

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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Jul 22 2026
SC Court of Appeals

Appeal from Richland County Common Pleas

The Honorable Justice Jean Toal, Circuit Court Judge

Appellate Case No. 2024-001626
Lower Court Case No. 2022-CP-40-01455

Rhonda Meisner,

Appellant,

v.

Grant Meisner; Grant Meisner, MD, LLC; Sheila Robinson; Erwin Mangubat, MD; Moore, Taylor, & Thomas, P.A.; Moore Taylor Law Firm, P.A.; Moore Bradley Myers Law Firm, PA; Tricia L. Flowers; Flowers Consulting, LLC; Richard G. Whiting, Esquire; Law Offices of Richard G. Whiting, P.A.; John Doe (1-10), a fictional name assigned to identify parties that are not yet known or not yet determined,
Defendants,

of which Tricia L. Flowers; Flowers Consulting, LLC; and John Doe (1-10), a fictional name assigned to identify parties that are not yet known or not yet determined, are the Respondents.

**MOTION TO STRIKE PORTIONS OF THE DESIGNATION OF
MATTER TO BE INCLUDED IN THE RECORD ON APPEAL
MOTION TO ACCEPT RECORD AS FILED AND MOTION TO
STAY FINAL BRIEFING SCHEDULE UNTIL COURT RULES ON MOTION
TO STRIKE DESIGNATIONS MADE OUT OF COMPLIANCE WITH SCACR
RULE 210(C)**

The Appellant Rhonda Meisner respectfully requests to strike portions of the Designation of Matter and the Record on Appeal and accept the Record on Appeal absent the portions of the designation not presented to the trial judge.

The basis for the Motion is the Designation of Matter was submitted as a combined designation of matter for cases 2025-000164 and 2024-001626. This Court

denied consolidation of the cases *without prejudice* until briefing is over. The certification submitted by the Respondent is therefore not accurate as to the Record on Appeal in this case because the designation of matter and the Record on Appeal do not comply with SCACR Rule 240, 209 and SCACR Rule 210 (c).

SCACR Rule 21(c) states ...the Record *shall not*, however, include matter which was not presented to the lower court or tribunal. The Appellant bases her motion and request on Rule 210 (c).

This Honorable Court Denied Consolidation during the pendency of the Appeal, but the Respondent submitted a Consolidated Designation of Matter some of which not presented to the Honorable Jean Toal such as hearings before other judges and papers filed after her involvement.

The Respondent entered a combined Designation of Matter for 2024-001626 and 2025-000164; however, the Court of Appeals denied combining the cases *without prejudice*, pending final briefing. The briefing schedule for both cases is different, but several items suggested in the Respondent's combined designation of matter was not presented to the Court(Justice Toal) in this case, but was presented in case number 2025-000164.

The Appellant avers everything filed in the case *after August 19, 2024* should not be considered; hearings for any cases that did not involve Justice Toal and the transcript was not filed in the case because that is when Justice Toal finally ruled. (There is no record of her ruling on the February 11, 2023 Motion pursuant to Rule 52 and Rule 60) ¹

¹ Justice Toal in denying the Appellants Motion to Alter and Amend on December 1, 2023 filed the final decision in the case under her authority. It was brought to her attention that her Order referencing the December 20, 2022 order in the previous denial was filed *after* her Order which most likely occurred because as required by the rules she was copied on the Motion to Alter and Amend separately; however, the motion upon which she ruled was not

The entries affected by the improper designation are:

17. Form 4 Denying Appellants Motion to Alter and Amend filed Sept 6, 2024.

18. Order dismissing Respondent Tricia Flowers and Flowers Consulting, LLC filed November 5, 2-24.

19 Motion to Alter and Amend pursuant to Rule 59 filed November 18, 2024

20. Form 4 Denying Motion to Reconsider Filed December 27, 2024.

21 Appellants Appeal filed September 30, 2024

*22. The Transcript of the Motion to Dismiss Hearing presided over by Judge William McGee on September 17, 2024.

The appellant has included *all items* designated by all parties with the exception of the Transcript for the Motion to Dismiss Hearing on September 17, 2024 as not received yet.²

As such, the Appellant respectfully requests to strike the above entries as not presented to the Court and accept the Record as filed (with those documents in the public record, but without the transcript of the hearing before Judge McGee.)

Additionally, the Appellant requests costs for including items not presented before the trial court in its designation of matter as requiring an excessive record and in violation of the mandatory terms of the rules and references this Court's denial of the Motion to Consolidate and the status of the 2025-000164 case. For the above reasons and references to the record, the Appellant respectfully requests the costs

properly before her because it had not yet been filed with the Court when she denied relief. Her order referencing the December 20, 2022 order was filed a full one day before being entered/stamped by the Court. As such, she did not have subject matter jurisdiction over the motion and the reference to the December 20, 2022 Order in the Form 4 was improper.

² The Appellant is still waiting on three transcripts that were ordered but not received yet.

associated with the designation of materials not relevant to appeal and to strike/disregard those items included but not presented to the trial court.

Respectfully Submitted,

July 22, 2026

s/Rhonda Meisner

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of which Tricia L. Flowers; Flowers Consulting, LLC; and John Doe (1-10), a fictional name assigned to identify parties that are not yet known or not yet determined, are the Respondents.

PROOF OF SERVICE MOTION TO STRIKE AND STAY

The appellant Rhonda Meisner has caused a copy of her MOTION TO STRIKE AND STAY By emailing a copy to Michael Tanner at michaelctanner@gmail.com and emre.tannerlaw@gmail.com and by placing a copy in the US Mail postage prepaid to Michael C. Tanner, LLC PO Box 1061 Bamberg, SC 29061 as the only respondent submitting briefs. The \$50 filing fee will be mailed to the Court of Appeals 1220 Senate Street Columbia, SC 29201.

s/Rhonda Meisner

July 22, 2026

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