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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

S. Thompson Tucker III, Magistrate Court Judge
Magistrate Court Case No.: 2026CV041070006
Civil Action No. 2026-CP-04-00229

Appellate Case No. 2026-000358

Jackie Roberts,, Appellant

v.

Luigi Cerullo,, Respondent.

**APPELLANT'S MOTION TO RECONSIDER CLERK'S NOTICE OF INTENT
TO DISMISS FOR LACK OF ATTORNEY REPRESENTATION AND
MEMORANDUM IN SUPPORT**

TO: THE HONORABLE COURT OF APPEALS OF SOUTH CAROLINA

NOW COMES the Appellant, Jackie Roberts, appearing pro se, and respectfully moves this Honorable Court for reconsideration of its Deficiency Letter dated April 14, 2026, which advises that this appeal will be dismissed unless an attorney enters an appearance. The Clerk's letter is premised on the conclusion that Crimson Events, LLC a registered South Carolina limited liability company is the appellant and that, under *Renaissance Enters. v. Summit Teleservices, Inc.*, 334 S.C. 649, 515 S.E.2d 257 (1999), a nonlawyer may not prosecute a corporate appeal. Appellant does not dispute that Crimson Events, LLC is a registered South Carolina entity. Appellant

respectfully submits, however, that Crimson Events, LLC is not the appellant in this proceeding, for three independent, record established reasons:

PRELIMINARY STATEMENT

First, the caption of this appeal identifies the appellant as “Jackie Roberts” a natural person without any reference to Crimson Events, LLC. Second, the Magistrate Court’s Order of Dismissal, the very order under review, names “Jacqueline Roberts” as the appellant throughout and makes no reference to a corporate entity. Third, Jacqueline Roberts is the real party in interest who personally signed the lease, personally faces dispossession, and has an independent individual right to prosecute this appeal that exists entirely apart from any LLC interest. The *Renaissance* rule governs the representation of corporate entities; it does not strip a natural person of her right of self-representation merely because she conducted business under a corporate trade name. Dismissal on this basis would be reversible error.

RELEVANT FACTS

On January 28, 2026, the Powdersville Piedmont Summary Court entered a default Judgment of Ejectment. On January 29, 2026, Appellant timely filed a Notice of Appeal. On February 3, 2026, the Notice of Appeal was docketed in the Anderson County Court of Common Pleas, vesting exclusive jurisdiction in the Circuit Court under Rule 241, SCACR.

On February 3, 2026, the Magistrate Court issued, ex parte and without notice, a Bond to Stay Execution on Appeal requiring a lump sum payment of \$10,500.00 within five days plus \$5,000.00 monthly. On February 5, 2026, Appellant filed in the Circuit Court an Emergency Motion to Stay Bond Order, Modify Bond, and Set or Remand for Prompt Bond Hearing, invoking S.C. Code Ann. § 27-40-800(d). The Circuit Court took no action.

On February 10, 2026, the Magistrate Court seven days after exclusive jurisdiction had transferred to the Circuit Court entered an Order of Dismissal. The body and caption of that Order identify the appellant as “**Jacqueline Roberts**” throughout. The Order makes no reference to Crimson Events or to any corporate entity. It orders that “*the Writ of Ejectment shall be reissued*” against Jacqueline Roberts. The Magistrate’s Order is the instrument this Court is reviewing. It establishes who the party is.

The Notice of Appeal filed in this Court on February 19, 2026, and accepted and docketed by this Court, captions the matter as “**Jackie Roberts**” on the appellant line without any LLC designation. The Initial Brief filed March 18, 2026, was likewise captioned in the name of Jackie Roberts. The Clerk’s April 14, 2026, letter, however, directed its concern to the commercial lease agreement on file, which identifies the tenant in its header as Crimson Events, LLC. Appellant concedes Crimson Events, LLC is a registered South Carolina limited liability company. The dispositive question is whether that registration converts Jacqueline Roberts the named appellant in this Court’s own docket, in the order below, and in the ejectment **WRIT** into a corporate party incapable of self-representation.

ARGUMENT

I. THE APPELLANT IN THIS PROCEEDING IS JACQUELINE ROBERTS, A NATURAL PERSON NOT CRIMSON EVENTS, LLC AS ESTABLISHED BY THIS COURT’S OWN DOCKET, THE ORDER OF DISMISSAL, AND THE EJECTMENT WRIT.

The threshold question under *Renaissance* is not whether a corporate entity has some connection to the litigation, but whether the **appellant** is a corporate entity. *Renaissance Enters. v. Summit Teleservices, Inc.*, 334 S.C. 649, 651, 515 S.E.2d 257, 258 (1999). The Court held that *Summit Teleservices, Inc.* A corporation appearing in its own name, on its own claims, through a nonlawyer officer could not be so represented. The rationale is that a corporation’s legal existence

is separate from its shareholders, and prosecuting the corporation's claims requires a licensed attorney. That rationale has no application where the appellant is a natural person.

Here, the appellant line in this Court's docket reads: "Jackie Roberts." No LLC designation appears. The Magistrate's Order of Dismissal the order subject to review captions and refers to the appellant as "Jacqueline Roberts" without exception. The writ of ejectment, which the Order directed to be reissued, runs against Jacqueline Roberts personally: she is the occupant who will be physically removed. This is not a case where a corporation files under its own name to prosecute a corporate claim through a nonlawyer. It is a case where a natural person, identified as such in every operative document of record, seeks to defend her possessory rights on appeal.

South Carolina courts do not apply *Renaissance* to natural persons simply because those persons are affiliated with a corporate entity. The corporation's legal existence is separate from the individual's that separation cuts both ways. Crimson Events, LLC's status as a registered entity, does not dissolve Jacqueline Roberts' individual legal identity or deprive her of the constitutional right to self-representation that belongs to every natural person. *Faretta v. California*, 422 U.S. 806, 81819 (1975) (the right of self-representation is personal to the natural person).

II. JACQUELINE ROBERTS SIGNED THE LEASE IN HER INDIVIDUAL CAPACITY AND IS PERSONALLY OBLIGATED UNDER ITS TERMS, INDEPENDENTLY OF ANY LLC INTEREST.

The commercial lease at issue warrants careful examination. While its header designates the tenant as "Crimson Events LLC," the **signature page** the operative execution identifies and obtains the signatures of two individuals: **Byron Roberts** and **Jacqueline Roberts**, each signing in their personal capacities, dated August 24, 2024. No officer's title, no "on behalf of" designation, and no LLC execution block appears beside their signatures. Under South Carolina contract law, a signatory who signs a lease without clearly indicating representative capacity is

personally bound. *See Burwell v. South Carolina Nat'l Bank*, 288 S.C. 34, 340 S.E.2d 786 (1986) (individual who signs commercial agreement without indicating representative capacity assumes personal liability).

If Jacqueline Roberts is personally bound by the lease, the ejectment action runs against her individually, the bond demand runs against her individually, and the right to contest both belongs to her individually. A party who is personally subject to a judgment has personal standing to appeal it. That standing does not evaporate because a corporate entity may also have had a contractual interest in the premises. The appeal of a judgment against a natural person is prosecuted by that natural person not by her LLC.

III. APPELLANT HAS INDEPENDENT INDIVIDUAL STANDING AS THE PERSON FACING ACTUAL PHYSICAL DISPOSSESSION.

Even if this Court were to look past the caption and the signature page, the practical reality is dispositive: Jacqueline Roberts is the natural person who will be physically ejected from 602 Anderson Street, Piedmont, South Carolina if the writ runs. She is the occupant. She paid the \$9,000.00 security deposit. She has conducted her business at those premises throughout the lease term. The Order of Dismissal she is appealing threatens her personal, physical removal from property in which she has concrete possessory rights.

South Carolina's courts consistently recognize individual standing where a natural person has a direct, personal stake in the outcome that is distinct from any derivative corporate interest. *Sloan v. Greenville County*, 356 S.C. 531, 546, 590 S.E.2d 338, 346 (Ct. App. 2003). The individual interest protected here is not a corporate asset it is the right of a natural person to remain in possession of the premises she occupies. That is precisely the kind of personal possessory interest for which the right of self-representation exists.

To hold otherwise would produce a result wholly inconsistent with the *Renaissance* rationale. The rule against nonlawyer corporate representation exists to protect courts and opposing parties from the deficiencies of lay advocacy on behalf of a separate legal entity with distinct rights. It was not designed to strip a natural person of her individual voice simply because she once formed an LLC. The corporate veil protects the individual from the LLC's debts; it does not, and cannot, extinguish the individual's right to defend her own possessory rights in court.

IV. THE SUBSTANTIVE GROUNDS FOR REVERSAL ARE INDEPENDENTLY SUFFICIENT AND WEIGH HEAVILY AGAINST DISMISSAL ON A COLLATERAL CAPTION THEORY.

This Court should also weigh the gravity of the underlying merits. The appeal presents six independently sufficient grounds for reversal, including the argument that the Magistrate's Order of Dismissal is **void ab initio** for lack of subject matter jurisdiction. *Kosciusko v. Parham*, 428 S.C. 481, 497, 836 S.E.2d 362, 371 (Ct. App. 2019) ("an order entered without subject matter jurisdiction is void ab initio and unenforceable"). A void judgment may be challenged at any time by any party, including a pro se litigant. Rule 60(b)(4), SCRCF.

The Magistrate entered its Order of Dismissal on February 10, 2026, seven days after the Notice of Appeal was docketed in the Circuit Court, at which moment exclusive jurisdiction transferred irrevocably under Rule 241, SCACR. The Order also recites that Appellant "signed this Bond on February 4, 2026" a statement contradicted by both certified versions of the bond in the record, neither of which is dated February 4, one of which bears no tenant signature, and which Appellant attests under oath she never signed. Additionally, the Circuit Court failed entirely to act on a timely filed motion expressly authorized by S.C. Code Ann. § 27-40-800(d), which imposed a statutory bar to any ejectment execution while that motion remained pending and unresolved.

Dismissing this appeal on a corporate representation theory when the party before the Court is a natural person who has already fully briefed six substantial constitutional and jurisdictional grounds for reversal would cause disproportionate and irreversible harm. Appellant has not had a single hearing on the merits at any level of this proceeding.

V. IN THE ALTERNATIVE, APPELLANT REQUESTS LEAVE TO FILE A SUBSTITUTION OF CAPTION AND A BRIEF EXTENSION OF TIME.

Should this Court determine that any curative step is warranted despite the foregoing, Appellant respectfully requests: (a) leave to file a Substituted Caption clarifying that the appellant is “Jacqueline Roberts, Individually,” and (b) a fourteen (14) day extension of time from the date of any order for any additional curative filing the Court may require. The substance of the Initial Brief, the underlying record, and all arguments therein would remain unchanged; the amendment would be a caption designation only.

This Court has authority to grant such relief under Rule 201, SCACR, and the policy reflected in Rule 15, SCRCR, favoring resolution of disputes on their merits. Good cause exists: Appellant acted in good faith at every step, the appeal was fully and timely briefed, the order below names her individually, and Respondent suffers no prejudice from a caption clarification.

CONCLUSION

Appellant does not dispute that Crimson Events, LLC is a registered South Carolina entity. What Appellant respectfully urges is that Crimson Events, LLC is not the appellant here. The appellant is Jackie Roberts, a natural person whose name appears on this Court’s docket, in the Magistrate’s Order of Dismissal, and in the ejectment writ that threatens her physical removal from her business premises. The *Renaissance* rule governs the courtroom representation of corporations and LLCs prosecuting their own claims. It does not apply to a natural person defending her own possessory rights under her own name in her own appeal.

WHEREFORE, Appellant Jackie Roberts respectfully prays that this Honorable Court:

1. Reconsider the April 14, 2026, notice and determine that *Renaissance Enterprises* does not require attorney representation because the appellant in this proceeding is Jacqueline Roberts, a natural person, not a corporate entity;
2. Permit the appeal to proceed on the merits as presented in the Initial Brief filed March 18, 2026; and
3. In the alternative, grant leave to file a Substituted Caption reflecting “Jacqueline Roberts, Individually” and a fourteen-day extension of time for any curative filing the Court may require.

By: s/ Jackie Roberts
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April 20, 2026
Piedmont, South Carolina

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CERTIFICATE OF SERVICE

I hereby certify that on April 20, 2026, I served a true and correct copy of the foregoing Motion to Reconsider and Memorandum in Support upon the following parties by United States Mail, first-class postage prepaid, addressed as follows:

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