

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Greenwood Mills, Inc.,

Respondent,

Rodney White,

Appellant

**RECEIVED**

**APR 13 2026**

**SC Court of Appeals**

Appellate Case No.: 2025-000569

**APPELLANT'S REPLY TO RESPONDENT'S RETURN IN OPPOSITION TO MOTION FOR  
EXTENSION OF TIME**

COMES NOW, the Appellant, Rodney White, pro se, and respectfully submits this Reply to Respondent's Return in Opposition to Appellant's Motion for Extension of Time, and shows this Honorable Court the following:

**1. RESPONDENT MISCHARACTERIZES THE RECORD AND APPELLANT'S CONDUCT**

Respondent's motion is premised on a fundamentally inaccurate portrayal of both the procedural history of this appeal and Appellant's conduct.

Respondent asserts that Appellant has "weaponized the legal system" through delay. This assertion is unsupported and ignores the critical facts of this case.

The timeline relied upon by Respondent reflects actions taken by Appellant's former appellate counsel— matters entirely outside of Appellant's control. Counsel requested extensions, filed the Initial Brief and Designation of Matter at the last possible moment, and then immediately moved to withdraw, thereafter withdrawing those filings.

This sequence of events left Appellant without representation at the most critical stage of the appeal and forced him to proceed pro se under the threat of dismissal. Any delay resulting from these circumstances cannot fairly be attributed to Appellant.

## **2. EXTRAORDINARY CIRCUMSTANCES EXIST AND HAVE PREJUDICED APPELLANT**

Respondent's claim that Appellant has failed to demonstrate extraordinary circumstances is incorrect,

Appellant's appellate counsel withdrew in the middle of the appeal after filing and then withdrawing the Initial Brief and Designation of Matter.

This left Appellant in the position of having to restart the appellate process without representation, without prior filings, and without legal training.

Appellant made diligent efforts to secure replacement counsel but was unable to do so due to the complexity and posture of the case.

Appellant was therefore forced to proceed pro se in a matter that is challenging even for experienced appellate attorneys,

These circumstances constitute extraordinary circumstances and have significantly prejudiced Appellant's ability to comply with appellate deadlines.

This only justify relief under Rule 2 SCACR, which permits this Court to suspend procedural rules to prevent injustice.

## **3. APPELLANT HAS ACTED DILIGENTLY TO PRESERVE THIS APPEAL**

Contrary to Respondent's assertions, Appellant has acted diligently and in good faith throughout this process.

Despite being abandoned by counsel and required to reconstruct the appeal from the ground up, Appellant has:

Continued to pursue the appeal;

Filed necessary pleadings.

Worked to assemble and finalize the Record on Appeal.

Requested only limited extensions necessary to comply with the Rules.

This is not delay—it is diligence under extraordinary circumstances.

Courts routinely consider a party's diligence when evaluating procedural issues. See *State v. Serrette*, 375 S.C.650, 645, S.E., 2d 544(Ct.App.2007) (placing burden on litigants to comply with rules, but recognizing context of compliance). Here, Appellant has made good faith efforts to comply under unusually difficult).

These circumstances were entirely beyond Appellant's control.

#### **4. RESPONDENT'S OWN CONDUCT CONTRIBUTED TO THE DELAY AND PREJUDICE NOW COMPLAIN OF**

Respondent fails to acknowledge its own conduct, which directly contributed to the difficulties Appellant now faces.

On or about April 9, 2025, Respondent entered the property that is the subject of this appeal without notice, without a lawful writ, and without authorization from this Court while the matter was pending on appeal. During this entry, Appellant's personal property—including documents necessary for the preparation of the Record on Appeal—were removed and discarded in trash dumpsters.

The evidence demonstrates;

The mass disposal of property;

The absence of any preservation of materials;

The conditions under which Appellant's documents and records were discarded;

The substantial likelihood that materials necessary for the preparation of the Record on appeal were lost or destroyed.

"Due to the large dumpsters in front of the building the US Postal Service has deemed the property vacant Appellant has been having difficulties receiving mail. A lot of mail has been returned to sender."

As a direct result:

Appellant was forced to reconstruct portions of the record;

Preparation of the Record on Appeal was significantly hindered.

Respondent cannot create the conditions that hinder Appellant's compliance with appellate procedures and then seek to benefit from those same conditions.

Rigid enforcement of procedural rules under these circumstances particularly where Respondents own conduct constituted to the delay would result in manifest injustice. Respondent has not identified any concrete prejudice, and none exists

##### **5. RESPONDENT SEEKS TO AVOID REVIEW ON THE MERITS**

Respondent requests that this Court:

Deny any further extensions;

Strike Appellant's reply brief; and

Limit further proceedings based on procedural deadlines.

Such relief is unwarranted. The delay if any was minimal and caused no prejudice to the Respondent, Striking the reply brief would instead result in substantial prejudice to the Appellant by preventing this Court from considering his full arguments.

These requests are not aimed at achieving a fair resolution, but rather at preventing this Court from conducting a full review of the merits.

South Carolina courts favor resolution of cases on the merits rather than procedural technicalities.

Thomas v. Grayson, 318 S.C. 82, 456 S.E.2d 377 (1995).(emphasizing preference for resolving cases on their merits)

Striking the reply brief would result in substantial prejudice to the Appellant while providing Respondent an unwarranted procedural advantage.

## **6. RULE 2, SCACR IS VALID AND APPLICABLE**

Respondent asserts that Appellant invokes an "unknown Rule 2." This assertion is incorrect.

Rule 2, SCACR expressly grants this Court the authority to suspend procedural rules where necessary to prevent injustice.

It is a fundamental and well-established provision of the appellate rules.

Respondent's characterization of Rule 2 as "unknown" ignores both the plain language of the rule and this Court's inherent authority.

## **7. RESPONDENT HAS FAILED TO SHOW ANY PREJUDICE**

Respondent asserts prejudice but provides no factual basis.

A limited extension of time to allow Appellant to properly finalize the Record

on Appeal does not impair Respondent's rights or alter the posture of the case.

By contrast, denial of such an extension would severely prejudice Appellant.

## **8. RESPONDENT'S CONDUCT REFLECTS A PATTERN OF DISREGARD FOR THIS COURT'S AUTHORITY**

Respondent's actions during the pendency of this appeal further undermine its position.

After wrongfully evicting Appellant without lawful authority while this matter was pending on appeal, Respondent sought to retroactively legitimize those actions by filing a Rule 60 motion. That effort failed. Respondent then proceeded in Magistrate Court and obtained a writ of ejectment, which was subsequently stayed upon recognition of this Court's jurisdiction.

This sequence reflects a pattern of attempting to use judicial processes to justify prior wrongful conduct and to gain advantage while this matter remained under the jurisdiction of this Honorable Court.

#### **9. RESPONDENT'S CHARACTERIZATION OF APPELLANT IS IMPROPER, PREJUDICIAL, AND UNSUPPORTED BY THE RECORD**

Respondent's assertion that Appellant has "weaponized the legal system" is

unsupported by the record and improperly prejudicial.

This characterization attempts to portray Appellant as acting in bad faith, when the record demonstrates the opposite. Appellant has been forced to proceed under extraordinary circumstances, including the withdrawal of appellate counsel, the loss of prior filings, and the need to reconstruct the Record on Appeal.

South Carolina courts have long recognized that cases should be decided on their merits and not on improper or unsupported characterizations of a party's conduct. See *Thomas v. Grayson*, 318 S.C. 82, 456 S.E.2d 377 (1995).

Further, appellate courts possess inherent authority to ensure fairness in proceedings and to disregard arguments that are not supported by the record. See Rule 2, SCACR.

Respondent's statement is not supported by any evidence and serves only to shift focus away from the extraordinary circumstances that have impacted this appeal. To the extent Respondent seeks to influence this Court's view through such unsupported assertions, those arguments should be afforded no weight.

The record reflects diligence—not abuse—by Appellant. Any delays in this matter arise from circumstances beyond Appellant’s control, including the actions of prior counsel and Respondent’s own conduct.

Accordingly, Respondent’s characterization is improper and should be disregarded by this Court.

## **CONCLUSION**

This appeal is not defined by delay—it is defined by extraordinary circumstances, attorney abandonment, and prejudice compounded by Respondent's own conduct.

Appellant did not create these circumstances. When former appellate counsel presented Appellant with the option to withdraw the Initial Brief and Designation of Matter due to their misleading and damaging nature, Appellant agreed in order to prevent further prejudice to his appeal. That decision, made in good faith, resulted in Appellant being forced to restart the appellate process without representation and without the benefit of those filings.

Despite these obstacles, Appellant has acted diligently to preserve his appeal and comply with the Rules. At the same time, Respondent has attempted to capitalize on these circumstances while engaging in conduct that further prejudiced Appellant and undermined the appellate process.

The integrity of the appellate process requires more.

This Court is not merely an arbiter of deadline, it is the guardian of fairness, due process, and the orderly administration of justice. Rule 2, SCACR exists precisely for circumstances such as these, where rigid application of procedural rules would produce an unjust result.

To deny Appellant the limited relief requested would not promote efficiency

it would reward circumstances beyond Appellant's control and permit the very conduct that undermined this appeal to go unchecked.

This Court should decline to allow that result.

Justice requires that this appeal be decided on its merits—not extinguished by circumstances beyond Appellant's control.

**WHEREFORE**, Appellant respectfully requests that this Court:

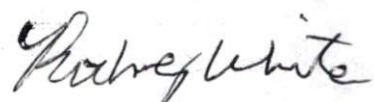
Deny Respondent's request to prohibit further extensions;

Deny Respondent's request to strike Appellant's reply brief;

Grant Appellant's Motion for Extension of Time; and

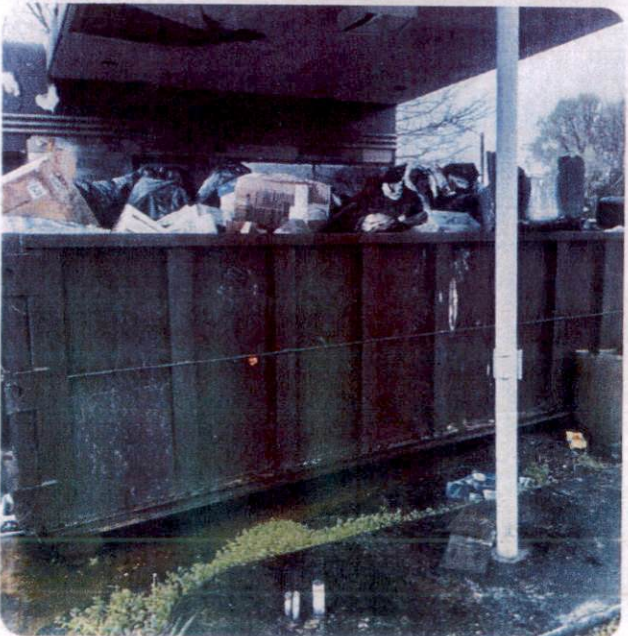
Grant such other and further relief as this Court deems just and proper.

April 12, 2026



Respectfully submitted,  
Rodney White  
Appellant, Pro Se  
341 Maxwell Ave  
Greenwood SC 29646

This exhibit is submitted in support of Appellant's Reply to Respondent's Return in Opposition to Motion for Extension of Time and in further support of the Affidavit of Appellant, Rodney White, and reflects the condition and disposition of personal property and materials relevant to the issues presented before this Court.



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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served upon counsel for Respondent:

Brandon A. Smith

Law Offices of Brandon A. Smith, LLC

104 Maxwell Ave, S

Greenwood, SC 29646

✓by U.S. mail ] this 13 day of Apri 2026.

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