

RECEIVED

Apr 10 2026

SC Court of Appeals

**From:** [Tony Williams](#)  
**To:** [Court Of Appeals Filings](#)  
**Cc:** [compliance@lowes.com](mailto:compliance@lowes.com); [Melling, Andrew](#); [Michelle Gaston](#); [ODCmail](#)  
**Subject:** MOTION TO VACATE AND STRIKE VOID ORDER  
**Date:** Friday, April 10, 2026 7:08:31 AM

---

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

## IN THE COURT OF APPEALS FOR SOUTH CAROLINA

**CASE NO: 2026-000317**

### **APPELLANT'S EMERGENCY MOTION TO VACATE AND STRIKE THE VOID ORDER OF APRIL 08, 2026, FOR EXTRINSIC FRAUD AND JURISDICTIONAL NULLITY**

#### **I. INTRODUCTION: THE NULLITY OF THE APRIL 8th ORDER**

The Appellant, Tony Williams, hereby moves this Court to **VACATE** and **STRIKE** its own Order dated April 08, 2026. This Order is a "Structural Error" predicated upon a physical impossibility and a jurisdictional fiction. The Court has ordered Appellant to pay for a transcript of a "**Ghost Hearing**" held on December 12, 2025, where **no court reporter was present**. Furthermore, the Order on appeal is a **Rule 58 nullity**, lacking the mandatory **Judicial Identification Code (JIC)**. This Court cannot enforce a deadline based on a document that does not legally exist within the Unified Judicial System.

#### **II. GROUNDS FOR VACATING AND STRIKING THE ORDER**

##### **1. The Doctrine of Physical Impossibility**

There is **no transcript to order**. Respondents intentionally waived a court reporter to insulate their **\$30,000,000.00 Certified Default** from appellate review. As Appellant clarified in the initial filing, the 10-day deadline to "provide proof of payment" to a non-existent reporter is a violation of Due Process under *Griffin v. Illinois*, 351 U.S. 12 (1956). You cannot be compelled to buy a ghost.

##### **2. Rule 58 and the "Missing JIC DNA"**

Under **Rule 58, SCRCP**, and *Upchurch v. Upchurch*, 367 S.C. 16 (2005), a judgment is ineffective until properly entered. The Circuit Court order lacks a **JIC electronic tracking code**. Petitioner alleges the signatures are **pasted fabrications**. An order that never legally entered the system cannot be the basis for an appellate mandate.

##### **3. The Jurisdictional Bar of Pending Recusal**

The December 12th hearing was presided over by a judge (Newman) with a **pending Motion for Recusal**. Under *State v. Murphy*, 322 S.C. 321 (1996), any action taken while a recusal is pending is **Void Ab Initio**. A void hearing cannot produce a valid transcript requirement.

##### **4. Lack of Standing of the Movant**

The "Return" which induced this Court to issue the April 8th Order was filed by an attorney (Melling) officially designated as "**Former**" (N) on the Supreme Court docket. An attorney with zero standing cannot trigger a Rule 207 transcript requirement.

### **III. CONCLUSION**

The April 08, 2026 Order is a "paper trap" built on a foundation of sand. Appellant moves this Court to **STRIKE** the Order from the record and **VACATE** the 10-day deadline. The only legitimate document in this chain is the **Certified Default**. This Court must move to the merits of the **Summary Reversal** and cease the enforcement of a jurisdictional nullity.

**Respectfully Submitted,**

**s/ Tony Williams**

*Petitioner Pro Se*