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Jul 22 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

G.D. Morgan, Jr., Circuit Court Judge

Case No. 2025-CP-46-01222

Appellate Case No. 2025-001843

Tonya R. Blake, Individually and as Personal Representative of the Estate of Reco D. Miller,

Appellant,

v.

Brenda Burris,

Respondent.

REPLY IN SUPPORT OF RESPONDENT'S SECOND MOTION TO DISMISS APPEAL

Respondent hereby submits this Reply in Support of her Motion to Dismiss pursuant to Rules 240 and 260, SCACR. *Pro Se* Appellant Tonya Blake ("Appellant")'s appeal must be dismissed because she has failed to serve and file her initial brief within thirty (30) days after receiving the transcript of the lower court proceedings as required by Rule 208(a)(1), SCACR. Due to Appellant's continued failure to comply with the requirements of the South Carolina Appellate Court Rules, her appeal must be dismissed. Rule 260(a), SCACR.

Argument

Appellant's response in opposition confirms she failed to timely serve and file her initial brief and otherwise comply with the South Carolina Appellate Court Rules.

Appellant was required to serve and file her initial brief within thirty (30) days after her receipt of the transcript of the proceedings in the lower court, and dismissal is required when an appellant has failed to comply with the Appellate Court Rules. *See* Rules 208(a)(1) and 260(a), SCACR. Appellant's response in opposition to the instant Motion to Dismiss confirms that Appellant has not served or filed her initial brief within thirty (30) days of her receipt of the transcript.

Appellant served a Proof of Service responding to the instant Motion to Dismiss on July 15, 2026.[1] **Exhibit A**, Proof of Service dated July 15, 2026. In that Proof of Service, Appellant stated: "I certify that I have served the Notice of initial brief being done and completed on March 31, 2026 to Brenda Burriss *by depositing a copy of confirmation letter from the South Carolina Court of Appeals* in the United States Mail, postage prepaid, July 15, 2026[.]" *Id.* (emphasis added). The "confirmation letter" Appellant included with her Proof of Service was, in fact, the Court's deficiency letter stating that *no action would be taken* on Appellant's premature initial brief filed on March 31, 2026. **Exhibit B**, Deficiency Letter dated May 14, 2026. Further, Appellant has never served her initial brief on Respondent, nor has she filed her initial brief since representing to the Court – sixty-four (64) days ago – that she had received a copy of the transcript. *See* **Exhibit C**, Proof of Service filed May 19, 2026. As Appellant has failed to timely serve and file her initial

[1] Appellant did not serve a separate document identified as a Return and, as of the time of filing this Reply, no Return to the instant Motion appears on the case docket. Nevertheless, Respondent has construed Appellant's Proof of Service as a Return and timely submits her Reply in accordance with Rule 240(f) and Rule 263(a), SCACR.

brief and otherwise comply with the Appellate Court Rules, Appellant's appeal must be dismissed pursuant to Rule 260(a), SCACR.

Conclusion

For the foregoing reasons and those contained in Respondent's Second Motion to Dismiss, Respondent respectfully requests that this Court issue an order dismissing the Appellant's appeal.

MURPHY & GRANTLAND, P.A.

E. Raymond Moore, III, Esquire (SCB 11609)
Santino U. Ambrosini, Esquire (SCB 106857)
P.O. Box 6648
Columbia, SC 29260
Phone: 803-782-4100
Email: ermoore@murphygrantland.com;
sambrosini@murphygrantland.com
Attorneys for Respondent Brenda Burris

Columbia, South Carolina
July 22, 2026

FORM 7
PROOF OF SERVICE OF A NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
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J. D. Morgan, Jr., Circuit Court Judge

Appellant Case No. 2025-001843
Civil Action Case No.
2025-CP-46-01222

Brenda Burris — Respondent,

v.

Tonya R. Blake, Individually
and as Personal Representative for
The Estate of Reco D. Miller — Appellant.

PROOF OF SERVICE

In response to your second motion to dismiss my appeal dated July 10, 2026. I certify that I have served the Notice of initial brief being done and completed on March 31, 2026 to Brenda Burris by depositing a copy of confirmation letter from the South Carolina Court of Appeals in the United States Mail, postage prepaid, on July 15, 2026, addressed to her attorney of record, Santino Umberto Ambrosini, Esquire, and Edward Raymond Moore, Esquire, at Murphy and Grantland, P.A., 4406-B Forest Drive, Columbia, S.C. 29206.

July 15, 2026

Tonya R. Blake
201 Sidney Street
Rock Hill, South Carolina 29730
(803) 371-3324

EXHIBIT
A

Appellant

The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211

1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201

TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

May 14, 2026

Tonya R. Blake
201 Sidney Street
Rock Hill SC 29730

Re: Tonya R. Blake v. Brenda Burris
Appellate Case No. 2025-001843

Dear Ms. Blake:

Upon reviewing your motion to supplement the record on appeal **and** motion to compel preparation and delivery of transcript, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and each deficiency must be corrected within ten (10) days of the date of this letter or your filings will not be considered:

- The required filing fees have not been submitted. The correct filing fee is $50.00 for each motion.
- A proof of service has not been provided for each motion. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.

Additionally, your appellant's initial brief has been filed prematurely pursuant to Rule 208(a)(1), SCACR. No further action will be taken on your appellant's initial brief filed on March 31, 2026.

EXHIBIT B

Very truly yours,

Jasmine D. Smith, Deputy

CLERK

cc: Santino Umberto Ambrosini, Esquire
Edward Raymond Moore, III, Esquire

FORM 7
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Tonya R. Blake, Individually
and as Personal Representative for
The Estate of Reco D. Miller — Appellant.

PROOF OF SERVICE

In reponse to the Court's letter written May 14, 2026, I certify that I have a copy of the transcript and has served the court with Exhibit A, a letter to the court asking for compellment, Exhibit B, a copy of the check for compelling fees paid to SC Court of Appeals dated 11/4/2025, and Exhibit C&D copy of receipts for transcript paid to Legal Eagle by depositing a copy of it in the United States Mail, postage prepaid, on May 18, 2026. sent to the South Carolina Court of Appeals, 1220 Senate Street, Columbia, S.C. 29201.

May 18, 2026

Tonya R. Blake
201 Sidney Street
Rock Hill, South Carolina 29730
(803) 371-3324

Tonya R. Blake

EXHIBIT C

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Appellant,

v.

Brenda Burris,

Respondent.

PROOF OF SERVICE

I certify that I have served Respondent's Reply in Support of Respondent's Second Motion to Dismiss on *Pro Se* Appellant Tonya R. Blake by depositing a copy of it in the United States Mail, postage prepaid, on July 22, 2026, addressed to her as follows: 201 Sidney Street, Rock Hill, South Carolina 29730.

July 22, 2026

MURPHY & GRANTLAND, P.A.

E. Raymond Moore, III, Esquire (SCB 11609)
Santino U. Ambrosini, Esquire (SCB 106857)
P.O. Box 6648
Columbia, SC 29260
Phone: 803-782-4100
Email: ermoore@murphygrantland.com;
sambrosini@murphygrantland.com
Attorneys for Respondent Brenda Burris