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Jun 25 2026

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
CASE NO. 2025-002087**

Sylecia McIntyre,

Appellant,

v.

Westwood Townhomes,

Respondent.

RESPONSE IN OPPOSITION TO RESPONDENT'S RENEWED MOTION TO DISMISS

TO THE HONORABLE CLERK AND JUDGES OF THE COURT OF APPEALS:

COMES NOW, Appellant, Sylecia McIntyre, pro se, and respectfully submits this Response in Opposition to Respondent's Renewed Motion to Dismiss.

1. FACTUAL REBUTTAL OF ALLEGED NON-COMPLIANCE

Respondent's assertion that Appellant failed to comply with the Court's November 17, 2025 Order is incorrect. Appellant tendered payments for November 2025, December 2025, and January 2026. Delivery of those tendered payments was confirmed by USPS records on January 20, 2026, at 12:16 PM, via Tracking No. 9589 0710 5270 3195 8806 76.

2. RETURN OF TENDERED PAYMENTS

Following delivery of the tendered payments, Respondent's agent repeatedly returned the tendered payments by mail after receipt.

Appellant made the initial tendered payments in good faith and for the purpose of complying with the Court's Order.

After multiple attempts to return previously delivered tendered payments, Appellant reasonably understood that additional tendered payments would likely be returned and not applied toward the Court-ordered obligation.

Appellant has not abandoned efforts to comply. Any delay in subsequent tenders was based on the repeated return of previously delivered tendered payments and the resulting uncertainty regarding acceptance and application of future tendered payments.

Documentation relating to the returned tendered payments will be supplemented as it becomes accessible from Appellant's mobile device that sustained physical and data damage.

3. PROCEDURAL STATUS AND NOTICE

Respondent's motion relies upon an incomplete presentation of the procedural record, including matters related to transcript preparation and appellate processing.

Additionally, although Respondent represents that certain filings were mailed on or about June 9, 2026, Appellant did not receive the mailing until June 22, 2026, when it was delivered to Appellant's mailbox. Appellant acted upon the date of actual receipt.

4. GOOD FAITH COMPLIANCE

At all relevant times, Appellant acted in good faith to comply with the Court's directives. The record reflects repeated affirmative efforts to tender payments rather than any intentional refusal to comply.

Any interruption in subsequent tenders arose from Respondent's repeated return of tendered payments after receipt, which created uncertainty regarding acceptance and application of future tendered payments.

RELIEF SOUGHT

WHEREFORE, Appellant respectfully requests that this Court DENY Respondent's Renewed Motion to Dismiss, allow the appeal to proceed on the merits, and grant such other and further relief as the Court deems just and proper.

Date: June 24, 2026

/s/ Sylecia McIntyre

Sylecia McIntyre

Appellant, Pro Se

1855 E. Main Street, Ste. 14-219

Spartanburg, SC 29307

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AFFIDAVIT OF COMPLIANCE AND STATEMENT OF FACTS

I, Sylecia McIntyre, being of lawful age and having personal knowledge of the facts stated herein, declare under penalty of perjury under the laws of the State of South Carolina that the following is true and correct to the best of my knowledge and belief:

i. Identity

1. I am the Appellant in the above-captioned matter.

ii. Court-Ordered Payment

2. In an effort to comply with the Court's Order, I tendered payments for November 2025, December 2025, and January 2026.
3. USPS records reflect delivery and receipt of those tendered payments on January 20, 2026, at approximately 12:16 PM, under Tracking Number 9589 0710 5270 3195 8806 76.

iii. Return of Tendered Payments

4. After the tendered payments had been delivered and received, Respondent's agent began repeatedly attempting to return them by mailing them back to my address on file.

5. To the best of my knowledge and recollection, Respondent's agent attempted to return the tendered payments on four separate occasions.
6. Payments tendered in accordance with the November order was repeatedly returned via USPS mail by the Respondents agent, Keisha Norris.

iv. Understanding Based on Return of Tendered Payments

7. After the tendered payments had been delivered and received, and subsequently returned on multiple occasions by Respondent's agent, I understood that additional tendered payments will be returned and not accepted.

v. Notice Receipt Date

8. Although Respondent represents that certain filings or notices were mailed on or about June 9, 2026, I did not receive the mailing until June 22, 2026, when it was delivered to my mailbox. I first became aware of its contents upon receipt on June 22, 2026.

vi. Device and Evidence Access Issues

9. The mobile phone containing relevant records, communications, photographs, and supporting documentation related to this matter sustained physical and data damage.
10. Due to the condition of the device, I am presently unable to access certain stored records.
11. I am currently seeking repair and data recovery services for the device. Recovery of the device and its contents may require approximately three to four weeks.
12. Upon successful recovery of the device and its data, I intend to supplement the record with any relevant documentation that may be retrieved.

vii. Purpose of Affidavit

13. This Affidavit is submitted in support of Appellant's Response in Opposition to Respondent's Renewed Motion to Dismiss and to document Appellant's good-faith efforts to comply with the Court's Order.

I declare under penalty of perjury under the laws of the State of South Carolina that the foregoing is true and correct to the best of my knowledge and belief.

Executed this 24 day of June, 2026.

/s/ Sylecia McIntyre

Sylecia McIntyre

1855 E. Main Street, Ste. 14-219

Spartanburg, SC 29307

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PROPOSED ORDER

This matter comes before the Court upon Respondent's Renewed Motion to Dismiss and Appellant's Response in Opposition thereto.

1. Having reviewed the motion, the response, and the record presently before the Court, the Court finds that dismissal is not warranted at this stage of the proceedings.

IT IS THEREFORE ORDERED:

Respondent's Renewed Motion to Dismiss is DENIED.

This appeal shall remain pending and proceed in accordance with the South Carolina Appellate Court Rules.

The parties shall comply with all future orders and deadlines issued by this Court.
IT IS SO ORDERED.

Chief Judge, South Carolina Court of Appeals

Date: _____

Columbia, South Carolina

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I have this day served a true and correct copy of the following correspondence by depositing the same in the United States Mail, properly addressed with first-class postage prepaid, and directed to the attorneys of record as listed below:

Documents served:

- Response in Opposition to Respondent's Renewed Motion to Dismiss
- Affidavit of Compliance and Statement of Facts
- Proposed order

Served Upon:

Cassidy Coates Price, P.A.
Attn: Ross Plyler & Tiffany H.
P.O. Box 10529
Greenville, South Carolina 29603

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I certify that the above-referenced documents were placed in a sealed envelope and deposited with the United States Postal Service on this day, June 24, 2026.

/s/ Sylecia McIntyre

Sylecia McIntyre, Appellant, Pro Se

1855 E. Main Street

Spartanburg, SC 29307

Date: June 24, 2026

PROOF OF SERVICE

I, Sylecia McIntyre, hereby certify under penalty of perjury that I have served a true and correct copy of the following documents:

- Response in Opposition to Respondent's Renewed Motion to Dismiss
- Affidavit of Compliance and Statement of Facts
- Proposed Order

Upon counsel of record by depositing the same in the U.S. Mail, first-class postage prepaid, properly addressed as follows:

Served Upon:

Cassidy Coates Price, P.A.
Attn: Ross Plyler & Tiffany H.
P.O. Box 10529
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/s/ Sylecia McIntyre

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Date: June 24, 2026