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Jul 10 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM RICHLAND COUNTY

Court of Common Pleas

Daniel Coble, Circuit Court Judge

Case No. 2025-CP-40-06986

Appellate Case No. 2026-000774

Brandi Barnett and Kevin Rubink, Plaintiffs,

v.

Luke Shealey, Brian Shealey, and Shealey Law Firm, LLC, Defendants,

of which Brandi Barnett is the Appellant and Luke Shealey is the Respondent.

**APPELLANT'S RETURN IN OPPOSITION TO RESPONDENT'S MOTION FOR
EXTENSION OF TIME**

Appellant Brandi Barnett, proceeding without counsel, timely files this Return under Rule 240(e), SCACR, and respectfully requests that the Court deny Respondent Luke Shealey's Motion for Extension of Time and the accompanying request to hold appellate deadlines in abeyance. The motion relies on an unsworn, generalized assertion of other trial work and supplies no affidavit, trial calendar, scheduling order, or comparable document supporting the requested enlargement. Because Rule 240(b), SCACR provides that filing a motion does not itself stay the governing deadlines, Appellant respectfully requests an expedited ruling within five (5) days of filing, if practicable, and before any requested abeyance is treated as effective. To keep this Return narrow, Appellant attaches only a one-page timing chart, the current

appellate docket screenshot, and a short declaration limited to facts within Appellant's personal knowledge.

RELEVANT FACTS

1. Respondent ordered the transcript on April 14, 2026. The appellate docket reflects delivery of the transcript on June 8, 2026.
2. Appellant served and filed her Initial Brief and Designation of Matter on June 10, 2026. Respondent's own motion states that his deadline was July 10, 2026, thereby acknowledging the full thirty-day period provided by Rule 208(a)(2), SCACR.
3. After court-requested corrections, Appellant's corrected Initial Brief and Designation were accepted on June 18, 2026. Even if June 18 were treated as the operative date for evaluating preparation time, twenty-two calendar days remained before Respondent's stated July 10 deadline. The corrections did not create new appellate issues.
4. Respondent filed the extension motion on July 8, 2026, two days before the stated deadline. The only reason offered is counsel's 'other involvement in other trial matters.' The motion identifies no trial dates, competing court orders, emergency, illness, newly retained counsel, unavailable transcript, missing record, or other circumstance preventing timely filing.
5. Respondent undertook appellate representation with the June 8 transcript delivery, June 10 service of Appellant's brief and designation, and July 10 response deadline ascertainable from the docket and governing Rules. The motion does not identify a specific court-imposed conflict or explain why ordinary professional commitments could not be managed within that known timetable. This point concerns the sufficiency of the showing under Rule 240(c)(3), not counsel's competence or motives.

6. The motion requests 'thirty (30) days' but seeks a deadline of August 11, 2026. Thirty days after July 10 falls on Sunday, August 9; under Rule 263(a), the resulting deadline would move to Monday, August 10. August 11 is therefore one day beyond the adjusted thirty-day date and thirty-two calendar days after July 10.
7. As stated in the accompanying declaration, Appellant filed a Rule 60 motion and confidentiality/redaction-related motions in Richland County Case Nos. 2025-CP-40-04675 and 2025-CP-40-06986. As of this filing, Appellant has not received notice of orders fully resolving those matters. Their unresolved status has concrete appellate consequences: the challenged filing-restriction and public-record confidentiality issues remain unresolved while Respondent's brief and designation - prerequisites to completion of the Record on Appeal - are postponed. The lower-court docket status is publicly verifiable. This fact is offered solely to establish present prejudice, not to ask this Court to adjudicate those motions through this Return.

ARGUMENT

I. RESPONDENT DID NOT SUPPLY THE SUPPORT REQUIRED BY RULE 240(c)(3).

Rule 240(c)(3), SCACR requires supporting affidavits and other documents when the Record on Appeal has not been filed or the facts relied upon are outside the record. Respondent's asserted scheduling conflicts are outside the appellate record, yet no affidavit, trial calendar, scheduling order, or comparable document accompanies the motion. Rule 240(g) further permits failure to perform an act required by Rule 240 to be deemed abandonment. On this record, the unsupported assertion does not establish a sufficient basis to disturb the rule-prescribed deadline.

II. RESPONDENT RECEIVED THE FULL RULE 208 PERIOD AND HAD THE NECESSARY MATERIALS.

Rule 208(a)(2), SCACR states: 'Within thirty (30) days after service of appellant's brief, respondent shall serve one copy of his brief on all parties to the appeal and file with the clerk of the appellate court one copy of the brief with proof of service.' Respondent's own motion identifies July 10 as the deadline, confirming June 10 as the operative service date. The transcript was available on June 8. Even after the June 18 accepted corrections, twenty-two calendar days remained, and those corrections did not add new appellate issues. The timing record therefore shows adequate notice, available materials, and preparation time - not surprise, missing material, or a newly created briefing obligation.

III. ORDINARY PROFESSIONAL WORKLOAD IS NOT A PARTICULARIZED SHOWING ON THIS RECORD.

Respondent identifies no actual trial date, court-imposed scheduling conflict, emergency, illness, substitution of counsel, unavailable transcript, or missing record. The motion merely references 'other trial matters' without dates, orders, or supporting documents. Rule 240(c)(3) requires support for facts outside the appellate record; a generalized workload assertion does not become particularized good cause merely because it is stated in a motion. Appellant complied with the appellate timetable while self-represented and under substantial hardship. Equal and orderly administration of the Rules favors requiring the specific, documented showing that Rule 240 contemplates before shifting additional time and prejudice to the opposing party.

IV. THE MOTION DOES NOT STAY THE DEADLINE, AND THE REQUEST TO HOLD ALL DEADLINES IN ABEYANCE IS OVERBROAD.

Rule 240(b), SCACR states that filing a motion does not stay appellate time limits unless the Rules provide otherwise or the Court orders a stay. Respondent seeks not only additional time for his brief and designation, but also an undefined abeyance of 'all time limits and deadlines.' The motion offers no separate factual or legal basis for that broader relief. The stated August 11 deadline also exceeds a thirty-day enlargement from July 10: under Rule 263(a), the thirtieth day falls on Sunday, August 9 and rolls to Monday, August 10. Appellant therefore respectfully requests an expedited ruling within five (5) days of filing, if practicable, so the motion itself does not operate as a de facto extension contrary to Rule 240(b).

V. APPELLATE PREJUDICE: THE REQUEST WOULD DELAY THE DESIGNATION, RECORD ON APPEAL, AND REVIEW.

Rule 209(a), SCACR requires Respondent's Designation of Matter to be served and filed with his initial brief. Extending both filings delays the parties' ability to settle and prepare the Record on Appeal under Rule 210, delays the conversion of record citations for final briefs, and postpones every remaining appellate step. That is concrete appellate prejudice, not a merely administrative inconvenience. The requested enlargement would give Respondent additional time after the full Rule 208 period while simultaneously postponing Appellant's reply, the Record on Appeal, final briefing, and appellate review.

VI. COLLATERAL PREJUDICE: THE UNRESOLVED FILING-RESTRICTION AND CONFIDENTIALITY HARM CONTINUES.

Appellant's declaration states that she has not received notice of orders fully resolving the Rule 60 and confidentiality/redaction-related matters filed in Richland County Case Nos. 2025-

CP-40-04675 and 2025-CP-40-06986. Appellant does not ask this Court to decide those collateral motions through this Return. Their unresolved status is relevant only because the challenged filing-restriction language continues to affect Appellant's access to court and the challenged confidentiality/public-record material remains accessible while appellate review is postponed. Separating this collateral prejudice from the appellate-sequence prejudice above makes clear that either category independently supports prompt resolution of the extension motion.

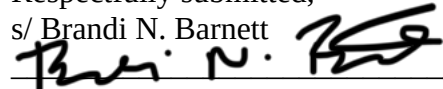
RELIEF REQUESTED

Appellant respectfully requests that the Court, within five (5) days of filing if practicable, deny Respondent's Motion for Extension of Time and deny the request to hold appellate deadlines in abeyance. Respondent received the full Rule 208 period, had the transcript and identified issues available, and offered no particularized or documented circumstance satisfying Rule 240(c)(3).

Appellant seeks no enlargement at this time. This opposition does not waive Appellant's right to seek any future relief permitted by Rule 263(b), SCACR upon a particularized and supported showing.

Respectfully submitted,

s/ Brandi N. Barnett



Brandi N. Barnett, Pro Se Appellant

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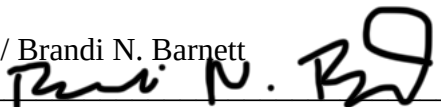
Date: July 10, 2026

DECLARATION OF BRANDI N. BARNETT IN SUPPORT OF RETURN

I, Brandi N. Barnett, declare that the following statements are true and correct based on my personal knowledge:

1. I am the Appellant in Appellate Case No. 2026-000774 and am proceeding without counsel.
2. I filed Rule 60 and confidentiality/redaction-related motions in Richland County Case Nos. 2025-CP-40-04675 and 2025-CP-40-06986.
3. As of July 10, 2026, I have not received notice of orders fully resolving those Rule 60 and confidentiality/redaction matters.
4. Because those matters remain unresolved, the challenged filing-restriction language continues to affect my access to court, and the challenged confidentiality/public-record material remains publicly accessible while the appellate timetable is postponed.
5. I make this declaration only to support the factual prejudice stated in my Return and not to ask the Court of Appeals to decide any lower-court motion through this filing.

I declare that the foregoing is true and correct based on my personal knowledge.

s/ Brandi N. Barnett


Brandi N. Barnett, Declarant
Date: July 10, 2026

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CERTIFICATE OF SERVICE

SC Court of Appeals

I certify that on July 10, 2026, I served a true and correct copy of this Appellant's Return in Opposition to Respondent's Motion for Extension of Time, together with the Declaration of Brandi N. Barnett and Exhibits A and B, by electronic mail on counsel for Respondent at the addresses below.

Douglas W. MacKelcan, Esq.

Taylor L. Cary, Esq.

Copeland, Stair, Valz & Lovell, LLP

40 Calhoun Street, Suite 400

Charleston, SC 29401

Email: dmackelcan@csvl.law; tcary@csvl.law

s/ Brandi N. Barnett



Brandi N. Barnett, Pro Se Appellant

Date: July 10, 2026

EXHIBIT A

TIMING, SUPPORT, AND PREJUDICE CHART

Purpose: concise support for the timing, support, and prejudice points raised in the Return.

Date	Record Event / Support	Why It Matters
04/14/2026	Respondent ordered transcript.	Respondent was participating in appellate preparation months before the briefing deadline.
06/08/2026	Transcript delivered.	Key hearing material was available before Appellant filed her brief and designation.
06/10/2026	Initial Brief and Designation filed and served.	Respondent's motion admits a 07/10/2026 deadline, confirming the full Rule 208 period.
06/18/2026	Corrected Brief and Designation accepted.	Even using this later date, 22 calendar days remained; no new appellate theory was created.
07/08/2026	Extension motion filed.	Filed two days before deadline; only reason stated was unspecified "other trial matters."
07/10/2026	Existing deadline stated by Respondent.	A 30-day enlargement reaches 08/09/2026 and rolls to Monday 08/10/2026 under Rule 263(a), not 08/11/2026.
Ongoing - appellate	Respondent brief and Designation remain outstanding.	The Record on Appeal, final briefing, and review cannot proceed on the ordinary timetable.
Ongoing - collateral	Rule 60 and confidentiality/redaction matters remain unresolved as far as Appellant has been notified.	Filing-restriction and public-record confidentiality concerns continue while appellate review is postponed.

EXHIBIT B

CURRENT APPELLATE DOCKET SCREENSHOT (ACCESSED JULY 10, 2026)

Attached solely to identify existing docket entries and avoid duplicative copies of filings already in the Court's file.

South Carolina Appellate Case Management System
C-Track, the browser based CMS for Appellate Courts

Appellate Case No. ...

Disclaimer: The information and documents available here should not be relied upon as an official record of action. Only filed documents can be viewed. Some documents received in a case may not be available for viewing. Some documents originating from a lower court, including records and appendices, may not be available for viewing.

Case Information: 2025-000774

Court:	Court of Appeals	Classification:	Appeal - Common Pleas - Other
Short Title:	Brandi Barnett v. Luke Shealey View Full Title	Case Status:	Initial Briefing
Consolidated:			
Filed Date:	03/26/2026	Oral Argument Date:	
Disposition Date:		Disposition Type:	
Remittitur Date:			
Lower Court or Tribunal:	Richland (2025CP4006986)		

- Party Information

Appellate Role	Party Name	Former	Attorney(s)
Appellant	Brandi Barnett	N	Self Represented
Respondent	Luke Shealey	N	Taylor Leigh Cary Douglas Walker MacKelcan, III

Views

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Event Information

Filed Date	Event Information	Doc
06/18/2026	Deficiency - 2nd Correction - Appellant's Initial Brief and Designation of Matter	
06/15/2026	Deficiency - 1st Correction- Appellant's Initial Brief and Designation of Matter	
06/15/2026	Deficiency - Deficiency Letter Sent- Appellant's Initial Brief and Designation of Matter	
06/10/2026	Correspondence - Incoming- Appellant's Email Correspondence	
06/10/2026	Designation of Matter - Designation of Matter Filed- Appellant	
06/10/2026	Initial Brief - Appellant	
06/08/2026	Transcript Documents - Transcript Delivered - Direct Appeal	
06/08/2026	Transcript Documents - Appellant and Court Reporter's Email Correspondence	
05/12/2026	Transcript Documents - Appellant and Court Administration's Transcript Correspondence	
04/14/2026	Transcript Documents - Respondent's Transcript Ordered	
04/01/2026	Transcript Documents - Transcript Ordered	
03/31/2026	Correspondence - Outgoing- Notice of Appeal Initial Letter	
03/26/2026	Notice of Appeal (Civil) - Initial	