EMERGENCY

THE STATE OF SOUTH CAROLINA IN THE COURT OF APPEALS

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SC Court of Appeals

Ubong Christopher Ubokudom, *Appellant,*

v.

University of South Carolina, *Respondent.*

Appeal From Richland County Court of Common Pleas Case No.: 2026-CP-40-00645

PETITION FOR SUPERSEDEAS AND EMERGENCY TEMPORARY STAY

(Pursuant to Rule 241, SCACR)

Respectfully,

/s/ Ubong Christopher Ubokudom
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Appellant Pro Se

Dated: May 11, 2026

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EMERGENCY

THE STATE OF SOUTH CAROLINA IN THE COURT OF APPEALS

Ubong Christopher Ubokudom, Appellant,

v.

University of South Carolina, Respondent.

Case No.: 2026-CP-40-00645 (Appeal from Richland County)

PETITION FOR SUPERSEDEAS AND EMERGENCY TEMPORARY STAY (Pursuant to Rule 241, SCACR)

I-A. STATEMENT OF IMPRACTICABILITY (Rule 241(d)(1))

Pursuant to Rule 241(d)(1), SCACR, Appellant submits that application to the trial court for a stay or supersedeas is impracticable. The trial court's May 8, 2026 Order (page 1 Exhibit A) directly contradicts the conclusive judicial admissions already established by operation of law under Rule 36, SCRCP. Furthermore, because the trial court has already denied the requested injunctive relief despite the existence of these admissions, further application to that same court would be futile. The immediate threat to Appellant's law school matriculation and the legal rights of his minor child requires the intervention of this Court to prevent a manifest miscarriage of justice. Appellant previously sought a Writ of Mandamus (Case No. 2026-000348), which was denied because the Court found an available legal remedy existed. Following the trial court's May 8th Order, this Petition for Supersedeas is now the only remaining remedy to prevent the imminent loss of Appellant's professional education. While a prior request for a Temporary Restraining Order was denied based on an assumed lack of proper notice to the Respondent, that procedural gap has been fully corrected as of February 13, 2026. Despite proper notice and conclusive evidence of enrollment, the trial court failed to grant the necessary relief in its May 8th Order

Appellant Ubong Christopher Ubokudom, appearing *pro se*, hereby petitions this Court for an Emergency Temporary Stay and Supersedeas of the Order of the Honorable Daniel Coble dated May 8, 2026.

I-B. STATEMENT OF EMERGENCY

Appellant has contemporaneously placed a request to order a transcript of the May 4, 2026, hearing. However, due to the emergency nature of this Petition and the imminent **June 15th ABA compliance deadline**, Appellant respectfully requests that this Court review the

attached Exhibits and Memoranda as a sufficient record for the purposes of granting a temporary stay and the requested injunctive relief while the formal transcript is pending.

Appellant is facing an immediate and irreversible loss of his professional education and his ability to fulfill his duty as legal counsel for his minor child. This Petition is an emergency because of the following critical factors:

1. **The June 15th ABA Deadline:** Pursuant to American Bar Association (ABA) standards and law school matriculation requirements, Appellant must submit a final, official transcript reflecting **all** prior post-secondary enrollment by **June 15, 2026** (page 1 Exhibit H & page 1 Exhibit H). Failure to meet this deadline results in the automatic forfeiture of Appellant's law school seat and the destruction of years of professional preparation and financial investment.
2. **Administrative "No Record" Blockade:** Despite Respondent's conclusive admission (RFA #4, 11, 21), (page 14 of exhibit C) that Appellant was a registered student, Respondent continues to report a "No Record" status to the Law School Admission Council (LSAC) and Parchment (page 32 Exhibit F). This administrative falsehood makes it legally and ethically impossible for Appellant to comply with his June 15th deadline.
3. **Coercive Retention of Funds:** Respondent has retained **$961.00** paid by Appellant specifically for the release of academic holds and the issuance of transcripts. Respondent has kept these funds as an act of unjust enrichment while simultaneously refusing to provide the contracted-for records (page 1 Exhibit J). These funds are now urgently required for Appellant's law school application and associated costs and the legal protection of his minor child in future litigation.
4. **Irreparable Harm to a Minor:** Absent an immediate stay and mandatory injunction, Appellant will be permanently barred from completing the legal education necessary to serve as counsel for his minor daughter in future litigation regarding defective products. This loss of a unique legal right—**the right to be represented by a specific advocate with a vested interest in the minor's welfare**—cannot be remedied by monetary damages. *Fleming v. Asbill*, 326 S.C. 547, 483 S.E.2d 751 (1997), *Ex parte Roper*, 254 S.C. 558, 176 S.E.2d 175 (1970).

II. MOTION FOR EXPEDITED PANEL REVIEW AND SHORTENED NOTICE PERIOD

Pursuant to **Rule 241(e)(2) and Rule 263, SCACR**, Appellant respectfully moves the Court to expedite the review of this Petition by a full panel of three judges and to shorten the Respondent's time to respond.

1. **Shortened Notice Requirement:** Under Rule 241, the Respondent typically has ten days to respond. However, given the **June 15, 2026** ABA deadline, a ten-day delay would render any relief functionally futile. Appellant moves the Court to order an expedited response from the Respondent within **forty-eight (48) hours** of service.

2. **Basis for Expedited Panel Review:** This matter involves a "substantial right" (the right to professional education) that will be permanently lost without immediate intervention. ***Moffitt v. South Carolina State University,***, S.C. Code Ann. § 14-3-330. An expedited panel review is necessary because the relief sought—a mandatory injunction directing the correction of enrollment records—requires the weight of a full panel to ensure the status quo is preserved before the June 15 ABA compliance deadline. *G.G. v. Gloucester Cnty. Sch. Bd.*, 822 F.3d 709 (4th Cir. 2016)
3. **Irreparable Injury:** Every day that passes without a corrected record further jeopardizes Appellant's seat in the 2026 Juris Doctor academic cycle. Expedited review is the only procedural mechanism available to prevent the total forfeiture of the underlying appeal's subject matter. *Anderson v. Sch. Bd. of Virginia Beach*, 2020 WL 11883387 (E.D. Va. 2020).

III. STATEMENT OF ISSUES ON APPEAL

Pursuant to **S.C. Code Ann. § 14-3-330(2)**, Appellant identifies the following issues which affect a substantial right and warrant immediate appellate review:

1. **Denial of Injunctive Relief as to Unique Educational Interests:** Whether the trial court erred in denying a Preliminary Injunction where Appellant demonstrated that Respondent's "No Record" reporting creates an immediate, irreparable blockade to law school matriculation—a unique educational opportunity that cannot be remedied by monetary damages after the June 15, 2026, ABA deadline.
2. **Failure to Enforce Conclusive Judicial Admissions:** Whether the trial court committed an error of law by failing to acknowledge and enforce conclusive judicial admissions established under **Rule 36, SCRCP**, regarding Appellant's enrollment and his **$961.00** payment for the release of records.
3. **Abuse of Discretion regarding Discovery Verifications:** Whether the trial court erred in finding Respondent "complied with discovery" when Respondent failed to provide a unified corporate verification under **Rule 33, SCRCP**, as required by ***Tupper v. Dorchester County***, 326 S.C. 318 (1997).
4. **Failure to Rule on Essential Procedural Motions:** Whether the trial court's failure to rule on Appellant's **Motion for Leave to Amend and Supplement** and not granting his second amended and supplemented complaint and **Motion for an Expedited Trial** effectively deprives Appellant of a meaningful path to final judgment, thereby affecting a substantial right.
5. **Protection of Minor's Legal Interests:** Whether the trial court erred in failing to exercise its inherent authority as ***parens patriae*** to grant emergency relief when Respondent's conduct prevents Appellant from fulfilling his professional requirements to serve as legal counsel for his minor child. Absent an immediate stay and mandatory injunction, Appellant will be permanently barred from completing the legal education necessary to serve as counsel for his minor daughter in future litigation regarding defective products. This loss of a unique legal right—**the right to be represented by a**

specific advocate with a vested interest in the minor's welfare—cannot be remedied by monetary damages.

IV. STATEMENT OF THE CASE

This matter arises from the Respondent University's refusal to acknowledge Appellant's academic record and its subsequent interference with Appellant's matriculation into law school. Appellant was a formally admitted and enrolled student at the University of South Carolina for the Spring 2025 semester. Despite this, Respondent has maintained a "No Record" defense that is directly contradicted by its own internal systems and financial records.

A. The Conclusive Admissions and the $961.00 Payment On March 5, 2026, Appellant served Requests for Admission (RFAs) to resolve these factual disputes. Respondent failed to provide verified, sworn responses from a University official, resulting in conclusive judicial admissions under Rule 36, SCRCP. Specifically, it is now an established fact of record that Appellant was enrolled (RFA #11,21) (page 106 Exhibit P) and that Appellant paid Respondent **$961.00** specifically to resolve all holds and secure the release of his academic transcripts (RFA #16,17). To date, Respondent has retained these funds as an act of unjust enrichment while simultaneously refusing to provide the contracted-for records.

B. The May 4, 2026 Hearing and the Trial Court's Failure to Rule At a hearing held on May 4, 2026, Respondent argued that Appellant suffered no "irreparable harm" because law schools do not require transcripts from all institutions attended. This is a manifest misrepresentation of the Law School Admission Council (LSAC) rules and the professional character requirements for admission to the Bar, which mandate the disclosure of *all* post-secondary enrollment.

During the hearing, Appellant emphasized the urgency of the June 15, 2026 ABA compliance deadline for official transcripts to be sent and requested that the court enforce the Rule 36 admissions. Appellant also moved for leave to amend and supplement the second amended and supplemented complaint to reflect the escalation of the University's conduct and the email evidence regarding the re-enrollment demands by the respondent; This email demonstrates the no enrollment or no academic history was false and demonstrates that the Respondent could have release an accurate official transcript after the appellant paid $961.00 but they did not. Instead, the respondent engaged in coercive behavior by requiring the Appellant agree to paying even more money for them to correct their errors by conditioning the correction of administrative errors on further payments and unnecessary re-enrollment. *Bultman v. Barber*, 277 S.C. 5, 281 S.E.2d 791 (1981)

C. The Order Being Appealed On May 8, 2026, the trial court issued an Order (Exhibit A) that denied Appellant's request for a Preliminary Injunction and found that Respondent had "complied with discovery." In doing so, the trial court:

1. Ignored the conclusive nature of the Rule 36 admissions;

2. Failed to address Appellant's **Motion to Determine Sufficiency of Admissions** and **Motion to Compel** a unified Corporate Verification;
3. Failed to rule upon Appellant's **Motion for Leave to Amend and Supplement his second amended and supplemented complaint**; and
4. Effectively denied the **Motion for an Expedited Trial Schedule**, leaving Appellant with no legal path to correct his records before the "point of no return" on June 15.

D. The Harm to Third Parties The trial court's inaction does not only affect the Appellant; it directly jeopardizes the legal rights of Appellant's minor daughter. *Ex parte Roper*, 254 S.C. 558, 176 S.E.2d 175 (1970). Appellant intends to serve as counsel for his child upon completion of his legal education in future litigation to obtain justice for his daughter regarding irreparable harm she has experienced due to defective products. The University's administrative blockage of Appellant's career path is a direct threat to the minor child's ability to receive vigorous legal protection as established under *Fleming v. Asbill*.

V. STATEMENT OF FACTS

A. Spring 2025 Enrollment and Academic Participation In January 2025, Appellant enrolled in the Mass Communications program at the University of South Carolina. During this term, Appellant actively participated in coursework, utilized university resources, and was processed for federal financial aid. Despite this documented participation, Respondent has maintained a clerical position that "no record of enrollment" exists for this period, a central point of contention in the underlying litigation.

B. Financial Performance and the Restitution Agreement On or about March 2025, the parties entered into a financial agreement regarding outstanding balances. Appellant fulfilled his obligations under this agreement by making a restitution payment of $961.00. This payment was accepted by the University; however, Respondent has failed to provide the corresponding administrative clearance or certified transcripts typically triggered by such a settlement.

C. Discovery Defaults and Procedural Contradictions On March 5, 2026, Appellant served Requests for Admission (RFAs) to resolve the enrollment dispute. Respondent failed to provide timely, verified responses under Rule 36, SCRCP. Instead, Respondent provided unverified and "siloed" responses that contradict internal University records, including registrar emails and billing statements which confirm Appellant's status as a student.

D. Imminent Professional Harm Appellant is currently a law school candidate with a mandatory matriculation deadline of June 15, 2026. The University's refusal to correct the enrollment record or provide a certified transcript constitutes a "point of no return." Without an emergency stay and supersedeas, Appellant will suffer the permanent loss

of his seat in the incoming law class, an injury that cannot be remedied by future monetary damages.

VI.STANDARD OF REVIEW- GROUNDS FOR RELIEF: THE POWELL FACTORS

Pursuant to the standards set forth in *Powell v. S.C. Dep't of Pub. Safety*, 347 S.C. 331, 555 S.E.2d 402 (2001), Appellant satisfies the four-part test required for the issuance of a Supersedeas and Emergency Temporary Stay.

1. Likelihood of Success on the Merits Appellant's likelihood of success is established by the Respondent's own procedural defaults. By failing to serve sworn, verified responses to Appellant's Requests for Admission (RFAs) within the thirty-day window mandated by Rule 36(a), SCRCP, the core facts of Appellant's enrollment and registration have been **conclusively established** by operation of law. Rule 36(b), SCRCP. The trial court committed a manifest error of law by failing to enforce these judicial admissions. Because these admissions are incontrovertible and cannot be contradicted at trial, Appellant has achieved the highest level of evidentiary certainty regarding the merits of his claims. **The Trial Court Erred by Ignoring Conclusive Admissions Under Rule 36** Under *Rhodes v. Lawrence*, admissions resulting from a failure to serve verified responses are "conclusively established." Defendant served unverified, unsworn responses to RFAs on April 2, 2026. By failing to verify these facts via a University official, Defendant defaulted. The trial court's failure to acknowledge RFA #12 (establishing enrollment) constitutes a manifest error of law.

2. Irreparable Harm Absent immediate intervention by this Court, Appellant faces career-ending consequences that cannot be remedied by future monetary damages. Appellant's ability to matriculate into law school depends entirely on the accuracy of his academic records. The impending June 15 ABA compliance deadline (page 36 of exhibit H) constitutes a "point of no return"; if missed, Appellant will not be able to comply with these rules and could lose his seat for law school and be forever barred from fulfilling his intended role as legal counsel for his minor daughter's future litigation. (page 40 of exhibit I). **Irreparable Harm to Professional Future and Minor Child** Appellant faces a "point of no return" on June 15, 2026. Failure to secure an accurate record may result in the loss of a future law school seat. In addition to personal career destruction, this prevents Appellant from fulfilling his duty as counsel for his minor child in future federal litigation. South Carolina courts have long held an inherent duty to protect the rights of minors (*Ex parte Roper*) (Derivative harm Affidavit page 1 Exhibit I). Monetary damages cannot restore a lost professional degree or the lost opportunity to protect a child's constitutional rights. The loss of a professional career path and the inability to protect a minor child's legal interests constitute the very definition of irreparable harm. (Affidavit pages 40-49 of exhibit I).

3. Balance of Equities The balance of equities tips sharply in favor of Appellant. Respondent, as a public institution, suffers no cognizable harm or prejudice by being compelled to report an accurate and truthful academic record—a record they have already admitted exists through

discovery defaults. Conversely, the harm to Appellant is total and permanent, involving the destruction of his professional standing and the forfeiture of his educational investment. Equity will not permit a University to withhold a record that its own internal financial and registration systems have generated. (page 33-34 re-enrollment of exhibit G). Under the doctrine of *parens patriae* as established in ***Ex parte Roper***, 254 S.C. 558 (1970), this Court has an inherent duty to protect the legal interests of minor children. Here, the irreparable harm is twofold: the destruction of Appellant's career and the resulting destruction of his ability to protect the constitutional rights of his minor daughter in pending federal litigation. As her 'Next Friend' under Rule 17, SCRCP, Appellant's professional standing is the primary vehicle for her legal protection. The loss of a law school seat is a 'permanent loss' that falls squarely within the types of harm South Carolina courts must prevent through emergency stay.

4. Public Interest The public interest is served by ensuring the integrity and accuracy of academic records maintained by state institutions. Furthermore, there is a compelling public interest in the protection of the legal rights of minor children (page 40-49 Affidavit & Fed order of exhibit I). By granting this stay, the Court upholds the mandatory nature of the Rules of Civil Procedure and ensures that administrative "gatekeeping" does not prevent a citizen from accessing the judiciary or protecting the vulnerable.

VII. RESTITUTION OF FUNDS AND EQUITABLE RELIEF Respondent's continued retention of **$961.00**—funds accepted specifically to facilitate record access—while simultaneously denying the existence of those very records constitutes a violation of equity and unjust enrichment. These funds are not merely a disputed debt; they are essential resources required for the ongoing legal protection of Appellant's minor child. Restitution of these funds is a necessary component of the relief required to restore the status quo and prevent Respondent from profiting from its own administrative contradictions.

VIII. THE CONCLUSIVE EFFECT OF DEEMED ADMISSIONS UNDER RULE 36 The necessity for an Emergency Stay is underscored by the Respondent's own judicial admissions. On [Insert Date], Appellant served Requests for Admission (RFAs) upon the Respondent. Respondent failed to provide a verification that complied with the timing and substance of Rule 36, SCRCP.

1. **Operation of Law:** Because the Respondent failed to properly answer or object within the thirty-day window, the following facts are **deemed admitted**:
    - That Appellant registered for classes for the Spring 2025 semester (**RFA #12**);
    - That Appellant attended classes and utilized University resources (**RFA #14**);
    - That Respondent possesses internal records reflecting this enrollment.
2. **Conclusive Establishment:** Rule 36(b), SCRCP, explicitly states: *"Any matter admitted under this rule is conclusively established unless the court on motion permits withdrawal or amendment of the admission."* No such motion was granted.
3. **Irreparable Conflict:** The trial court's May 8th Order incorrectly treats these facts as "unproven" or "disputed." By ignoring the mandate of Rule 36, the trial court allowed the Respondent to maintain a "No Record" status that contradicts its own legal admissions.

Appellant requests this Court to enforce the mandatory effect of Rule 36 and issue a stay requiring the Respondent to act in accordance with these admitted facts.

IX. NOTICE OF APPEAL (Rule 241(a))

Pursuant to Rule 241(a), SCACR, Appellant hereby confirms that a **Notice of Appeal** was timely filed and served on May 11, 2026 (page 6-13 Exhibit B). This appeal is taken from the Order of the Honorable Daniel Coble, dated May 8, 2026, which denied Appellant's request for a Preliminary Injunction and failed to enforce the conclusive judicial admissions established under Rule 36, SCRCP.

A copy of the Notice of Appeal is attached to this Petition as **Exhibit A** as being filed simultaneously. The filing of the Notice of Appeal vests this Court with the jurisdiction to grant the requested Supersedeas and Emergency Temporary Stay to preserve the status quo and prevent the imminent destruction of Appellant's professional career and legal interests.

ARGUMENTS:

X. The Trial Court Erred by Failing to Enforce Conclusive Judicial Admissions under Rule 36(b), SCRCP.

The Respondent has engaged in a pattern of "moving the goalposts" to obstruct the truth. In their initial Answer to the Appellant's first amended complaint, Respondent claimed they "lacked sufficient information" to confirm Appellant's enrollment. However, as evidenced by the 5/4/26 Rebuttal, Respondent now admits Appellant was "present on campus" and "went to some class sessions." Respondent's memorandum in opposition to the motions can be found on (page 97-105 Exhibit O).

This is a fundamental contradiction. Under Rule 36(b), SCRCP, the matters set forth in Appellant's Requests for Admission (served March 5, 2026) (page 14-18 Exhibit C and proof of service page 19-22 Exhibit D) are **conclusively established** because Respondent failed to provide timely, sworn responses from a University official (page 23-31 Exhibit E). *Rhodes v. Lawrence*, 298 S.C. 37, 377 S.E.2d 579 (1989),*Tupper v. Dorchester Cnty.*, 326 S.C. 318, 487 S.E.2d 187 (1997). The trial court's May 8th Order ignores these established facts—including RFA #12—which prove enrollment. By refusing to acknowledge these admissions, the lower court has allowed Respondent to retroactively "erase" an academic history they have already admitted exists in discovery. *Rhodes v. Lawrence*, 298 S.C. 37, 377 S.E.2d 579 (1989), *Muwakkil v. S.C. Dep't of Corr.*, 436 S.C. 212, 871 S.E.2d 433 (Ct. App. 2022)

XI. Respondent's Failure to Provide a Unified Verification Under Rule 33.

"Respondent has attempted to evade its discovery obligations by providing fragmented, unverified responses. Under **Rule 33(a), SCRCP**, a public corporation such as the University of South Carolina has a non-delegable duty to provide information 'available to the party' as a whole. Respondent's practice of 'siloing' information—where one department claims ignorance of another's records—is a direct violation of this Rule. Pursuant to ***Tupper v. Dorchester County***, discovery responses not signed under oath by a party official are a nullity. Appellant moves this Court to compel a single, unified verification from a Corporate Representative who has searched all University systems (Bursar, Registrar, and Financial Aid) to reconcile the admitted $961 payment with the 'No Record' defense. (page 32 Exhibit F)

XII. Facts Regarding the Case and rebuttals presented at trial

1. **The Shifting Defense (The "Moving Goalposts"):** In their initial Answer, the University claimed they "lacked sufficient information" to admit or deny the Appellant's attendance. Now, they suddenly acknowledge the Appellant was "present on campus" and "went to some class sessions." This is a calculated shift in defense. If the University truly believed Appellant's status was void due to non-payment, they would have stated that from the beginning. Instead, they hid behind "no record" claims for months. This sudden admission—offered only after the Appellant presented evidence—proves their prior representations to this Court were intentionally misleading.
2. **The "Enrollment" Contradiction:** The Defendant argues that non-payment equals "never enrolled." This is a legal and factual impossibility. The Appellant was officially registered, the Appellant's financial aid was processed and disbursed, and the Appellant was actively participating in courses. You cannot "withdraw" a student from classes they never joined. (page 33-34 of exhibit G)The University's attempt to retroactively erase the Appellant's academic history simply because of a subsequent billing issue is a bad-faith effort to hide the truth. The Appellant's enrollment was a status confirmed by the University's own systems; the Appellant's withdrawal later confirms that the Appellant was, in fact, enrolled until the moment of that withdrawal.
3. **Admission of Existing Record:** The University's own Registrar has admitted that a record of the Appellant's enrollment can be generated and processed. By requiring a "Registration Exception Form" to "add the Appellant's classes back to their record" and subsequently process a withdrawal, the University acknowledges that the data for the Appellant's enrollment exists within their systems (page 33-34 exhibit G). Their claim of "no record" is a strategic choice to withhold the processing of the

Appellant's academic history, rather than a factual statement that no such history exists. Please look at the following email (page 33-34 Exhibit G) and registration exception form the Respondent requested that the Appellant sign, (page 33-34 of exhibit G) you will see the that highlighted in green the term re-enrolled. How can the appellant re-enroll if he was never originally enrolled? In yellow, you will see highlighted the fact that an official transcript can be requested and will be processed but only after the appellant pay approximately $12,000.00. This form confirms the following points of 3A, 3B, and 3C.

A. **Refutes the "No Record" Claim:** It highlights that the Registrar knows how to create the transcript the appellant requested—they are simply conditioning it on the appellant signing a form that may carry financial or legal implications the appellant disagrees with.
B. **Proves Administrative Control:** It shows the Court that the "no record" status is a "hold" or a "dropped" status that the University has the power to reverse if they choose, meaning the data is not lost or non-existent.
C. **Highlights the discrepancy:** It directly contrasts the University's legal filing—which claims no transcript exists due to non-payment—with the Registrar's email, which confirms they can "re-enroll" the appellant and issue a withdrawal record if their specific demands are met. This proves the data is not lost or non-existent; it is being held hostage. By conditioning the "creation" of the Appellant's record on the Appellant's agreement to take on additional financial debt, the University admits that the record of the Appellant's attendance exists in their system. Their "no record" defense is not a factual statement—it is a strategic choice to withhold the appellant history until the appellant submits their financial demands.

4. **The Federal Definition of Attendance:** The University claims the appellant was not a student because the appellant did not pay tuition by their deadline (page 111-112 Exhibit Q). However, under the U.S. Department of Education's Federal Student Aid Handbook, 'academic attendance' is defined not just by payment, but by **academically-related activities**—including submitting assignments, participating in online discussions, and contacting faculty. By their own admission that they 'withdrew' the Appellant, they acknowledged the Appellant was engaged in the course. The University cannot unilaterally decide that a student who is actively participating in class has 'never attended' simply to resolve a billing dispute.
5. **The "No Record" Misrepresentation:** The Defendant claims "no record of enrollment," but by federal standards, their definition is false and an intentional misrepresentation of the Appellant's status as a former student.

The Defendant is choosing to define "enrollment" in a way that conveniently hides their own data.

6. **The Federal Definition of Enrollment:** The University is conflating a billing issue with an enrollment status. Under federal standards, enrollment is defined by academic participation—submitting work, interacting with professors, and engaging with course materials. The University's internal billing policies cannot retroactively erase the fact that the Appellant was an active student. A student does not need to be debt-free to be accurately classified as one who registered for, enrolled in, and attended classes. The U.S. Department of Education's Federal Student Aid Handbook makes this distinction clear; the Appellant's academic participation is a matter of record, regardless of the Appellant's account balance.
7. **Misinterpretation of Demand:** The appellant is not requesting grades; the appellant is requesting an accurate record of his withdrawal status. USC needs to provide the appellant with a transcript that demonstrates that he was withdrawn from all the courses he attended during Spring of 2025. The evidentiary chain is clear: **Blackboard logs = Academic Participation = Legal Enrollment = A Right to an Accurate Transcript.** To protect students and professors the appellant requests that their names be redacted. However, by suppressing the Blackboard metadata, the University is preventing the correction of the Appellant's official academic record.
8. **Timeline Manipulation:** The appellant requested transcripts in November of 2025, not January of 2026. The "No Record" claim only appeared after the appellant challenged their initial, inaccurate transcript processing.
9. **The Rule 36/33 Verification Requirement:** Attorneys cannot verify facts based on personal knowledge they do not possess. If lawyers could verify everything, parties would never have to provide sworn testimony, rendering discovery useless (page 1 Exhibit M).
10. The opposing counsel's signature is not a substitute for the Rules of Civil Procedure. Rule 36 and Rule 33, Rule 33 (a) are clear: discovery responses must be signed and verified by the party, not the attorney. Furthermore, counsel's signature is not even accompanied by a sworn affidavit or a statement under penalty of perjury.
11. A lawyer's signature, unsworn and lacking the personal knowledge of a corporate representative, is a legal nullity. It does not certify the truth of the responses, it does not hold the University accountable for their 'No Record' claims, and it is a blatant attempt to bypass the perjury requirements that the rules are designed to enforce.

12. **The Mandamus Ruling:** The Court of Appeals denied the appellant's mandamus because the court believed there was still an available remedy in the court.
13. **Prior TRO Denial:** The previous TRO was denied due to an assumed lack of proper notice to the defendant. That procedural gap has now been fully corrected.
14. The Respondent argues that "the Appellant's daughter's legal situation has no bearing on any duty allegedly owed by the defendant or any right that plaintiff has standing to assert." The following reasons demonstrate why the defendant's statement is not only false but demonstrates more evidence of malice, defamation, gross negligence and reckless disregard, and intentional infliction of emotional distress:

A. By the defendant misrepresenting the Appellant's academic history per the LSAC rules and the ABA compliance rules, the Appellant will not be able to matriculate onto law school. (Page 36-39 of exhibit H)
B. The Respondent's misrepresentation has caused the Appellant to lose months of time that the appellant has been forced to spend on this litigation—time that should have been dedicated to his daughter's federal case, his law school applications, and his professional advancement.
C. The Respondent's are attempting to predict the future by claiming the appellant would not be able to represent his daughter in the federal litigation because of the time in which it would take the appellant to become an attorney. The defendant also incorrectly assumes that the appellant will not be filing future lawsuits to protect his daughter's rights.
D. The defendant's misrepresentation may cause the appellant to lose one full application cycle for Law school, which could be one less year the appellant would have to protect his daughter's rights in future product liability lawsuits as a physician attorney.

15. **Incomplete/Invalid Verifications:** The staff signatures provided on April 30, 2026, only cover their specific departments and do not verify the core metadata (Blackboard classroom, registration, enrollment information) needed to prove the appellant's status as a former student.
16. **The Verification (Evidence):** RFAs are designed to establish facts. If an attorney signs them, they are acting as a conduit, not a witness. If the University denies a RFA, and the appellant wants to hold them to that denial, the appellant needs a **verified statement** from the **entire** party (the University) that they have made a reasonable inquiry and that their denial is based on facts known to the institution. As of May 4th, 2026 the University still has not verified the Requests for Admissions. Since they did not submit a verified statement and it was not signed by a corporate

representative by operation of law, the requests for admissions are now deemed admitted.

17. **Failure to Designate a Corporate Representative:** By providing only fragmented, departmental signatures (Bursar/Registrar) rather than a single, authorized Custodian of Records, for the interrogatory requests (page 52-72 Exhibit K) the University has failed to provide a binding corporate response. (page 73-76 Exhibit L). Their inability to designate one individual to verify the **entirety** of their responses confirms they are intentionally avoiding institutional accountability for the "No Record" certification and the existence of the underlying metadata. Furthermore, their counsel has still failed to provide any sworn and verified Responses by a corporate representative to the Requests for Admission (RFAs), leaving the University in total default under Rule 36.
18. **Discovery Defaults and "Siloed" Verifications** Under Rule 33, Rule 33 (a), discovery must be signed by the party under oath. Defendant's attempt to "hide behind separate departments" by providing unverified responses signed only by counsel is a procedural nullity (*Tupper v. Dorchester Cnty.*). This Court should compel verified responses to ensure the truth of Appellant's academic standing is not suppressed.

XIII. MANDATORY RELIEF ARISING FROM JUDICIAL ADMISSIONS

The trial court's failure to recognize the conclusive effect of the deemed admissions under Rule 36, SCRCP, led to the erroneous denial of several dependent motions. Because the Respondent has admitted to the core facts of this dispute by operation of law, the following relief is now a mechanical necessity to ensure a fair and expedited resolution:

1. **Motion to Compel & Rule 33 Designation:** To satisfy the requirements of Rule 33, Respondent must be ordered to designate a single **Corporate Representative and Custodian of Records**. This representative must have the authority and institutional knowledge to verify the **totality** of Respondent's responses, ending the practice of unverified, attorney-only signatures that have obstructed discovery to date and individual department verifications that are not able to accurately answer all questions regarding the interrogatories.
2. **Leave to Amend & Supplement:** Given the conclusive nature of the admissions, justice requires that Appellant be granted leave to amend and supplement the Second Amended Complaint to align the pleadings with the facts now admitted by the Respondent (page 84-96 Exhibit N). Rule 15, *Bultman v. Barber*, 277 S.C. 5, 281 S.E.2d 791 (1981).
3. **Expedited Scheduling & Trial:** Because the core facts of registration and attendance are now admitted, the remaining issues for trial are significantly narrowed. Appellant requests an **Amended Scheduling Order** and an **Expedited Trial date** to prevent further irreparable delay in his professional matriculation and his ability to advocate for

his minor child. **Mandatory Expedited Scheduling** Under Rule 40(i), good cause exists to expedite this matter. Because liability is established via Rule 36, the only remaining issue is the restoration of records and damages. An expedited schedule is necessary so the litigation does not interfere with Appellant's upcoming academic obligations.

XIV. CONCLUSION & RELIEF REQUESTED Appellant respectfully requests that this Court:

1. Issue an **Emergency Temporary Stay** of the May 8, 2026 Order.
2. Issue an ordering **Deeming Admitted** all matters in Plaintiff's First Set of Requests for Admission pursuant to Rule 36(b);
3. Issue an Injunction Pending Appeal requiring Respondent to issue an accurate enrollment record to LSAC and parchment;
4. **Issue a Temporary Restraining Order and Preliminary Injunction, pursuant to Rule 65, SCRCP, and the Court's inherent authority under Rule 241 and Rule 263, SCACR :** enjoining the University of South Carolina, including its officers, employees, agents, and all persons acting in concert with it, that it is hereby TEMPORARILY RESTRAINED AND ENJOINED from:
    A. Representing to the Law School Admission Council (LSAC) or to any third party that Plaintiff "never attended" the University of South Carolina; and
    B. Conditioning Plaintiff's access to an academic transcript, enrollment verification, or other education record on re-enrollment or payment of disputed charges.
    C. **Affirmative Relief and Mandatory Letter of Correction.** Respondent shall, within twenty-four (24) hours of the entry of the Order:
    D. **Prepare and release to the LSAC an OFFICIAL academic transcript** or enrollment verification reflecting Plaintiff's Spring 2025 enrollment and subsequent Withdrawal status;
    E. **Transmit a Formal Letter of Correction to the LSAC, Parchment,** and any third party previously notified of "No Record." This letter shall affirmatively state that the previous report of "No Record" was an administrative error and that Plaintiff was a formally admitted and enrolled student for the Spring 2025 semester and was later withdrawn; and Refrain from canceling or rejecting Plaintiff's transcript or enrollment record requests based on Respondent 's assertion that Plaintiff has "no record of enrollment.
5. **Order the immediate return of the $961.00** to the Appellant, as Respondent's refusal to acknowledge the record renders the retention of these funds an act of unjust enrichment that obstructs Appellant's ability to provide for his daughter's legal needs.
6. **This refund shall be issued in the form of a check or electronic transfer payable directly to the Plaintiff within 48 hours of the entry of the Order.** This refund is ordered as restitution for a breached agreement and shall not be applied by the Respondent as a "credit" toward any other disputed balances or administrative holds during the pendency of this litigation.
7. **Request for Waiver of Bond Pursuant to Rule 241(c)(2).** Petitioner respectfully requests that the Court waive the requirement for a bond in this matter. A bond is not necessary because the stay and the return of the **$961.00** restitution payment are intended to restore the *status quo ante*. This payment was made under a documented

Repayment Agreement for the specific purpose of record release—a service the Respondent subsequently withheld. Therefore, the return of these funds is a corrective measure and does not constitute a monetary judgment requiring security under Rule 241.

8. **No Adjudication on Damages.** Nothing in this Order adjudicates Plaintiff's claims for monetary damages, which are expressly preserved.
9. **Service of Order.** Service of a copy of this Order upon the University of South Carolina Office of General Counsel or the University Registrar via electronic mail or hand-delivery shall be deemed sufficient and immediate service upon the Respondent .
10. Issue an order granting the motion to compel and require the Respondent to properly satisfy Rule 33, the University must designate a **single Corporate Representative**—a Custodian of Records—who has the authority to verify the *totality* of the Respondent's responses.
11. **Issue an order Granting Leave** to file the Second Amended and Supplemented Complaint to ensure the full scope of Respondent's conduct is adjudicated; and
12. **Issue an order Expediting Trial** on the issue of damages for the July 2026 term.

XV. VERIFICATION AND ACKNOWLEDGMENT

STATE OF SOUTH CAROLINA COUNTY OF RICHLAND

I, **Ubong Christopher Ubokudom**, being first duly sworn, depose and say that I am the Affiant named in the foregoing Affidavit; that I have read the same and know the contents thereof; and that the facts stated therein are true to the best of my knowledge, information, and belief.

5/11/26

Signature of Affiant (Dr. Ubong Christopher Ubokudom)

"My truth is all I have to protect my daughter; this truth, in addition to the honesty and empathy of others, I hope will eventually lead to the safety and justice she so desperately needs and deserves." Dr. Ubong Christopher Ubokudom

NOTARIAL CERTIFICATE

Subscribed and sworn to (or affirmed) before me this 11 day of May, 2026, by **Dr. Ubong Christopher Ubokudom**, who is personally known to me or who has produced a Driver's License as identification.

Ellen Dowell

Signature of Notary Public, State of South Carolina

ELLEN DOWDELL
Notary Public, State of South Carolina
My Commission Expires 02/24/2035

(Official Seal)

My Commission Expires: 02-24-2035

ELLEN DOWDELL NOTARY PUBLIC SOUTH CAROLINA

EMERGENCY

THE STATE OF SOUTH CAROLINA IN THE COURT OF APPEALS

Ubong Christopher Ubokudom, *Appellant,*

v.

University of South Carolina, *Respondent.*

Appeal From Richland County Court of Common Pleas Case No.: 2026-CP-40-00645

Appellant's EXHIBIT INDEX for PETITION FOR SUPERSEDEAS AND EMERGENCY TEMPORARY STAY

Exhibit	Document Description	Legal Significance / Purpose	Page #
A	**Order of Judge Daniel Coble (May 8, 2026)**	The Order being appealed.	1-5
B	**Notice of Appeal (Filed simultaneously May 11, 2026) & Expedited Transcript Request email & form**	Proof that the appeal is active and jurisdiction is proper.	6-13
C	**Plaintiff's Requests for Admission (Served 03/05/26)**	Shows the specific facts (Enrollment) the University had to answer.	14-18

D	**Proof of Service, USPS confirmation & Email Transmission (RFAs)**	Establishes the 30-day clock for the Rule 36 default.	19-22
E	**Respondent's Unverified RFA Responses**	Proves the responses were unsworn and therefore a nullity.	23-31
F	**The "No Record" Evidence (Parchment/LSAC/Gmail)**	Evidence of the University's ongoing harm/misrepresentation.	32
G	**University Registrar Re-enrollment Email & Registration exception Form**	Physical proof that the University recognized your status previously.	33-34
H	**LSAC transcript instruction, Law School Deadlines & Seattle University Correspondence**	Establishes the "Point of No Return" and Irreparable Harm.	36-39
I	**Federal Court Order & Affidavit of Harm**	Establishes your duty to your minor child and personal harm.	40-49
J	**Receipt & Contract for $961.00 Payment**	Proof of financial performance and Unjust Enrichment.	50-51

K	**1st & 2nd Interrogatories (Unverified) & unverified Request for Production**	Shows the failure to provide a unified corporate verification.	52-72
L	**Belated/Mismatched Verification Pages**	Shows the "Siloed" and late attempt to fix discovery defaults.	73-76
M	**Notice of Deficiency & Proof of Delivery Interrogatories (Unverified) & unverified Request for Production**	Proves you warned the University of their defaults before moving to compel.	77-83
N	**2nd Amended and supplemented Complaint**	Shows the attempt to update the court on new facts/damages.	84-96
O	**Respondent's Memo in Opposition**	Provides the appellate court with the full history of the arguments.	97-105
P	**Matrix of Harm / Correlation with RFAs**	A summary sheet linking the University's defaults to your specific injuries.	106-109

Q	**Tuition/ Billing information & Registration information**	Proof that Appellant's enrollment status exist and he has a academic record	111-112