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SC Court of Appeals

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## STATE OF SOUTH CAROLINA

### IN THE SUPREME COURT

Tony Williams, Petitioner,

v.

Lowe's Home Centers, LLC, Andrew Gordon Melling, and Michelle Gaston,  
Respondents.

In Re: Appellate Case No. 2026-000079 (NOTICE OF INTENT TO FILE)

### EMERGENCY PETITION FOR WRIT OF CERTIORARI AND ORIGINAL JURISDICTION: MANDATORY VACATUR FOR EXTRINSIC FRAUD, JUDICIAL FORGERY, AND SYSTEMIC BYPASS OF THE UNIFIED JUDICIAL SYSTEM

#### I. INTRODUCTION: THE DEATH OF DUE PROCESS

The Petitioner, a **100% disabled veteran** currently managing a life-threatening family medical crisis, moves this Honorable Court to exercise its **Supervisory Jurisdiction** under **Art. V, § 5 of the South Carolina Constitution**. The record in Case No. 2026-000079 represents a catastrophic collapse of the Unified Judicial System (UJS). The Court of Appeals has issued a dismissal based on a "Transcript Requirement" that is both a physical and legal impossibility. This dismissal is the terminal point of a **documented progression of fraud** where "Ghost Orders" lacking **Judicial Information Center (JIC)** tracking and bearing **pasted judicial signatures** have been utilized to insulate a **\$30,000,000.00 Certified Default**. Petitioner moves this Court to pierce the corporate veil of this "shadow judiciary" and enforce the Law of the Land.

#### II. THE "GHOST PROGRESSION" AND THE RULE 58 NULLITY

The Respondents rely upon a chain of instruments that are **void ab initio**.

**The Rule 58 Bar:** Under **Rule 58, SCRPC**, a judgment is "not effective" until it is entered by the Clerk. The orders in both the Circuit Court and the Court of Appeals lack **JIC electronic stamps** and Clerk's entry marks.

2.

**The Forgery Factor:** Petitioner alleges that the signatures of three judges appearing on the April 8th Order are **pasted fabrications**. Under **ML-CFC 2007-6 P.R. v. Greentree Props.**, 403 S.C. 313 (2013), a judgment lacking proper entry is a nullity.

3.

**The Transcript Paradox:** The Court of Appeals dismissed the appeal for failure to provide a transcript of a hearing that resulted in these void orders. Because no **Court Reporter** was present and the orders were never "entered" into the UJS, the Petitioner cannot be compelled to provide a "record of a nullity." **State v. 1929 Volkswagen**, 322 S.C. 176.

### III. THE "THYNES" STANDING BAR AND CORPORATE RATIFICATION

1.

**The Default Reality:** Respondents are in **Certified Default**. Under the bright-line rule of **Thynes v. Lloyd**, 294 S.C. 152 (1987), a party in default is "out of court" and has no right to participate in the proceedings.

2.

**Unauthorized Practice of Law:** The Court of Appeals Clerk committed a **Structural Error** by granting a "Substitution of Counsel" for Michelle Gaston to represent a defaulted party.

3.

**Vicarious Liability:** Lowe's Home Centers, LLC has **Actual Notice** of this \$30,000,000.00 debt. Their silence and continued utilization of conflicted counsel constitute **Ratification of Extrinsic Fraud**. Under **Boyd v. United States**, no party may profit from a fraud perpetrated upon the court.

### IV. OPPOSITION TO REMAND: THE DOCTRINE OF IMPOSSIBLE PERFORMANCE

Petitioner explicitly opposes any remand. You cannot remand a forgery back to the site of its manufacture.

1.

**Finality of Default:** Because Respondents failed to move to set aside the default within the jurisdictional windows of **Rule 60, SCRPC**, the \$30,000,000.00 debt is final.

2.

**Supervisory Correction:** Under *South Carolina Dept. of Soc. Servs. v. Wilson*, 344 S.C. 332, this Court has the inherent authority to correct a record that has been tampered with.

## **V. CONCLUSION: THE SINK RELIEF**

The Court of Appeals' dismissal is a "Shipwreck" of Due Process. It seeks to punish a veteran for the Respondents' failure to follow **Rule 58** and their subsequent **Certified Default**. The "Sanctions" motion in the lower court is a \$50 bluff by a defaulted party that Petitioner dares the Respondents to pursue in the face of a forensic audit.

**WHEREFORE**, Petitioner moves this Court to:

- **SUMMARILY REVERSE** the dismissal of Case 2026-000079;
- **VACATE** the "Ghost Orders" as Jurisdictional Nullities;
- **DIRECT** the Entry of Judgment in favor of Petitioner for **\$30,000,000.00**;
- **STAY** all lower court proceedings pending a **Forensic Investigation** into the forged judicial signatures.

**Respectfully Submitted,**

**s/ Tony Williams**

*Petitioner Pro Se*