THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM RICHLAND COUNTY Court of Common Pleas

The Honorable Daniel Coble, Chief Administrative Judge

Civil Action No.: 2026-CP-40-00645

Appellate Case No.: 2026-000348

Ubong Christopher Ubokudom.....**Appellant**,

v.

University of South Carolina .....**Respondent**.

BRIEF OF APPELLANT

Ubong Christopher Ubokudom P.O. Box 1594 Columbia, SC 29202 *(Pro Se Appellant)*

Jacob Alan Biltoft 3700 Forest Dr., Suite 404, Columbia, SC 29204 *(Counsel for Respondent)*

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STATEMENT REGARDING TRANSCRIPT

(Pursuant to Rule 210(h), SCACR)

In accordance with **Rule 210(h) of the South Carolina Appellate Court Rules**, Appellant hereby certifies that there is no transcript of proceedings or testimony from the lower court for inclusion in this Record on Appeal.

No hearing was held, and no oral testimony was taken by the Circuit Court regarding the Emergency Motion for a Temporary Restraining Order or the Petition for Writ of Mandamus prior to this appeal. The "constructive denial" of relief and the administrative delay being appealed occurred without a formal record of proceedings in the trial court. Consequently, the Record on Appeal consists entirely of the pleadings, motions, and documentary evidence filed with the Richland County Clerk of Court.

Respectfully,

/s/ Ubong Christopher Ubokudom
Ubong Christopher Ubokudom
P.O. Box 1594 Columbia, SC 29202
Plaintiff Pro Se

Dated: April 17, 2026

THE STATE OF SOUTH CAROLINA IN THE COURT OF APPEALS

Ubong Christopher Ubokudom, Appellant, v. **The University of South Carolina**, Respondent.

Appellate Case No.: 2026-000348 (Lower Court Case No.: 2026-CP-40-00645)

APPELLANT'S BRIEF

I. STATEMENT OF ISSUES ON APPEAL

1. Did the Trial Court err in failing to grant emergency relief when Respondent's own sworn affidavits and subsequent Deemed Admissions conclusively established that Appellant was 'accepted and registered for classes,' thereby creating a ministerial duty for the court to **enjoin the Respondent from continuing to report factually and legally inconsistent enrollment data** to third-party agencies?
2. Did the Trial Court's failure to hold a hearing on an Emergency TRO for over 70 days constitute a **constructive denial** of access to the courts, effectively extinguishing Appellant's constitutional right to a 'speedy remedy' under **S.C. Const. Art. I, § 9**?
3. **Denial of Constitutional Right to Remedy:** Did the Trial Court err and violate S.C. Const. Art. I, § 9 by failing to hold a hearing on an Emergency TRO over 70 days, thereby denying Appellant a "speedy remedy" for an ongoing harm?
4. **Failure to Recognize Deemed Admissions (Rule 36):** Did the Trial Court err by failing to recognize that Respondent's total failure to answer Requests for Admission resulted in "Deemed Admissions" under Rule 36, SCRCP, which resolved all factual disputes regarding Appellant's registration and the inaccuracy of the reporting to LSAC? (R. at 86-90.), (R. at 91.), (R. at 92-95.), (R. at 96-97.), (R. at 98-101.), (R. at 102-119.).
5. **Breach of Ministerial Duty:** Does a state institution have a non-discretionary, ministerial duty to accurately report a student's status as "registered" when that institution has admitted that fact in a sworn affidavit and via operation of Rule 36?
6. **Error in Withholding Injunctive Relief:** Did the Trial Court err by refusing to grant a TRO or Preliminary Injunction when the Deemed Admissions removed all factual disputes, establishing a "likelihood of success on the merits" as a matter of law?
7. Did the Trial Court err by failing to grant emergency relief where the record—specifically the Respondent's own internal communications—establishes that the refusal to correct the records was an intentional and outrageous act of administrative gatekeeping, performed with the knowledge that it would professionally 'destroy' Appellant's career and interfere with the protection of a minor child, thereby meeting the threshold for Intentional Infliction of Emotional Distress as a matter of law?
8. **Failure to Order Repayment of $961.00:** Did the Trial Court err by failing to order the immediate return of the $961.00 payment, given that the Deemed Admissions establish

the Respondent failed to fulfill its contractual obligation to provide an accurate record to LSAC?

9. **The "Promissory Estoppel" Issue:** Did the Trial Court err in failing to enjoin the Respondent from withholding records after Respondent accepted a $961.00 payment under the specific promise of release, thereby establishing a claim for Promissory Estoppel and Breach of Contract accompanied by a Fraudulent Act?
10. Did the Trial Court err by failing to recognize that Respondent's total failure to answer Requests for Admission resulted in "Deemed Admissions" under Rule 36, SCRCP, which resolved all factual disputes requiring that the pleadings accurately reflect the harm inflicted on the Appellant and his minor daughter, and that the motion for leave to amend the second complaint and the motion for leave to supplement the second complaint should be adopted; did this administrative delay constitute an abuse of discretion by preventing and /or delaying the amendment and supplementation of pleadings that are now supported by settled facts?
11. Whether the Trial Court committed an abuse of discretion and an error of law by failing to grant leave to amend and supplement the Complaint under Rule 15, SCRCP, where the underlying facts are now conclusively established by operation of Rule 36, SCRCP; thus rendering the proposed amendments essential to align the pleadings with the established evidence, narrowing the remaining triable issues solely to the assessment of damages and thereby necessitating updated pleadings to reflect the current legal posture of the case and facilitate an expedited trial on damages?
12. **Failure to Expedite Final Judgment:** Did the Trial Court err by failing to hold a status conference or expedite the trial when the only remaining issue, following the Deemed Admissions, is the assessment of damages?
13. The Trial Court Erred in Failing to Grant a Preliminary Injunction Where Likelihood of Success is Established by Deemed Admissions?

II. STATEMENT OF THE CASE

1. This appeal arises from an emergency petition for a Writ of Mandamus and Injunctive Relief, filed on February 17,2026. Appellant sought to compel the University of South Carolina (USC) to accurately report his enrollment status as "Registered/Withdrawn" rather than "Never Enrolled." Despite Appellant providing physical evidence of enrollment (University ID (R. at 192.) and Housing Contract) and Respondent admitting to his registration in sworn affidavits, the Trial Court failed to hold a timely hearing or grant relief, causing Appellant to miss critical Law School Admission Council (LSAC) deadlines.
2. On February 17, 2026, appellant filed a Petition for Writ of Mandamus after a Motion for an Emergency Temporary Restraining Order (TRO) was denied due lack of proof of

service in the Court of Common Pleas for Richland County. The action sought to compel the Respondent, the University of South Carolina ("USC"), to correct its administrative records and cease the defamatory reporting of appellant as "Never Enrolled" to the Law School Admission Council (LSAC).

3. On February 13, 2026, the trial court issued an order denying the Emergency TRO on procedural grounds, citing a lack of proof of service. Despite the Trial Court's citation of a lack of service, the Court's own electronic notification records on February 13, 2026, confirm that Respondent was duly served, rendering the procedural denial an error of fact. However, Respondent had been served , which was evident in the electronic notifications represented in the Judge's orders on February 13, 2026. (R. at 41-45) and (R. at 33-40.)
4. Plaintiff filed another Renewed Emergency TRO (R. at 46-53,) on February 13, 2026, however, following the trial court's failure to schedule an emergency hearing and the subsequent administrative paralysis in the lower court, Appellant sought relief from this Court via an Emergency Petition for Writ of Mandamus and Motion for TRO on February 17, 2026. Despite Appellant's repeated attempts—totaling no fewer than fifteen (15) separate communications—to coordinate a briefing schedule and hearing with Respondent's counsel, Respondent remained non-responsive until the filing of its Return for the emergency petition for a Writ of Mandamus on February 27, 2026. (R. at 54-84.)
5. On February 20, 2026, Appellant filed a motion to leave to amend a Second Amended Complaint and on February 25,2026 the Appellant filed a motion to leave to supplement the second amended complaint increasing the prayer for relief to $1,000,000,000.00 to reflect the escalating reputational damage, the destruction of Appellant's professional career path caused by Respondent's continued misrepresentations, and the irreparable harm done to the appellant's minor daughter.
6. Since the inception of the lower court action on February 13, 2026, Appellant has filed no fewer than ten (10) motions—including a motion for a TRO, evidentiary hearing request, amended scheduling and expedited trial, status conference request, and other related motions. Despite the life-altering nature of the deadlines involved (the Fall 2026 Law School admission cycle), the Trial Court has issued a ruling on only two motions, leaving the vast majority of Appellant's prayers for relief unanswered for over 70 days, (Original summons and complaint filed on February 3, 2026). (R. at 146-149.)
7. Additionally, I have sent more than 10 emails asking for the motions to be added to the roster for the May 4th hearing and after months the roster was only updated yesterday, on April 16, 2026.
8. Furthermore, the May 4, 2026, hearing offers no guarantee of a meaningful appellate record. Despite Appellant's formal requests to the administrative staff of the Fifth Judicial Circuit to ensure the presence of a court reporter—a necessity for preserving the record on admitted facts—those requests have been met with silence. Without a court reporter, any proceeding on May 4, 2026 would fail to provide a record suitable for review, further

illustrating that the lower court's current path offers an illusory remedy rather than a substantive adjudication of the conclusively established facts.

9. On March 9, 2026, this Court denied Appellant's initial Petition for an Emergency Writ of Mandamus, suggesting that a remedy remained available in the lower court. However, in light of significant new developments, that remedy has proven illusory. (R. at 193-194.)
10. **Specifically, on April 7, 2026, Respondent's liability became "conclusively established" by operation of Rule 36, SCRCP. Despite this shift from a factual dispute to a settled legal matter, the Trial Court continues to adhere to a scheduling delay that ignores these admissions. This administrative paralysis constitutes a constructive denial of Appellant's right to be heard and a failure to provide the relief now warranted by law.**
11. On April 15, 2026, Appellant filed a Motion for an Amended Scheduling Order and Expedited Trial in the Circuit Court, asserting that because liability is now conclusively established under Rule 36(b), SCRCP, the standard discovery schedule is obsolete and an expedited trial is necessary to prevent the expiration of Appellant's career opportunities.
12. Appellant's attempts to resolve this dispute began in November 2025, when he first notified the University of the urgent need for a corrected transcript to facilitate his law school applications and his preparation for the January 2026 LSAT. Despite being put on notice of these high-stakes academic deadlines, Respondent maintained a demonstrably false record. Consequently, Appellant was forced to sit for the LSAT on January 8, 2026, and the written portion on January 12, 2026, under extreme administrative duress, as he was simultaneously battling the University's bad-faith refusal to report his enrollment status accurately.
13. On April 16, 2026, the Trial Court finally updated the motion roster to include Appellant's pending motions for the hearing on May 4, 2026. However, this setting provides no immediate relief and constitutes an abuse of discretion. Because Respondent's liability and the falsity of its records were **conclusively established on April 7, 2026, under Rule 36(b)**, there is no longer a factual dispute to 'hear.' Every day that passes between the April 7th admissions and a May 4th hearing is a day where Respondent is permitted to maintain a confessed lie on Appellant's record, further jeopardizing the appellant's law school candidacy and federal legal obligations. Where the truth is admitted, justice delayed is justice denied; a hearing set weeks after a conclusive admission is an illusory remedy that fails to address the ongoing, irreparable harm. Setting a hearing nearly a month after a conclusive legal admission—during which time Appellant continues to be barred from academic and professional opportunities—constitutes a constructive denial of due process.

III. STANDARD OF REVIEW

A. Preliminary Injunction

1. The decision to grant or deny a preliminary injunction is within the sound discretion of the trial court and will not be disturbed on appeal absent an abuse of discretion. County of Richland v. Simpkins, 348 S.C. 664, 560 S.E.2d 902 (Ct. App. 2002). An abuse of discretion occurs when the trial court's decision is "unsupported by the evidence or controlled by an error of law." Id. > To obtain a preliminary injunction, a party must demonstrate: (1) irreparable harm will occur without the injunction; (2) a likelihood of success on the merits; and (3) an inadequacy of a remedy at law. AJG Holdings, LLC v. Dunn, 382 S.C. 43, 674 S.E.2d 505 (Ct. App. 2009). When a trial court fails to grant relief despite a clear showing of these factors—particularly where a likelihood of success is established by judicial admissions—it constitutes an abuse of discretion.
2. Following the Respondent's failure to provide timely or legally sufficient responses to discovery, Appellant filed a **Motion to Determine Sufficiency of Answers/Responses under Rule 36(a), SCRCP (R. at [Page #])**. This motion explicitly requested that the Trial Court formalize the 'deemed admitted' status of facts regarding Appellant's registration and attendance. Despite the clear mandate of the Rules of Civil Procedure, the Trial Court has failed to rule on this motion, allowing the Respondent to continue reporting a 'No Record' status to the LSAC in direct contradiction to the operation of law. (R. at 191.)

B. Writ of Mandamus To obtain a Writ of Mandamus, the Appellant must show: (1) a specific right to the performance of the duty outlined; (2) that the duty is ministerial rather than discretionary; and (3) that no other adequate remedy at law exists. Redmond v. Lexington County Sch. Dist. No. Four, 314 S.C. 431, 445 S.E.2d 441 (1994).The grant or denial of a writ of mandamus is reviewed for an abuse of discretion." Gause v. Doe, 317 S.C. 39, 451 S.E.2d 408 (Ct. App. 1994). Under **Rule 240, SCACR**, this Court maintains the judicial authority to issue Extraordinary Writs, including the Writ of Mandamus, to compel a lower court or public official to perform a ministerial act. To entitle a party to a Writ of Mandamus, there must be (1) a specific legal right, (2) a corresponding neglected duty on the part of the Respondent, and (3) no other adequate legal remedy. *See Redmond v. Lexington Cnty. Sch. Dist. No. Four*, 314 S.C. 431, 445 S.E.2d 441 (1994). See **Ex parte Littlefield**, 343 S.C. 212, 540 S.E.2d 81 (2000). A Writ of Mandamus is the proper and necessary remedy to compel a public official to perform a ministerial act which that official has otherwise refused to perform. *See Willis v. Town of Mt. Pleasant*, 293 S.C. 399, 360 S.E.2d 516 (1987). In the present case, the maintenance and certification of accurate enrollment records is a purely ministerial duty of the University Registrar. There is no administrative discretion involved in accurately reporting a student's attendance once the requirements for enrollment and payment have been met. Because the

Respondent has refused to perform this non-discretionary duty despite conclusive evidence of payment and registration, Mandamus must issue to prevent further irreparable harm.

Here, the requirements of Rule 240 are met. The Respondent's duty to maintain accurate records is ministerial and non-discretionary. Because the Trial Court has failed to rule on motions intended to correct admissions that are now established by law, Appellant has no other adequate remedy to prevent the imminent destruction of his professional career. Consequently, the issuance of a Writ under Rule 240 is necessary to ensure the administration of justice.

C. Rule 36 Admissions

The application of the South Carolina Rules of Civil Procedure, specifically the conclusive effect of admissions under Rule 36, is a matter of law. Appellate courts review questions of law de novo. Town of Summerville v. City of N. Charleston, 378 S.C. 107, 662 S.E.2d 40 (2008). **Under Rule 36(b), SCRCP, any matter admitted is "conclusively established" unless the court, on motion, permits withdrawal or amendment of the admission. Because the effect of a "deemed admission" is self-executing and mandatory, an appellate court owes no deference to a trial court's failure to recognize its conclusive effect.**

D. Leave to Amend Pleadings (Rule 15, SCRCP)

The decision to grant or deny a motion to amend a complaint is within the sound discretion of the trial court and will not be disturbed on appeal absent an abuse of discretion." Foggie v. CSX Transp., Inc., 315 S.C. 17, 431 S.E.2d 587 (1993). An abuse of discretion occurs when the ruling is "controlled by an error of law or is without evidentiary support." Id. **Rule 15(a), SCRCP, mandates that leave to amend "shall be freely given when justice so requires." Where the proposed amendments seek to conform the pleadings to facts conclusively established under Rule 36, SCRCP, a refusal to grant leave—or a failure to rule on such a motion—is an abuse of discretion as it prevents the fair and efficient administration of justice.**

E. Constitutional Questions (Access to Courts)

"The determination of the constitutionality of a statute or the deprivation of a constitutional right is a question of law." State v. Brown, 317 S.C. 55, 451 S.E.2d 888 (1994). Questions of law are reviewed de novo, and the appellate court may make its own findings of fact in accordance with its view of the preponderance of the evidence. S.C. Dep't of Soc. Servs. v. Polite, 391 S.C. 275, 705 S.E.2d 78 (Ct. App. 2011).

F. Intentional Infliction of Emotional Distress (IIED)

"Whether the conduct may reasonably be regarded as so extreme and outrageous as to permit recovery is a question for the court." Shipman v. Glenn, 314 S.C. 327, 443 S.E.2d 921 (Ct. App. 1994). When a trial court fails to address a claim of outrageous conduct in an emergency posture, the appellate court reviews the legal sufficiency of the claim de novo.

G. Restitution and Unjust Enrichment

"An action for restitution is an equitable claim, and the standard of review for an equitable creation is the much broader de novo standard." Regions Bank v. Wingard Props., Inc., 394 S.C. 241, 715 S.E.2d 348 (Ct. App. 2011). Under this standard, the appellate court may find facts in accordance with its own view of the preponderance of the evidence.

H. Management of the Docket and Expedited Trial

"While a trial court has broad discretion over its docket, an abuse of discretion occurs when the court's failure to act is controlled by an error of law or results in the effective denial of a legal right." Cf. State v. Langford, 400 S.C. 284, 733 S.E.2d 589 (2012). When the underlying facts of a case are conclusively established by operation of law (Rule 36, SCRCP), the refusal to expedite the remaining proceedings is reviewed for an abuse of discretion.

III. STATEMENT OF FACTS

The following facts are undisputed based on the **Affidavits of the USC Registrar and Bursar (R.-67-69) (R. 80-82):**

1. Appellant was accepted to the University of South Carolina and **"registered for classes"** for the Spring 2025 semester.
2. Appellant occupied University housing and utilized a University meal plan, incurring a debt of **$1,922.01**.
3. On January 12, 2026, Appellant and Respondent entered into a structured repayment agreement. Appellant paid **$961.00** (half the balance) to secure the release of his records.
4. Notwithstanding these admissions of "registration" and "attendance" (via housing and dining), Respondent continues to report to the LSAC that Appellant has **"no enrollment history"** or **"never enrolled."**
5. As sworn to by Elaine Belesky, Interim University Registrar, in her Affidavit dated February 2026 (R. at 67-69.), the University admits that 'Plaintiff... was accepted and registered for classes' for the Spring 2025 semester. Despite this sworn admission from the University's chief records officer, the Respondent continues to communicate a status of 'Never Enrolled' to the Law School Admission Council (LSAC)
6. Conclusive Admissions via Rule 36, SCRCP On April 7, 2026, several key facts were Deemed Admitted by operation of law due to Respondent’s failure to respond to

Appellant's Requests for Admission (Case No. 2026CP4000645). These conclusive admissions include (See (R. at 86-90.)):

A. Admission of Registration: Respondent admits Appellant was a registered student for the Spring 2025 semester.
B. Admission of Falsity: Respondent admits that the "Non-Enrollment" letter issued on January 20, 2026, is factually inconsistent with internal University records.
C. Admission of Consideration: Respondent admits to accepting $961.00 from Appellant as part of a formal agreement to release transcripts, which Respondent subsequently failed to provide in a usable format to the LSAC.

7. Failure of Judicial Communication and Coordination As documented in the Email Log (R. at 196-200.) (R. at 181-182.)**and the Declaration regarding Administrative Delay** (R. at 201-202.)**:**

A. Between February 13, 2026, and the present, Appellant has made more than fifteen (15) attempts to coordinate emergency hearings and motions with the Trial Court's administrative staff.
B. The Trial Court's administrative assistants have failed to provide a single substantive response to these scheduling inquiries.
C. This lack of communication occurred even after Respondent was Deemed to have Admitted (on April 7, 2026) the core factual allegations of the case, which should have triggered an immediate entry of judgment or relief.

8. Documented Exhaustion of Administrative Remedies for Scheduling As evidenced by the Appellant's communication records (Attachments: Email Search Results (R. at 181-82.), Appellant made persistent and professional efforts to coordinate a hearing with the Trial Court's chambers and Respondent's counsel. Between February 12, 2026, and April 8, 2026, Appellant initiated ten (10) distinct formal inquiries specifically aimed at scheduling the Motion for a Temporary Restraining Order and other related motions to the case. The chronology of these unanswered attempts is as follows:

- February 2026: 12th, 13th, 14th, 17th, 18th, and 24th.
- March 2026: 1st and 9th.
- April 2026: 8th, 16th

These communications were addressed to Ms. Robin MacEachern (Administrative Assistant) and Ms. Roslyn Jefferson (Law Clerk), and some were clearly labeled with "URGENT" and "EMERGENCY" designations. Despite these ten documented attempts, the Trial Court's administrative staff failed to provide a single substantive response regarding a hearing date for the multiple pending motions.

9. Evidence of Administrative Gatekeeping and Malice As documented in the Respondent's internal communications, the Interim University Registrar specifically stated that she **"failed to see how [releasing a transcript] would benefit"** the Appellant. This communication occurred despite the Respondent being on notice of Appellant's pending law school deadlines and his court-ordered duty to represent his minor daughter's interests in federal litigation.

10. The $961.00 Payment as a Deceptive Inducement The $961.00 payment made by Appellant on January 12, 2026, was not a mere debt settlement; it was made in direct reliance on the Respondent's specific representation that payment would result in the release of an accurate academic record. (R. at 31-32.) Following the acceptance and retention of these funds, Respondent performed a "fraudulent erasure" of the record, reporting "No Record" to the LSAC (R. at 191.), effectively seizing Appellant's funds while intentionally withholding the consideration promised.

11: Lack of Court Reporter and Unanswered Procedural Motions

"Due to the Trial Court's administrative silence, Appellant has been unable to secure the presence of an official Court Reporter for the scheduled May 4, 2026, hearing. Furthermore, **despite Appellant filing formal motions for an Expedited Trial (Filed 04/15/2026)** (R. at 138-140.)**and a Status Conference (Filed 02/10/2026)** (R. at 141-142.)**, and following up with multiple written inquiries via email** (R. at 181-182.) **(See Email Log),** no confirmation or response has been provided. This continued silence not only leaves the procedural posture of the case in a 'legal vacuum' but also threatens Appellant's fundamental right to preserve a record for further appellate review.

12. Conclusive Establishment of All Triable Facts and Pending Motions to Align Pleadings

As of April 7, 2026, there are no remaining triable issues of fact regarding liability. By operation of Rule 36, SCRCP, the Respondent has admitted to every element required for the issuance of a Writ of Mandamus and a Permanent Injunction. **Despite these conclusive admissions, the Trial Court has failed to rule on Appellant's Motion for Leave to Amend and Motion for Leave to Supplement the Second Complaint (Filed 02/25/2026). As a result, the active pleadings do not yet reflect the now-admitted facts, and the Respondent continues to benefit from an obsolete procedural posture that ignores its own judicial admissions.** The only remaining issue that should be before the lower court is the assessment of damages for the professional and personal harm inflicted.

13. Imminence of Irreparable Professional Harm Appellant is currently in the midst of the 2026 law school admission cycle. The Law School Admission Council (LSAC) and various law schools have established firm deadlines for the submission of accurate academic records.

Respondent’s continued reporting of a false "No Record" status has already resulted in missed priority deadlines and the continued delay threatens to permanently forfeit Appellant's admission prospects for the current year. Furthermore, Appellant desires to represent his daughter in current pending federal litigation and likely future litigation that will be needed to secure the Appellant’s daughter safety and well-being. Appellant’s ability to secure legal professional standing and pursue a legal education is essential to the protection of the minor’s constitutional interests, a harm for which there is **no adequate remedy at law** and which cannot be compensated by monetary damages after the fact.

IV. ARGUMENT

A. The "Deemed Admitted" Facts Preclude Any Further Defense.

Under Rule 36(b), SCRCP, "Any matter admitted under this rule is conclusively established." Because Respondent failed to answer Appellant’s RFAs, there is no longer a triable issue of fact regarding whether Appellant "enrolled." The University’s continued reporting of "Never Enrolled" to the LSAC is now a judicial admission of a falsehood. For the Trial Court to remain paralyzed in the face of such conclusive evidence is a clear abuse of discretion and a denial of due process. The Respondent’s discovery responses are further a legal nullity for failure to comply with Rule 33, SCRCP. This Rule mandates that Interrogatories must be answered 'separately and fully in writing under oath' and 'signed by the person making them.'(R. at 120-129), (R. at 130-134.), (R. at 135-137.) When the responding party is a public body like the University of South Carolina, the answers must be verified by an officer or agent of that entity. *See Rule 33(a), SCRCP*. By failing to provide a sworn verification from a University representative, the Respondent has failed to provide competent evidence to rebut the facts already established by operation of law. This Court should not afford weight to unsworn, late assertions that fail to meet the basic procedural requirements of the South Carolina Rules of Civil Procedure.

B. Respondent has a Ministerial Duty to Report Accurate Records. A Writ of Mandamus is proper when a government official fails to perform a ministerial duty. Respondent admits in (R. at 67-69.) that Appellant "registered for classes." Once registration occurs, the status "Never Enrolled" becomes a factual impossibility. **Furthermore, by operation of Rule 36(b), SCRCP, the "Deemed Admissions" finalized on April 7, 2026, have conclusively established the truth of Appellant’s enrollment as a matter of law.** Because there is no longer a factual dispute regarding Appellant's registration, the University’s duty to report that status accurately is purely ministerial and non-discretionary. Reporting a known falsehood to a third-party licensing or admission body (LSAC) in the face of these conclusive judicial admissions is an arbitrary and

capricious act that violates the University's clear duty to maintain and report accurate educational records.The Respondent's discovery responses are further a legal nullity for failure to comply with Rule 33, SCRCP. This Rule mandates that Interrogatories must be answered 'separately and fully in writing under oath' and 'signed by the person making them.' When the responding party is a public body like the University of South Carolina, the answers must be verified by an officer or agent of that entity. *See Rule 33(a), SCRCP*. By failing to provide a sworn verification from a University representative, the Respondent has failed to provide competent evidence to rebut the facts already established by operation of law. This Court should not afford weight to unsworn, late assertions that fail to meet the basic procedural requirements of the South Carolina Rules of Civil Procedure

C. The Trial Court's Inaction Constitutes a Total Failure of Remedy. As documented in the **Declaration of Non-Responsiveness (**R. at 181-182.) and the email log R. at 196-200.) , Appellant made over fifteen attempts to coordinate an emergency hearing. The Trial Court's failure to rule on the Request for a TRO while Appellant's Fall 2026 Law School opportunities were permanently expiring constitutes "irreparable harm" that is actual, not theoretical. (R. at 188-190.)

D. The Respondent is Estopped by its Own Actions. Respondent accepted **$961.00** specifically to lift a hold on records. By accepting payment for a "transcript release" and then reporting "No Record" to the LSAC, Respondent has breached the repayment agreement and engaged in a "strategy of silence and extension" intended to run out the clock on Appellant's career.

E. Procedural Defects and Bad Faith in Discovery. As documented in Appellant's **Supplemental Motion to Compel (April 2026)** (R. at 98-101.), (R. at 102-119.) , Respondent has engaged in a pattern of "Attorney-Only Verifications" in violation of **Rule 33(a), SCRCP**. By failing to provide a verification from a University official, Respondent is attempting to shield its administrators from the legal consequences of their admitted reporting errors. This procedural obstruction further justifies the immediate intervention of this Court via a Writ of Mandamus.

F. The Lower Court's Silence is an Abuse of Discretion. While a Trial Court generally has discretion over its docket, that discretion is not absolute. When a pro se litigant files ten motions regarding an active, ongoing injury and the court remains silent, it creates a "legal vacuum" that violates the South Carolina Constitution's mandate that "all courts shall be public, and every person shall have speedy remedy therein for wrongs sustained" (S.C. Const. Art. I, § 9). The combination of the administrative assistants' refusal to respond and the judge's failure to rule on 90% of the pending motions has effectively extinguished Appellant's ability to secure a remedy before his career opportunities expire.

G. The Trial Court's Persistent Inaction Constitutes a "De Facto" Denial of Access to the Courts.

1. The South Carolina Constitution, Art. I, § 9, mandates that "all courts shall be public, and every person shall have speedy remedy therein for wrongs sustained." In this matter, the "wrong sustained" is the active reporting of a factual falsehood to a national licensing body (LSAC).
2. Appellant has filed over ten motions since February 5, 2026, and initiated ten documented attempts to coordinate a hearing with **Ms. MacEachern** and **Ms. Jefferson**. The total silence from the Chief Administrative Judge's chambers, coupled with the Respondent's **April 7th Deemed Admissions**, creates a scenario where there is no longer a factual dispute to "investigate." By failing to rule on these motions or even respond to scheduling inquiries, the Trial Court has allowed the Respondent to continue its "strategy of silence" to the point where Appellant's Fall 2026 career opportunities are now nearly extinguished. This failure to act is not merely a scheduling delay; it is a legal error that necessitates a Writ of Mandamus from this Court.

H. The Trial Court's Inaction is a Constructive Refusal to Exercise Jurisdiction.

1. A Writ of Mandamus is the proper remedy when a lower court fails to perform a ministerial act or refuses to exercise its discretion in a timely manner. While a court has general control over its docket, it does not have the discretion to allow a time-sensitive emergency—specifically one involving the imminent expiration of Law School admission deadlines—to languish for over 70 days.
2. The combination of **ten documented attempts to resolve this matter** and the **April 7th Deemed Admissions** establishes that there is no remaining factual dispute and no administrative excuse for further delay. By remaining silent in the face of Appellant's repeated inquiries, the Trial Court's staff and the Chief Administrative Judge have effectively denied Appellant the "speedy remedy" guaranteed by the South Carolina Constitution (Art. I, § 9). This administrative paralysis has created a "legal vacuum" where the Respondent is permitted to continue reporting a known falsehood to a national licensing body (LSAC) without fear of judicial intervention. Because the lower court has effectively ceased to function as a forum for this dispute, the intervention of this Court is the only remaining remedy.
3. Crucially, even after the core facts of the case were **Deemed Admitted** by operation of law on April 7, 2026, the Trial Court's staff continued to ignore Appellant's inquiries, effectively permitting the Respondent to maintain a known falsehood in the public record despite a judicial admission of the truth.
4. While a hearing is currently set for May 4, 2026, this date is insufficient to protect Appellant's rights. By May, the current law school admission cycle will be effectively over. Moreover, given that Respondent has now **admitted** all relevant facts via Rule 36, forcing a further 20-day wait for a 'hearing' on admitted facts serves no judicial purpose and only functions to allow the irreparable harm to continue.

I. The Scheduled May 4th Hearing is a Procedural Dead End that Offers No Meaningful Remedy.

While the Trial Court set a hearing for May 4, 2026, this event does not cure the "administrative paralysis" of the lower court for two distinct legal reasons:

1. **The Absence of a Factual Dispute:** Because Respondent's liability and the falsity of its records were **conclusively established on April 7, 2026, under Rule 36(b), SCRCP**, there is no longer a triable issue of fact to "hear." A hearing set nearly a month after a judicial admission of the truth serves no purpose other than to allow the irreparable harm to Appellant's career and his minor daughter's interests to continue unabated. To require a hearing on admitted facts is an exercise in futility that violates the principle of judicial economy.
2. **The Failure to Ensure a Reviewable Record:** A fundamental requirement of due process is the ability to preserve a record for appeal. Appellant has made formal, written inquiries to the Trial Court's administrative staff and the Assistant Clerk specifically requesting the presence of an official Court Reporter to ensure that the proceedings on May 4th are properly documented. To date, these requests have been met with total silence.

A hearing where the facts are already admitted, held in a forum that refuses to acknowledge requests for a court reporter, is not a "remedy"—it is a procedural "black hole." This silence from court staff, combined with the lack of a guaranteed record, reinforces the necessity of this Court's intervention. Without a Writ of Mandamus, Appellant is being forced into a hearing that is both legally unnecessary and procedurally deficient, while his Fall 2026 career opportunities continue to expire.

J. The Escalation of Damages is a Direct Result of Respondent's Continued Bad-Faith Interference.

1. The significant escalation in damages sought by Appellant is not arbitrary; it is a direct reflection of the compounded harm inflicted by Respondent's sustained interference. While Appellant initially sought a Temporary Restraining Order to mitigate the immediate impact on his law school applications, the passage of time has transformed a 'delay' into a systemic 'destruction' of professional opportunity.
2. Respondent's refusal to correct the record—despite having internal data proving Appellant's registration—has forced Appellant to divert hundreds of hours away from LSAT preparation and federal litigation involving the rights of a minor child. Because Respondent refused to correct the Appellant's record in November 2025 and due to the subsequent Deemed Admissions in April 2026, they are liable for

the full scope of the resulting harm. This includes the interference with Appellant's January 2026 LSAT performance and the irreparable prejudice to his capacity to eventually serve as legal counsel in high-value federal matters. The damages now sought accurately reflect the massive scale of the professional and constitutional interests Respondent has knowingly sought to stifle. Per the following RFA (R. at 86-90.), the respondent admits to having knowledge of the high stakes federal case and interfering based on the following, RFAs:

A. RFA NO. 24 (Justification of Damages / Ref: Exhibit E): Admit that the Defendant has no evidence to contradict the fact that its administrative obstruction has directly interfered with the Plaintiff's court-ordered duty to represent his daughter in Federal Case No. 3:25-cv-12608 .
B. RFA NO. 26 (Intentionality of the Block): Admit that the decision to report "No Record" to the LSAC was an intentional administrative choice made with the knowledge that it would prevent the Plaintiff from meeting the court-ordered requirement for counsel in Federal Case No. 3:25-cv-12608. (R. at 86-90.)
C. RFA NO. 26 (Intentionality of the Block): Admit that the decision to report "No Record" to the LSAC was an intentional administrative choice made with the knowledge that it would prevent the Plaintiff from meeting the court-ordered requirement for counsel in Federal Case No. 3:25-cv-12608 .(R. at 86-90.)
D. RFA NO. 27 (Valuation of Federal Claims): Admit that the Defendant has no evidence to dispute the Plaintiff's valuation of damages in the amount of $1,000,000,000.00, given the life-threatening risks and permanent physical injuries detailed in the Federal Case Packet. (R. at 86-90.)
E. RFA NO. 28 (Gatekeeping of Rights): Admit that by withholding the Plaintiff's records, the University acted as a "gatekeeper" to the Plaintiff's access to the federal judiciary and his ability to protect the constitutional rights of a minor child. (R. at 86-90.)
F. RFA NO. 29 (Lack of Mitigation): Admit that despite receiving the Plaintiff's formal grievances and evidence of enrollment (Exhibits A, B, and I), the Defendant took no steps to mitigate the Plaintiff's damages by issuing a temporary or corrected transcript to the LSAC. (R. at 86-90.)
G. **The respondent admits the following, which demonstrates professional harm:** RFA NO. 25 (Destruction of Unique Opportunity): Admit that the Defendant was aware, via the Harvard Law School notice See Exhibit C (Exhibit F) , that the Plaintiff possessed a unique and high-value professional opportunity that would be permanently forfeited if the Defendant reported "No Record" to the LSAC.

K. The Trial Court's Failure to Rule on Motions for Leave to Amend and Supplement is an Abuse of Discretion.

Under Rule 15, SCRCP, leave to amend pleadings "shall be freely given when justice so requires." Appellant moved to amend and supplement the complaint on February 25, 2026, to reflect the discovery of new evidence (the University ID) and the escalation of damages. The Trial Court's total silence on this motion for over 60 days—during which time the facts became "conclusively established" via Rule 36—constitutes an abuse of discretion. By failing to allow the pleadings to be brought current, the Trial Court is forcing Appellant to litigate an obsolete version of the facts, effectively barring the pursuit of claims for Defamation Per Se and Breach of Contract with a Fraudulent Act that are now supported by judicial admissions.

L. The Trial Court Erred by Failing to Rule on Appellant's Motions for Leave to Amend and Supplement the Complaint Under Rule 15, SCRCP.

Since the inception of this litigation, the factual landscape has shifted significantly due to Respondent's own internal records and subsequent failure to respond to discovery. On February 25, 2026, Appellant moved to file a **Second Amended and Supplemental Complaint** to accurately reflect these developments. (R. at 150-180.)

Under **Rule 15, SCRCP**, leave to amend "shall be freely given when justice so requires." The Trial Court's continued inaction on these motions constitutes an abuse of discretion because:

1. **Conclusive Evidence of Malice:** Appellant has obtained physical evidence (University ID) (R. at 192.) and official affidavits confirming his "Registered" status. These facts directly support the newly asserted claims for **Defamation Per Se** and **Breach of Contract Accompanied by a Fraudulent Act**, as they prove Respondent knowingly provided false "Never Enrolled" data to third parties.
2. **Judicial Economy:** As of April 7, 2026, the core facts of this case are **conclusively established** by operation of **Rule 36, SCRCP (Deemed Admissions)**. Allowing the amendment now prevents a future "procedural bottleneck" and ensures the pleadings match the established facts.
3. **Lack of Prejudice:** The case is in the early stages. Respondent has had ample notice of these claims and would suffer no prejudice by the court allowing the pleadings to be brought current.

Appellant seeks to amend his complaint to reflect the full scale of the damages caused by Respondent's bad-faith interference with his legal career—an interference that threatens to permanently deprive a minor child of her chosen legal counsel in a matter of immense magnitude.

By failing to grant leave to amend and supplement, the Trial Court effectively forces Appellant to litigate an obsolete version of the dispute, further delaying the "speedy remedy" guaranteed by the South Carolina Constitution.

M. Full scope of the Respondent's conduct and the resulting damages need to be reflected.(R. at 150-180.)

The following causes of action are necessary to reflect the full scope of the Respondent's conduct and the resulting damages that have accrued since the filing of the original complaint, as recognized by this Court's Order on March 9, 2026. :

1. **COUNT I: Declaratory Judgment:** Appellant seeks a formal declaration from this Court via an injunction establishing his status as a formerly enrolled student for the Spring 2025 semester and affirming his right to accurate academic records. S.C. Code Ann. § 15-53-10 *et seq.* (Uniform Declaratory Judgments Act). Under South Carolina law, a declaratory judgment is the proper vehicle for a party to seek a judicial determination of their 'rights, status, or other legal relations' when a justiciable controversy exists. *State ex rel. Medlock v. S.C. State Family Farm Dev. Auth.*, 279 S.C. 316, 306 S.E.2d 605 (1983). Here, a concrete and immediate controversy exists regarding the Appellant's status as an enrolled student for the Spring 2025 semester. Because this status determines the Appellant's eligibility for professional licensure and law school admission, a formal declaration from this Court is necessary to resolve the dispute and prevent further administrative abuse by the Respondent.

2.COUNT II: Breach of Implied Contract: Respondent breached the implied contract created by Appellant's admission, registration, and payment of fees by failing to provide the standard administrative services and record-keeping expected in an academic relationship. Appellant as a result seeks damages consistent with the prayer for relief in the Second Amended Complaint. **Breach of Implied Contract (Academic)** *See Conner v. City of Forest Acres*, 348 S.C. 454, 560 S.E.2d 606 (2002).

3.COUNT III: Promissory Estoppel: Appellant reasonably and detrimentally relied on Respondent's representations regarding his enrollment and transcript availability, incurring financial costs and missing critical law school deadlines when those promises were retracted. Appellant seeks damages consistent with the prayer for relief in the Second Amended Complaint. **Promissory Estoppel** *See Satcher v. Satcher*, 351 S.C. 477, 570 S.E.2d 541 (Ct. App. 2002).

4.COUNT IV: Breach of Duty under the SC Administrative Procedures Act: Respondent's conduct in retroactively declaring "no record" of enrollment—despite physical and financial evidence to the contrary—was willful, lacked a rational basis, and constituted an abuse of administrative discretion. Appellant seeks damages consistent with the prayer for relief in the Second Amended Complaint. S.C. Code Ann. § 1-23-310 *et seq.* (Administrative Procedures Act). Furthermore, the Respondent's handling of Appellant's personal academic data is governed by the **Family Privacy Protection Act, S.C. Code Ann. § 30-2-10, et seq.** This Act establishes the public policy of South Carolina that individuals have a right to privacy in personal information gathered by State agencies. By maintaining and disseminating contradictory and inaccurate enrollment data—claiming 'No Record' to external gatekeepers while internally

acknowledging registration—the Respondent has not only breached its common law duties but has also failed to adhere to the privacy and accuracy standards intended by the General Assembly for State-held personal data.

5. COUNT V: Negligence: Respondent failed to exercise the standard of care required to maintain and provide accurate student records. Appellant seeks damages consistent with the prayer for relief in the Second Amended Complaint.**Gross Negligence / Reckless Disregard** *See Bass v. S.C. Dep't of Soc. Servs.*, 414 S.C. 558, 780 S.E.2d 252 (2015).

6.COUNT VI: Gross Negligence and Reckless Disregard: Respondent's refusal to correct records despite clear evidence (Student ID) and failure to respond to emergency motions has caused permanent, irreparable damage.**Gross Negligence / Reckless Disregard** *See Bass v. S.C. Dep't of Soc. Servs.*, 414 S.C. 558, 780 S.E.2d 252 (2015).

A. The Respondent owed the Appellant a duty of care to maintain accurate academic records and to communicate truthfully with third-party institutions (LSAC/Parchment).
B. The Respondent breached this duty by certifying that the Appellant was "never enrolled" despite having internal knowledge and physical evidence (ID cards and system identifiers) to the contrary.
C. This breach was not a mere oversight; it was **willful, wanton, and reckless**, demonstrating a conscious disregard for the Appellant's professional future and the safety of his minor child.
D. The Defendant's "willful and wanton" conduct is evidenced by their simultaneous admission of Appellant's attendance and their public denial of the same .
E. As a direct and proximate result of this gross negligence, the Appellant has suffered irreparable reputational harm, emotional distress, and the potential loss of a law school career. Appellant seeks damages consistent with the prayer for relief in the Second Amended Complaint.

7. COUNT VII: DEFAMATION PER SE The Respondent knowingly published false statements to third-party gatekeeping institutions (LSAC) regarding the Appellant's academic and enrollment history. These statements injure the Appellant in his profession and reputation. Given the intentional nature of this conduct and the catastrophic collateral harm it has caused to the Appellant's career and his minor daughter's legal safety, Appellant seeks damages consistent with the prayer for relief in the Second Amended Complaint.**Defamation Per Se** *See Fountain v. First Baptist Church of Holly Hill*, 380 S.C. 6, 667 S.E.2d 302 (2008).(R. at 191.)

8. COUNT VIII: BREACH OF CONTRACT ACCOMPANIED BY A FRAUDULENT ACT

A. A contract existed between the Appellant and the University of South Carolina, whereby the University agreed to provide educational services and maintain accurate academic records in exchange for enrollment and tuition obligations.
B. The University breached this contract by refusing to issue an accurate transcript and by attempting to "nullify" the Appellant's enrollment history.

C. This breach was accompanied by a **fraudulent act**: specifically, the University's Registrar admitted in writing that the Appellant "registered and attended," yet the University subsequently and intentionally published a "letter of non-enrollment" to the LSAC stating the Appellant had "no official record of academic work." (R. at 85.)
D. This contradictory behavior—admitting attendance internally while denying it to external gatekeeping institutions—constitutes a fraudulent act intended to deprive the Appellant of the benefits of his contractual relationship with the school.
E. Pursuant to South Carolina law, a breach of contract accompanied by a fraudulent act entitles the Appellant to **punitive damages**. Appellant seeks damages consistent with the prayer for relief in the Second Amended Complaint.**Breach of Contract Accompanied by a Fraudulent Act** *See Floyd v. Countrywide Home Loans, Inc.*, 440 F. Supp. 2d 503 (D.S.C. 2006).

9. COUNT IX: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

A. The University's conduct in this matter is so extreme and outrageous as to exceed all possible bounds of decency and is regarded as atrocious and utterly intolerable in a civilized community.
B. The University, through its agents, acted with the specific intent to inflict emotional distress or acted with reckless disregard for the high probability that severe emotional distress would result.
C. The University's Registrar explicitly stated in writing that she "failed to see how [releasing a transcript] would benefit" the Appellant, demonstrating a subjective, malicious intent to obstruct the Appellant's professional life.
D. The University was aware that the Appellant was facing terminal deadlines for law school and was managing life-critical federal litigation for his minor daughter.
E. By choosing to "professionally destroy" the Appellant's career and endanger the safety of his daughter over an administrative task that takes less than one hour, the University has caused the Appellant to suffer severe emotional distress, anxiety, and mental anguish of a nature that no reasonable person could be expected to endure. Appellant seeks damages consistent with the prayer for relief in the Second Amended Complaint.**Intentional Infliction of Emotional Distress (Outrage)** *See Bass v. S.C. Dep't of Soc. Servs.*, 414 S.C. 558, 780 S.E.2d 252 (2015).

N. The Trial Court Erred by Failing to Order the Immediate Restitution of the $961.00 Payment.

The record establishes, and Respondent's Deemed Admissions confirm, that Appellant paid $961.00 specifically to satisfy a debt and facilitate the release of educational records. Because the Respondent has admitted it failed to provide the consideration for this payment—by reporting "No Record" to the LSAC despite the payment for a "Transcript Release"—the $961.00

is being held by the State without legal justification. The Trial Court's failure to order the immediate return of these funds, in light of the conclusive failure of the underlying contract, is an error of law. This is not merely a matter for final judgment; it is a clear-cut case of restitution where the State is in possession of private funds for a service it has admitted it did not provide.

O. The Trial Court Abused its Discretion by Adhering to a Standard Scheduling Order When Only Damages Remain.

A Trial Court abuses its discretion when its decision (or inaction) is "controlled by an error of law" or "lacks evidentiary support." Here, because liability is conclusively established under Rule 36(b), there are no triable issues of fact regarding the Respondent's reporting of false records. Therefore, a standard scheduling order that treats this as a contested factual dispute is an error of law. The only remaining judicial function is the assessment of damages. To ignore this shift in the legal posture of the case and maintain a standard, non-expedited schedule is a "denial of justice by delay," as it forces Appellant to wait for a "trial" on facts the University has already admitted. (R. at 92-95.) (R. at 138-140.), (R. at 141-142.) (R. at 143-145.)

P. Respondent's "Administrative Gatekeeping" Meets the Threshold for Intentional Infliction of Emotional Distress.

While the University characterizes this as an administrative disagreement, the record reveals "outrageous and extreme" conduct. Specifically, internal communications show the Registrar intentionally withheld records while stating she "failed to see how it would benefit" the Appellant. Using administrative power to "professionally destroy" a physician-applicant's career—while knowing that person is also managing high-stakes litigation to protect the safety of a minor child—exceeds all bounds of human decency. The Trial Court erred by failing to recognize that this intentional act of "gatekeeping," which weaponized a student's own records against him to ensure professional failure, constitutes Intentional Infliction of Emotional Distress as a matter of law. (R. at 186-187.), (R. at 183-185.),

Q. The Trial Court Erred by Failing to Enjoin "Outrageous" Conduct Meeting the Threshold for Intentional Infliction of Emotional Distress.

The record contains evidence of conduct so extreme as to exceed all possible bounds of decency. Specifically, Respondent's internal communications reveal that the Respondent intentionally withheld Appellant's records because she **"failed to see how [releasing the transcript] would benefit"** the Appellant. (R. at 186-187.)

1. **Administrative Gatekeeping as Outrageous Conduct:** In South Carolina, IIED requires a showing of conduct that is "so outrageous in character, and so extreme in degree, as to be regarded as atrocious, and utterly intolerable in a civilized community." Shipman v. Glenn, 314 S.C. 327 (1994). For the Respondent to unilaterally decide that a

citizen should not "benefit" from his own accurate academic records—and then knowingly report a falsehood to a national licensing body to ensure professional "destruction"—meets this threshold.

2. **Knowledge of Peculiar Susceptibility:** Respondent was put on notice that Appellant was managing high-stakes federal litigation involving the safety and constitutional rights of his minor daughter. By weaponizing administrative delays to stifle Appellant's career and legal standing, Respondent acted with reckless disregard for the near-certainty that severe emotional distress would result.

The Trial Court's failure to grant emergency relief in the face of this "administrative gatekeeping" was an error of law. A court cannot remain silent when a state institution admits to using its power not to maintain records, but to intentionally sabotage the life and career of a father who desires to protect his daughter.

R. The Trial Court Erred by Withholding Injunctive Relief Where All Three Prerogatives are Established by Deemed Admissions.

Under South Carolina law, a party is entitled to a preliminary injunction upon showing: (1) Irreparable harm; (2) Likelihood of success on the merits; and (3) Inadequacy of a remedy at law. See AJG Holdings, LLC v. Dunn, 382 S.C. 43, 674 S.E.2d 505 (Ct. App. 2009). The Trial Court's refusal to grant such relief in the face of the April 7, 2026, Deemed Admissions is an error of law.

1. Likelihood of Success on the Merits: By operation of Rule 36(b), SCRCP, it is now "conclusively established" that Appellant was registered for classes. Because the Respondent has judicially admitted the very fact it continues to deny to the LSAC, Appellant's success on the merits is not merely "likely"—it is legally settled. There is no longer a factual dispute for a trial to resolve regarding the inaccuracy of the records.

2. Irreparable Harm: The harm here is the permanent forfeiture of a professional career path and the inability to provide court-ordered advocacy for a minor child. Money damages cannot "buy back" a missed law school admission cycle or restore the constitutional rights of a minor that expire during this administrative delay. This harm is actual, ongoing, and incurable by a future monetary judgment.

3. Inadequacy of Remedy at Law: A legal remedy is inadequate if it is not "as practical and efficient to the ends of justice and its prompt administration as the remedy in equity." The Trial Court's 70-day delay and the scheduling of a hearing for May 4th—after the primary admission deadlines have passed—renders any future legal remedy illusory.

The Trial Court's failure to issue an injunction when the Respondent has already admitted the underlying truth constitutes an abuse of discretion. Where there is no factual dispute, there is no judicial reason to allow the harm to continue.

Pursuant to **Rule 211, SCACR**, the Record on Appeal must contain all settled matters, pleadings, and orders necessary for the Court's review of the issues presented. Appellant has strictly complied with Rule 211 by providing a chronological record of the proceedings below, including the supplemental authorities and exhibits recognized by this Court's Order dated March 9, 2026. These materials are essential to demonstrate the Trial Court's failure to act on conclusive admissions and the Appellant's clear legal right to the relief sought. (R. at 195.)

South Carolina courts have long recognized that *pro se* litigants should be afforded wider latitude in their pleadings and arguments to ensure that their claims are heard on the merits rather than dismissed on technicalities. *See Moore v. Moore*, 376 S.C. 467, 657 S.E.2d 743 (2008). Appellant has made every good-faith effort to comply with the South Carolina Rules of Civil Procedure and the Rules of Appellate Procedure. Given the gravity of the interests at stake—specifically the preservation of Appellant's professional standing and legal career—this Court should exercise its discretion under *Moore* to ensure that the substantive facts established by the record are given full judicial consideration.

V. CONCLUSION AND RELIEF REQUESTED

For the foregoing reasons, Appellant respectfully requests that this Court **reverse** the Trial Court's constructive denial of relief and **remand** this matter with instructions to enter a Preliminary Injunction.

The record establishes that Appellant has met the three-part test for injunctive relief:

1. **Irreparable Harm:** The ongoing misrepresentation of Appellant's academic history to the LSAC creates a permanent barrier to professional licensure and education that cannot be remedied by money damages alone; furthermore this blockade prevents the Appellant from potentially representing his daughter in current federal litigation and future litigation that may be necessary to ensure safety and protection for the Appellants daughter. Under **Rule 65, SCRCP**, a party is entitled to injunctive relief when they can demonstrate: (1) a likelihood of success on the merits; (2) that they will suffer irreparable harm if the injunction is not granted; and (3) the absence of an adequate remedy at law. *See also Knight v. City of Greenwood*, 364 S.C. 510, 613 S.E.2d 544 (Ct. App. 2005).In this matter, the Appellant has met the stringent requirements of Rule 65. The 'irreparable harm' is manifest: the permanent destruction of a professional legal career and the loss of admission to law school—harms for which money damages are an inadequate remedy.

Because the Respondent has admitted to the Appellant's attendance by operation of law, the 'likelihood of success' is absolute. The Trial Court's failure to grant relief under Rule 65 despite these established facts constitutes a reversible abuse of discretion.

2. **Likelihood of Success on the Merits:** By operation of **Rule 36, SCRCP**, the "Deemed Admissions" dated April 7, 2026, have conclusively established that Appellant registered for classes and that Respondent's reporting is factually false. Furthermore, the **Affidavit of the Interim University Registrar** confirms Appellant "registered for classes," rendering the "Never Enrolled" status a legal falsehood. The Respondent's discovery responses are further a legal nullity for failure to comply with Rule 33, SCRCP. This Rule mandates that Interrogatories must be answered 'separately and fully in writing under oath' and 'signed by the person making them.' When the responding party is a public body like the University of South Carolina, the answers must be verified by an officer or agent of that entity. *See Rule 33(a), SCRCP*. By failing to provide a sworn verification from a University representative, the Respondent has failed to provide competent evidence to rebut the facts already established by operation of law. This Court should not afford weight to unsworn, late assertions that fail to meet the basic procedural requirements of the South Carolina Rules of Civil Procedure.
3. **Inadequacy of Remedy at Law:** The Trial Court's 70-day delay and refusal to recognize settled admissions leaves Appellant with no other path to protect his career.

Specifically, Appellant requests that this Court order Respondent to:

1. Update Appellant's status in all institutional records and third-party reporting (including LSAC) to accurately reflect **"Registered/Withdrawn"** or the equivalent factual status;
2. Cease and desist from representing to the LSAC or any other entity that Appellant **"never attended"** or has **"no enrollment history"**; and
3. Grant immediate restitution of the $961.00 payment, which was induced by the Respondent under a promise of enrollment that has since been factually and legally denied. Because the Respondent has failed to fulfill the ministerial duty associated with that consideration, the Court should order the return of these funds within forty-eight (48) hours of the date of this Order.
4. **Grant Leave** for Appellant to file the **Second Amended and Supplemental Complaint**, thereby allowing the litigation to proceed on the most current legal and factual grounds;
5. Because the Respondent's admissions under Rule 36, SCRCP, have resolved all issues of liability and factual disputes, the only remaining matter for the Trial Court is the assessment of damages. Therefore, Appellant respectfully requests this Court to order the proceedings expedited, as any further delay in the lower court serves no judicial purpose and only exacerbates the harm to Appellant.
6. Furthermore, Appellant requests that all scheduled mediation and remediation deadlines—currently set for September 2026—be vacated and moved forward. Given that the University has already admitted to the underlying facts as of April 7, 2026, forcing

the Appellant to wait until September for a resolution is a 'denial of justice by delay.' The Appellant's Law School admission cycle is time-sensitive and cannot wait for a schedule that was created before the facts were conclusively established.

7. Award Appellant the recovery of actual costs and expenses incurred in this action pursuant to S.C. Code Ann. § 15-77-300, as the Respondent has acted without substantial justification in its administrative record-keeping and subsequent refusal to correct known inaccuracies.

To allow the current schedule to stand would be to allow a state institution to profit from a delay that they themselves rendered unnecessary through their own admissions.

In light of the conclusive admissions, there remains no factual dispute for the Trial Court to resolve. This Court should vacate the May 4, 2026, scheduling delay and order the immediate correction of the records to prevent the permanent expiration of Appellant's career opportunities.

Because the University's admissions have resolved all factual disputes regarding liability, the Appellant is entitled to an expedited **Jury Trial** solely on the issue of damages, consistent with his rights under the South Carolina Constitution and Rule 38, SCRCP.

Respectfully,

/s/ Ubong Christopher Ubokudom
Ubong Christopher Ubokudom
P.O. Box 1594 Columbia, SC 29202
Plaintiff Pro Se

Dated: April 17, 2026

CERTIFICATE OF COMPLIANCE

I hereby certify that this Brief of Appellant complies with the requirements of **Rule 208, SCACR**, including the following:

1. **Font and Point Size:** This brief has been prepared using **Times New Roman**, in **12-point** type or larger.

2. **Margins:** The margins of this brief are **1.5 inches** on the left and **1 inch** on the top, bottom, and right, as required by Rule 208(a)(1).
3. **Spacing:** The body of the brief is **double-spaced**, except for headings, indented quotations, and footnotes, which are single-spaced.
4. **Word/Page Count:** This brief complies with the length limitations set forth in Rule 208(b)(1), and does not exceed 50 pages.

I further certify that the electronic version of this brief being filed with the Court is an identical copy of any paper version served upon the parties.

Respectfully,

/s/ Ubong Christopher Ubokudom
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P.O. Box 1594 Columbia, SC 29202
Plaintiff Pro Se

Dated: April 17, 2026