

IN THE SUPREME COURT OF SOUTH CAROLINA

PETITION FOR A WRIT OF CERTIORARI

Tony Williams,

Petitioner,

vs.

LOWE'S HOME CENTERS, LLC, and ANGIE MILLS,

Respondents.

Appellate Case No.: 2026-000317

(Lower Court Case No.: 2025CP0701325 — Beaufort County)

INTRODUCTION & PRELIMINARY STATEMENT

This Petition for a Writ of Certiorari arises from a severe structural breakdown in appellate administration and an unprecedented manipulation of public court records designed to shield defense counsel's un-waivable conflicts of interest from high-court review. The Court of Appeals summarily dismissed this action on the rigid procedural pretext that Petitioner failed to file a trial-level transcript under Rule 207, SCACR. However, a forensic audit of the official Beaufort County Public Index ledger reveals that no such hearing legally or physically occurred. It is a logical and physical impossibility to produce a transcript of a non-existent event.

The structural record manipulation across these actions was executed with a clear procedural motive: to conceal defense counsel Michelle E. Gaston's un-waivable conflicts of interest and insulate the corporate Respondent from an unvacated Total Historical Default. The exact chronology of this defensive panic reached an absolute crisis on **Friday, May 8, 2026**, when Petitioner formally filed his separate Petition for a Writ of Certiorari in Appellate Case No. **2026-000079** (Lower Court Case No. **2025CP0701666**), which is now pending before this Court's consideration under Supreme Court Case No. **2026-001111**.

In a direct, knee-jerk response to that Friday filing, defense counsel panicked over the weekend, attempting to rush defensive dispositions into the system to claim Petitioner's filings were moot and to block this Court's review of her representative corruption. Because the physical courthouse is completely closed on Saturdays, this manual, weekend intervention generated a fatal metadata mismatch across Petitioner's litigation footprint. As captured on the live public ledger for companion Case No. **2025CP0702967**, the defense's rushed entry shows an actual **Filing Date of Monday, May 11, 2026, at 09:30 AM**, but contains an impossible electronic **Completion Date of Saturday, May 9, 2026, at 09:30 AM**.

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S.C. SUPREME COURT

Crucially, the Court of Appeals' enforcement of this transcript barrier operated under a severe, unconstitutional double standard. While the appellate tribunal froze Petitioner's right to a merits review on the pretext of a missing document, a **Deputy Clerk of Court** signed an administrative order on **April 7, 2026**, in companion Case No. **2026-000079**, granting the Respondents' motion to relieve attorney Andrew G. Melling and install Michelle E. Gaston as counsel of record across both files. The lower tribunal structurally barred the Petitioner based on a physical impossibility, yet permitted a ministerial clerk's signature to alter the representative framework of the docket and entrench a profoundly conflicted attorney.

Under *In re White*, 391 S.C. 581, 707 S.E.2d 411 (2011), an officer of the court forcing an impossible, back-dated timeline onto a government ledger across intertwined dockets to defeat an opponent's timely filing constitutes a severe breach of candor to the tribunal. Petitioner respectfully requests this Court to pierce this manufactured narrative, vacate the dismissal, and preserve the integrity of the unified judicial system.

TABLE OF AUTHORITIES

1. Cases

- *BB&T v. Taylor*, 369 S.C. 548, 633 S.E.2d 504 (2006)
- *In re Runyan*, 391 S.C. 543, 707 S.E.2d 410 (2011)
- *In re White*, 391 S.C. 581, 707 S.E.2d 411 (2011)
- *Patel v. Patel*, 359 S.C. 515, 599 S.E.2d 461 (2004)
- *Roche v. Young Bros., Inc.*, 332 S.C. 75, 504 S.E.2d 311 (1998)
- *State v. Sanders*, 269 S.C. 215, 237 S.E.2d 53 (1977)

2. Constitutional Provisions & Statutes

- S.C. Const. art. I, § 3
- S.C. Code Ann. § 14-5-570

3. Court Rules

- Rule 58, SCRPC
- Rule 207, SCACR
- Rule 240, SCACR
- Rule 242, SCACR
- Rule 1.7, South Carolina Rules of Professional Conduct (Rule 407, SCACR)

I. STATEMENT OF THE ISSUES PRESENTED FOR REVIEW

1. Did the Court of Appeals commit a reversible error of law by summarily dismissing the appeal for the sole failure to provide a transcript under Rule 207, SCACR, while completely refusing to rule on Petitioner's pending substantive motions or the actual merits of the case?

2. Did the Court of Appeals deny Petitioner fundamental constitutional due process by conditioning his right to an appellate review on the production of a non-existent transcript for an alleged December 12, 2025 hearing that the official public record ledger confirms was procedurally barred and never physically took place?
3. Did the Court of Appeals err by failing to identify and address an un-waivable structural conflict of interest, where defense counsel Michelle E. Gaston maintains concurrent representation of a corporation and a separate individual defendant (Angie Mills) who is no longer employed by that corporation, while simultaneously acting as a named individual defendant facing claims of intrinsic fraud in companion Case No. 2025CP0702967?

II. BRIEF JURISDICTIONAL STATEMENT

The Petitioner invokes the absolute jurisdiction of the Supreme Court of South Carolina pursuant to Rule 242, SCACR. The Court of Appeals issued its initial order dismissing Appellate Case No. 2026-000317 on April 27, 2026, strictly on a transcript technicality. Petitioner timely filed an Emergency Petition for Rehearing on April 28, 2026, which the Court of Appeals formally denied on June 5, 2026. This Petition for a Writ of Certiorari is served and filed within thirty (30) days of that final determination, seeking review of a structural breakdown in appellate administration.

III. STATEMENT OF THE CASE & THE FORENSIC TIMELINE OF MANIPULATION

1. Factual Roadmap of the Beaufort County Public Index: The December 12, 2025 Ghost Hearing

The Court of Appeals conditioned Petitioner's right to a merits review on the production of a transcript for an alleged hearing on December 12, 2025. However, an audit of the official, live Beaufort County Public Index Ledger reveals that no such hearing legally or physically occurred:

- **The Recusal Order Blocked the Roster:** On **December 2, 2025, at 16:06**, an *Order of Recusal* was formally entered by Judge C. Mullen, stripping the case track of an active presiding officer. No administrative assignment or scheduling could validly proceed on ten days' notice.
- **The Invalidation of Notices:** On **December 3, 2025**, the Respondents simultaneously injected three wildly conflicting, overlapping text entries into the notice fields: a notice for December 24, 2025; a notice for December 12, 2025; and a notice for December 25, 2025. The final notice was scheduled for **Christmas Day**, a recognized legal state holiday when the court architecture is physically closed.
- **The Admission of "WebEx" as Court Reporter:** The underlying order explicitly states that **"WebEx"** served as the court reporter. Under South Carolina law, WebEx is a commercial telecommunications software asset owned by Cisco Systems; it is not a

human, certified stenographer. No certified court reporter was ever rostered, called, or present, making the generation of a Rule 207 transcript a physical impossibility.

2. The Motive: Explaining the May 8th Trigger and Weekend Tactical Panic

The structural record manipulation across these actions was executed with a clear procedural motive: to conceal defense counsel Michelle E. Gaston's un-waivable conflicts of interest and insulate her and the corporate Respondent from the structural consequences of an unvacated Total Historical Default.

The defense's tactical pattern across Petitioner's litigation footprint reached a point of absolute crisis in May 2026. On **Friday, May 8, 2026**, Petitioner successfully certified and file-stamped his high-court appellate filings in Appellate Case No. **2026-000079** (Lower Court Case No. **2025CP0701666**), now in this Court's hands under Supreme Court Case No. **2026-001111**, bringing the defense's representative corruption directly before the state's highest judiciary.

In direct response to that Friday filing, defense counsel panicked over the weekend, attempting to rush defensive dispositions into the system to claim Petitioner's filings were untimely, procedurally dead, or moot.

3. Notice of Overlapping Forensic Footprints and Common Scheme

To fully understand the structural mechanics of the "ghost" entries in the present case (**Case No. 2025CP0701325**), this Court must look to the identical, concurrent electronic footprint executed by the exact same defense counsel on the exact same weekend in companion case **Case No. 2025CP0702967** (intertwined fraud action).

Because the physical courthouse is completely closed on Saturdays, this manual, weekend intervention generated a fatal metadata mismatch on the unified electronic portal. As captured on the live public ledger for the companion case, the defense's rushed entry shows an actual **Filing Date of Monday, May 11, 2026, at 09:30 AM**, but contains an impossible electronic **Completion Date of Saturday, May 9, 2026, at 09:30 AM**.

This temporal impossibility provides this Court with undeniable forensic proof of a common scheme under *In re White*, 391 S.C. 581, 707 S.E.2d 411 (2011). It establishes that the unrecorded hearings and missing files in the present action are not isolated system glitches, but rather a deliberate, manual manipulation of public records to evade appellate scrutiny and hide a structural conflict of interest from Supreme Court review.

IV. ARGUMENT AND SUPPORTING AUTHORITIES

A. Dismissing an Appeal for Failure to Produce a Non-Existent Transcript Violates Constitutional Due Process

Under Article I, Section 3 of the South Carolina Constitution, no person shall be deprived of life, liberty, or property without due process of law. Conditioning an appeal on the performance of a physical impossibility unconstitutionally strips an individual of access to the courts.

- **Failure of Trial Architecture:** In *State v. Sanders*, 269 S.C. 215, 237 S.E.2d 53 (1977), this Court held that the failure to provide an official court reporter or a verbatim method to preserve a trial record violates a litigant's core rights, as it completely frustrates and penalizes the right to a meaningful appeal.
- **The Inescapable Record Error:** In *Patel v. Patel*, 359 S.C. 515, 599 S.E.2d 461 (2004), this Court reaffirmed that an appellate court cannot rigidly enforce transcript rules to dismiss an action when the structural absence of a record prevents a fair determination of the controversy on the merits.
- **The Ethical Mandate of Database Accuracy:** Court records, timestamps, and docket statuses are official government property. Under *In re White*, 391 S.C. 581, 707 S.E.2d 411 (2011), any attempt by counsel to misrepresent official timelines, dates of execution, or database completion statuses violates an attorney's absolute core obligation of candor to the judicial system. Dismissing an appeal to insulate a verifiably manufactured, impossible Saturday date entry on the electronic portal violates the foundational parameters of *In re White*.
- **Absolute Preservation of Records:** The electronic record-tampering and administrative irregularities asserted by Petitioner are not recent fabrications; they were meticulously preserved and brought to the trial court's attention in real-time. As established by **Petitioner's Emergency Objection (Exhibit A-1)**, **Detailed Reply (Exhibit A-2)**, and **Emergency Motion for Recusal (Exhibit A-3)**, Petitioner repeatedly demanded investigations into the mysterious administrative removal of his *Affidavit of Default* and the bad-faith scheduling of overlapping, conflicting hearings. By refusing to rule on these preserved constitutional and ethical issues, and instead using a missing transcript rule to permanently insulate a 'ghost hearing' from appellate review, the Court of Appeals committed a fatal error of law that departs from this Court's mandates in *In re White* and *In re Runyan*.

B. The Unaddressed Ethical Conflicts of Interest Render the Proceedings Void

Maintaining concurrent representation of a corporation and a separate individual whose employment has terminated creates an immediate conflict under Rule 1.7 of the South Carolina Rules of Professional Conduct (Rule 407, SCACR). Gaston's personal status as an active defendant in an intertwined fraud action exacerbates this conflict. Under *BB&T v. Taylor*, 369 S.C. 548, 633 S.E.2d 504 (2006), a judgment or order is fundamentally void if the lower tribunal acts in a manner wholly inconsistent with constitutional due process. Forcing a dismissal through a technical loophole while ignoring structural representative corruption violates the integrity of the unified judicial system.

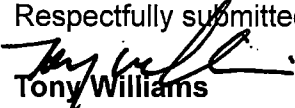
V. CONCLUSION & RELIEF SOUGHT

The Court of Appeals committed an error of law by creating a procedural barrier out of a non-existent transcript to avoid evaluating clear database manipulation and un-waivable ethical conflicts.

WHEREFORE, Petitioner respectfully prays this Court to **GRANT** this Petition for a Writ of Certiorari, **VACATE** the Court of Appeals' dismissal order, and **REMAND** this action with instructions to address the pending motions on a clean, unrecorded-hearing record.

Dated this 30th day of June, 2026.

Respectfully submitted,


Tony Williams

Petitioner Pro Se

145 Fort Sullivan Drive

Ridgeland, SC 29936

VI. CERTIFICATE OF SERVICE

I, Tony Williams, do hereby certify that I have this day served a true and correct copy of the foregoing Petition for a Writ of Certiorari upon all counsel of record by depositing copies of same in the United States Mail, first-class postage prepaid, addressed as follows:

Michelle E. Gaston, Esq.

Steptoe & Johnson PLLC

P.O. Box 30240

Myrtle Beach, SC 29588

Dated this 30th day of June, 2026.


Tony Williams

Plaintiff Pro Se

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