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Apr 21 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Veron F. Dunbar, Circuit Court Judge

Appellate Case No: 2026-000307

Bruce Wilson,, Appellant

v.

Ennis M. Fant....., Respondent.

**APPELLANT’S REPLY TO RESPONDENT’S COUNSEL
NOTICE TO WITHDRAW**

TO: THIS HONORABLE COURT

I. PRELIMINARY STATEMENT

Appellant Bruce Wilson, appearing pro se, respectfully submits this reply and objects to the Notice of Withdrawal as Counsel filed by Austin D. Nichols, Esq. and J. Todd Rutherford, Esq. of the Rutherford Law Firm on April 20, 2026, and moves this Court to deny the withdrawal or, in the alternative, to impose conditions sufficient to prevent prejudice to Appellant. The withdrawal notice is procedurally defective on its face and, even if the defect were corrected, the motion should be denied because the appeal has reached a posture in which permitting counsel to exit and potentially opening the door to substituted counsel seeking new or amended briefing

would impose concrete, unjustifiable prejudice on Appellant at no corresponding benefit to the administration of justice.

II. THE NOTICE OF WITHDRAWAL IS PROCEDURALLY DEFECTIVE

The Notice of Withdrawal filed by Respondent’s counsel bears an incorrect case caption and an incorrect appellate case number. The notice identifies the case as “Appellate Case No. 2025-000368” and styles the matter as “Bruce Wilson v. Pranceton Rodrigues Williams and Ennis M. Fant” before the Honorable Jessica A. Salvini. That caption corresponds to an entirely separate appellate proceeding. The instant appeal, in which counsel purports to withdraw, is Appellate Case No. 2026-000307, styled as “Bruce Wilson v. Ennis M. Fant,” arising from the Court of Common Pleas for Greenville County before the Honorable Vernon F. Dunbar, Trial Court Case No. 2024CP2300548.

This is not a mere typographical error that can be dismissed as inconsequential. Under Rule 264(a), SCACR, a motion to withdraw must comply with the formal requirements of the Rules of Appellate Court Practice. A motion bearing the wrong case number and wrong caption is not directed to this proceeding and cannot serve as a valid notice of withdrawal in Appellate Case No. 2026-000307. The Court should decline to act upon a filing that on its face does not pertain to the case before it. Cf. Rule 268(a), SCACR (requiring filings to identify the case by correct docket number). Dismissal or denial of the motion on this ground alone is appropriate.

III. THE APPEAL IS AT AN ADVANCED STAGE AND WITHDRAWAL WOULD PREJUDICE APPELLANT

Even assuming the caption defect were corrected by amendment, withdrawal should be denied under Rule 264, SCACR because it would operate to the material prejudice of Appellant. Rule 264(b) permits the Court to deny a motion to withdraw if the timing of withdrawal and the

circumstances of the case make it likely that the client's rights, or the rights of opposing parties, will be substantially harmed. The procedural posture of this appeal establishes both grounds.

The briefing in this matter is complete or nearly complete. The following filings have been made and accepted by the Court:

1. On March 26, 2026, Respondent's counsel served Respondent's Initial Brief on Appellant.
2. On April 13, 2026, Appellant served and filed his Final Brief and his Final Reply Brief, together with Certificates of Service directed to The Rutherford Law Firm, LLC, Austin D. Nichols, Esq., as Attorney for Respondent.
3. On April 13, 2026, Appellant filed and served the Record on Appeal pursuant to Rule 262, SCACR, upon counsel of record.
4. On April 15, 2026, this Court entered an Order granting Respondent's motion for late filing and accepting Respondent's Initial Brief and Designation of Matter as filed.

With the record transmitted, Appellant's opening and reply briefs filed, and Respondent's initial brief accepted, this appeal stands fully briefed and awaits disposition by the Court. Permitting counsel to withdraw at this stage, and thereby potentially allowing new counsel to enter an appearance, creates a serious risk that incoming counsel will seek leave to file a new, amended, or supplemental respondent's brief. Rule 208(a)(4), SCACR, does not provide a right to file a second initial brief upon substitution of counsel; nonetheless, if new counsel were granted any such relief, Appellant a pro se litigant without institutional resources would be required to:

- (a). Re-serve substitute counsel with all previously filed briefs, the Record on Appeal, and all other documents exchanged in this proceeding, at Appellant's cost and expense;
- (b). Revise and re-file all Certificates of Service in pending or future filings to reflect new counsel's identification and service address;

- (c). Monitor and respond to any motion by new counsel seeking enlargement of time, a new briefing schedule, or leave to rebrief each of which would further delay disposition and impose additional burdens on Appellant; and
- (d). Bear the delay and disruption to an appeal that has already been pending and fully briefed, with no corresponding benefit to the orderly administration of this Court's docket.

These harms are concrete and non-speculative. The South Carolina appellate courts have recognized that withdrawal of counsel near the conclusion of briefing, or at a stage when it may precipitate reopening of the briefing schedule, can constitute prejudice to the opposing party sufficient to deny the motion. The Court should weigh the relative equities: Respondent's counsel filed a late brief that was accepted only by Court order on April 15, 2026 five days before filing the present withdrawal. Appellant has fully performed all obligations and is entitled to proceed to a decision on the merits without further delay or disruption caused by Respondent's choice of counsel.

IV. CONDITIONS IN THE ALTERNATIVE

Should the Court find it appropriate to permit withdrawal notwithstanding the foregoing, Appellant respectfully requests that any order of withdrawal expressly provide as follows: (1) no substitution of new counsel shall be permitted to serve as a basis for any motion seeking leave to file a new, amended, or supplemental respondent's brief; (2) the briefing record in this appeal is closed as of the date of any withdrawal order; (3) the case shall proceed to decision on the existing briefs; and (4) any new counsel entering an appearance for Respondent shall be deemed to have accepted service of all prior filings as of the date of the withdrawal order, without any obligation on Appellant to re-serve the Record on Appeal or previously filed briefs.

CONCLUSION

For the foregoing reasons, Appellant Bruce Wilson respectfully requests that this Court:

1. Deny the Notice of Withdrawal as Counsel as procedurally defective, having been filed under an incorrect case caption and case number not pertaining to Appellate Case No. 2026-000307; and
2. In the alternative, deny withdrawal on the merits because withdrawal at this fully-briefed stage of the appeal would operate to the material prejudice of Appellant; and
3. In the further alternative, if withdrawal is permitted, enter an order with the conditions set forth in Section IV above, expressly closing the briefing record and precluding any further briefing by substituted counsel; and
4. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

By: /s/ Bruce Wilson
Bruce Wilson
14 Freestone Street
Greenville, South Carolina 29605
brucewilson23@gmail.com
Appellant, Pro Se

April 21, 2026
Greenville, South Carolina

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APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Veron F. Dunbar, Circuit Court Judge

Appellate Case No: 2026-000307

Bruce Wilson, , Appellant

v.

Ennis M. Fant..... , Respondent.

CERTIFICATE OF SERVICE

I hereby certify that on April 21, 2026, I served a copy of the foregoing Appellant’s Reply and Objection to Respondent’s Notice of Withdrawal as Counsel upon the following counsel of record via United States Mail, postage prepaid, and by email:

Austin D. Nichols, Esq.
The Rutherford Law Firm, LLC
P.O. Box 1452 / 1315 Blanding Street
Columbia, South Carolina 29201
austin@rutherford.law
Attorneys for Respondent Ennis M. Fant

By: /s/ Bruce Wilson
Bruce Wilson
14 Freestone Street
Greenville, South Carolina 29605
brucewilson23@gmail.com
Appellant, Pro Se

April 21, 2026

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SC Court of Appeals

EXHIBIT



Bruce Wilson <brucewilson23@gmail.com>

Bruce Wilson v. Ennis M. Fant- 2026-000307

2 messages

Faye Johnson <faye@rutherford.law>
To: Court Of Appeals Filings <ctappfilings@sccourts.org>
Cc: Bruce Wilson <brucewilson23@gmail.com>

Mon, Apr 20, 2026 at 4:22 PM

Good afternoon,

I hope you are doing well. Please see the attached Notice of Withdrawal attached for the above-mentioned client. We have also served the opposite side with these documents via certified return receipt, and cc'd him on this email.

Thank you,

Faye Johnson

Paralegal

The Rutherford Law Firm

[1315 Blanding St, Columbia SC 29201](#)

Phone: 803-256-3003

Fax: 803-256-9698

CONFIDENTIALITY NOTICE: This message is intended exclusively for the individual or entity to which it is addressed. This communication may contain information that is proprietary, privileged, confidential, or otherwise legally exempt from disclosure. If you are not the intended recipient, you are not authorized to read, print, retain, copy, forward, or disseminate this message or any part of it. Disclosure to others may compromise the confidentiality that attaches to privileged communications. If you have received this message in error, please notify the sender immediately, either by telephone or by reply to this e-mail, and delete and destroy all copies of this message.



Notice of Withdrawl - E. Fant.pdf
136K

Bruce Wilson <brucewilson23@gmail.com>
To: Faye Johnson <faye@rutherford.law>

Mon, Apr 20, 2026 at 4:34 PM

Good evening Faye,

I got your message regarding withdrawing but I'm not sure of the case number and what to double check with on the appellant case number?

[Quoted text hidden]

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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Jessica A. Salvini, Circuit Court Judge

Appellate Case No. 2025-000368

Bruce Wilson,, Appellant,

v.

Princeton Rodrigues Williams and Ennis M. Fant, Defendants,

Of Whom Ennis M. Fant....., Respondent.

NOTICE OF WITHDRAWAL AS COUNSEL

PLEASE TAKE NOTICE that undersigned counsel hereby withdraws as attorney of record for Ennis M. Fant in the above-captioned matter, pursuant to Rule 264, SCACR, and any other applicable rules of the South Carolina Appellate Court Rules.

Counsel certifies that:

1. The client has been notified of counsel's intent to withdraw from representation in this matter;
2. The client has been advised of all pending deadlines and obligations before this Court;
3. The client has been advised of the need to obtain substitute counsel or proceed pro se in connection with any further proceedings, including but not limited to briefing, motions, and oral argument;

4. This withdrawal will not prejudice the client's rights, and counsel has taken reasonable steps to protect the client's interests.

Counsel respectfully requests that this Court enter an Order permitting withdrawal as attorney of record. Upon entry of such Order, all future correspondence and filings should be directed to:

Ennis M. Fant
14 West Antrim Drive
Greenville, SC 29607
efant@cfrinc.com

Respectfully submitted,

/s/ Austin D. Nichols
Austin D. Nichols, Esq.
J. Todd Rutherford, Esq.
RUTHERFORD LAW FIRM
1315 Blanding Street
Columbia, South Carolina 29201
Phone No.: (803) 256-3003
Fax No.: (803) 256-9698
austin@rutherford.law
todd@rutherford.law
Attorneys for Respondent

This the 20th day of April 2026.