chewning v. Ford Motor Co.*, 354 S.C. 303 (2003), this Court must exercise its inherent authority to punish fraud upon the court. The Appellant has remained 100% compliant with all rules and fees while under extreme duress; the Respondents have remained in default, deficiency, and deception.

WHEREFORE, Appellant Tony Williams moves this Court for an Order:

1. **DENYING** Respondents' deficient Motion for Sanctions;
2. **STRIKING** all filings by Michelle Gaston as the **Unauthorized Practice of Law**;
3. **AWARDING** Appellant deterrent sanctions and punitive damages for **Abuse of Process**; and
4. **REFERRING** Counsel of record to the **Office of Disciplinary Counsel (ODC)**.

Respectfully Submitted,

s/ **Tony Williams**

Appellant Pro Se / 100% Disabled Veteran

Dated: April 7, 2026