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SC Court of Appeals

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Subject: OMNIBUS MOTION PURSUANT TO RULE 240, SCACR:
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STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Tony Williams, Appellant,

v.

Lowe's Home Centers, LLC, et al., Respondents.

Appellate Case Nos.: 2026-00317 & 2026-00079

(Consolidated for Purposes of This Filing)

**APPELLANT'S OMNIBUS MOTION PURSUANT TO RULE 240,
SCACR: MOTION TO VACATE VOID ORDERS, STRIKE
UNAUTHORIZED FILINGS, AND ENTER SUMMARY REVERSAL
FOR EXTRINSIC FRAUD**

I. INTRODUCTION: THE FORENSIC COLLAPSE OF THE RECORD

The integrity of these consolidated appeals has been compromised by a systemic "Identity Split" and the procurement of "Ghost Orders" through unauthorized representation. The record now contains a fatal contradiction that no amount of "procedural grooming" can resolve. On April 8, 2026, an Order was issued purportedly "considering" the Respondents' Return. However, on April 13, 2026, the Clerk of this Court officially "**declined to take action**" on that same Return.

This is a forensic impossibility. A court cannot "consider" a filing for a ruling on the 8th if the Clerk officially rejects that same filing on the 13th. This discrepancy, combined with the "**Status N**" (**Former**) designation of counsel and the felony **Unauthorized Practice of Law (UPL)** by proposed substitute counsel, renders the current record a nullity. Appellant, a 100% disabled veteran currently managing a life-threatening family medical crisis, respectfully moves this Court to restore judicial integrity by vacating all fraudulent entries and enforcing the **\$30,000,000.00** Certified Default.

II. ARGUMENT AND AUTHORITIES

1. The April 13 Letter as Evidence of Extrinsic Fraud

The Clerk's letter dated April 13, 2026, serves as a judicial admission that the Respondents'

filings are deficient. Under *Chewing v. Ford Motor Co.*, 354 S.C. 72 (2003), relief is mandatory where "fraud upon the court" subverts the judicial process. The procurement of an order based on a "declined" filing is the definition of extrinsic fraud.

2. Felony Unauthorized Practice of Law (UPL) and Rule 11

The record confirms that Andrew Melling is "**Status N**" (**Former**) and no Order of Substitution has been signed for Michelle Gaston.

- **The Violation:** Gaston's execution of a "Motion for Sanctions" and the "Grooming" of the Beaufort Public Index (Case 01325) while unauthorized constitutes a felony under **S.C. Code § 40-5-310**.
- **The Signature Bar:** Under **Rule 11, SCRPC**, a motion signed by a non-attorney of record is a nullity. Gaston is a "procedural interloper" with no standing to move for sanctions or any other relief.

3. Jurisdictional Divestiture and the May 5th Nullity

Respondents seek to utilize a May 5, 2026, hearing to "fix" a fraudulent record. Pursuant to **Rule 205, SCACR**, and *State v. Murphy*, 348 S.C. 629 (2002), this Court has **Exclusive Jurisdiction**. The Circuit Court is divested of authority to rule on substitutions or "re-issue" orders while the case is **Held in Abeyance**. Any proceeding on May 5th is a **Jurisdictional Nullity**.

4. Standing: The "Out of Court" Rule

Under *Thynes v. Lloyd*, 294 S.C. 152 (1987), a party in default is "out of court." Respondents' silence in Case 01666 resulted in an admitted liability of **\$30,000,000.00** per *Rhodes v. Rhodes*, 273 S.C. 266 (1979). They cannot utilize unauthorized "Ghost Counsel" to regain standing they forfeited three years ago.

5. The Eggshell Skull Doctrine and Outrageous Conduct

Respondents have intentionally escalated procedural fraud while Appellant's wife is hospitalized following emergency blood transfusions. Under *Bramlette v. Charter-Medical-Columbia*, 302 S.C. 68 (1990), Respondents are liable for the total physical and emotional collapse of the Appellant caused by their systemic bad faith.

III. CONCLUSION: A DEMAND FOR FINALITY

The "Ghost" has been caught in the machine. The Respondents are in Default, their counsel is unauthorized (Status N), and their filings have been officially "declined" by the Clerk. There is no active defense on the record.

WHEREFORE, Appellant respectfully demands:

1. **Immediate Vacatur** of the April 8, 2026 Ghost Order;
2. **A Writ of Prohibition** staying the unauthorized May 5, 2026 hearing;
3. **Summary Reversal** and entry of judgment for **\$30,000,000.00**; and
4. **A Referral to the ODC** for the felony Unauthorized Practice of Law by counsel.

Justice delayed is justice denied.

Respectfully Submitted,

s/ Tony Williams

Appellant Pro Se / 100% Disabled Veteran

Dated: April 15, 2026