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**Apr 10 2026**

**SC Court of Appeals**

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

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Appeal from the Court of Common Pleas  
For Aiken County  
M. Anderson Griffith, Master-in-Equity  
Civil Action No. 2024-CP-02-00667  
**Appellate Case No. 2025-002452**

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Fuse 10, LLC,

Respondent

v.

Turner Development L.L.C., a/k/a Turner Development LLC, a/k/a Turner Development, LLC, Tracey D. Turner, The Case Company of SC LLC, South Carolina Department of Revenue, South Carolina Department of Employment and Workforce, W. Melissa Oden and James, H.R. Oden, Sr. as Trustees, or their successors in trust, under the W. Melissa Oden Revocable Trust, u/a/d April 30, 2016, a/k/a W. Melissa Oden Revocable Trust, Opportunities Afforded Plus, LLC, Ansermo L. Arthur, Parry Colbert, and Necole Allen,

Defendants,

of which Tracey D. Turner is the

Appellant,

and the The Case Company Of SC, LLC, and W. Melissa Oden, as Trustee of the W. Melissa Oden Revocable Trust, are

Respondents.

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**RETURN OF RESPONDENT W. MELISSA ODEN**  
**TO THE APPELLANT'S**  
**MOTION TO STAY APPEAL**

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*Attorney for the Respondent,  
Melissa W. Oden as Trustee of  
the W. Melissa Oden Revocable Trust*

TO: THE HONORABLE JUDGES OF THE SOUTH CAROLINA COURT OF APPEALS:

Respondent W. Melissa Oden, as Trustee of the W. Melissa Oden Revocable Trust responds to Appellant Tracey D. Turner's Suggestion of Bankruptcy and Motion to Stay Appeal under Rule 240 of the South Carolina Appellate Court Rules. Mr. Turner, individually requests that this appeal be stayed because a separate entity, Turner Development, LLC has a pending bankruptcy. But Mr. Turner identifies no authority to support the proposition that his individual appeal should be stayed, and actions against Mr. Turner, a non-debtor, are not subject to the automatic stay.

Mr. Turner could seek to invoke the bankruptcy court's jurisdiction and ask that court to stay this appeal. But that effort would almost certainly fail. In order to stay actions against a non-debtor, the non-debtor must show that the action would affect the bankruptcy estate. See, e.g. In re W.R. Grace & Co., 591 F.3d 164, 171 (3d Cir. 2009) (denying a stay because "the primary action between Higgins and Pacor would have no effect on the Manville bankruptcy estate, and therefore cannot establish 'related to' jurisdiction over that suit.") (citation and punctuation omitted). Here, Mr. Turner does no more than baldly claim that the issues as between Turner Development and Mr. Turner are "inextricably intertwined." That is far from clear.

Oden is concerned that Appellant's motion to stay is another effort at delaying enforcement of the judgment. Before Turner Development filed bankruptcy, Mr. Turner attempted to invoke his pro se appeal as a basis for forestalling execution of the judgment against Turner Development. When those efforts appeared doomed, Turner Development filed bankruptcy. The bankruptcy stay prevents any further enforcement efforts against Turner Development. To the extent Mr. Turner may seek to invoke the pendency of this appeal to prevent enforcement against Turner

Development if its bankruptcy case is dismissed or resolved without making Oden whole, Oden opposes the stay.

In any case, Oden expressly reserves all other rights, claims, motions, and defenses that are now or may become available with respect to this appeal.

Respectfully submitted,

/s/ Kyle B. Waddell

KYLE B. WADDELL

South Carolina Bar No.: 106095

*Attorney for the Respondent,*

*Melissa W. Oden as Trustee of the W.*

*Melissa Oden the W. Melissa Oden*

*Oden Revocable Trust*

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Augusta, Georgia  
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Defendants,

of which Tracey D. Turner is the

Appellant,

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Respondents.

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**CERTIFICATE OF SERVICE**

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I hereby certify that on April 10, 2026, I served the foregoing "RETURN OF RESPONDENT W. MELISSA ODEN TO THE APPELLANT'S MOTION TO STAY APPEAL"

on the following counsel and parties by e-mail pursuant to Rule 262(c)(3), SCACR:

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