

**IN THE COURT OF APPEALS
STATE OF SOUTH CAROLINA**

Robert Barnett, as Trustee of the RH 401(k) Plan,
Respondent,

V.

Erica Lynn Davis, Austin J. Davis,
and
Signature Gain Express Trust, DTE 06/22/2022 (An Irrevocable Express Trust Organization),
Harol Alezu Lozano Moran, Sole Trustee, Defendants,
of which Erica Lynn Davis and Austin J. Davis are the Appellants.

Appellate Case No. 2025-002218

RECEIVED

Aug 03 2026

SC Court of Appeals

**APPELLANTS' RESPONSE TO RESPONDENT'S MOTION TO
REJECT RECORD ON APPEAL, REQUIRE AN AMENDED
RECORD ON APPEAL, AND STAY FURTHER FILINGS**

COME NOW the Appellants, Erica Lynn Davis and Austin J. Davis, appearing as self-represented appellants, and respectfully present this Response to Respondent's Motion to Reject Record on Appeal, Require an Amended Record on Appeal, and Stay Further Filings.

I. INTRODUCTION

Appellants acknowledge receipt of Respondent's Motion asserting that the Record on Appeal does not include certain documents identified in Respondent's Designation of Matter and requesting that the Court reject the Record on Appeal, require the filing of an amended Record, and stay further appellate filings pending resolution of those issues.

At the time this Response is filed, Appellants are actively reviewing the Record on Appeal, the parties' respective Designations of Matter, and the trial court record to determine the accuracy and validity of Respondent's assertions. Because that review remains ongoing, Appellants are not presently in a position to concede or dispute each individual allegation concerning the documents identified in Respondent's Motion.

II. RESPONSE

Appellants respectfully advise the Court that they are undertaking a good-faith review of the Record on Appeal to determine whether any designated materials were inadvertently omitted or

whether the documents identified by Respondent are otherwise already contained within the Record or are not required to be included.

To the extent the Court ultimately determines that additional designated materials should be included in the Record on Appeal, Appellants do not object to supplementing or amending the Record as directed by the Court in order to ensure that the appellate record is complete and accurately reflects the proceedings before the trial court. Appellants respectfully submit that, if supplementation is required, resolving the completeness of the Record before additional substantive briefing proceeds will promote judicial economy and avoid the possibility of duplicative filings by either party.

Because Appellants are presently reviewing the issues raised by Respondent, Appellants take no position at this time regarding Respondent's request that further appellate filings be stayed pending the Court's determination of the Record on Appeal. Appellants defer to the Court's discretion regarding the orderly administration of the appellate schedule and seek only to avoid unnecessary duplication of filings while any amendments to the Record are under consideration.

III. GOOD FAITH

Appellants have prepared and served the Record on Appeal in good faith and with the intention of complying with the South Carolina Appellate Court Rules. If the Court determines that supplementation or correction of the Record is appropriate, Appellants will promptly comply with any directive issued by the Court.

Appellants respectfully submit that any amendment to the Record, if required, should not be construed as an admission that the appeal itself is defective but should instead be viewed as a procedural correction intended to ensure that the Court has a complete record for review.

IV. PRAYER FOR RELIEF

WHEREFORE, Appellants respectfully request that this Court:

1. Accept this Response;
2. Permit Appellants to complete their review of the Record on Appeal and Respondent's asserted omissions;
3. If the Court determines supplementation is appropriate, allow Appellants to file an amended Record on Appeal within such time as the Court directs; and
4. Grant such other and further relief as the Court deems just and proper.

Respectfully presented,

s/ Austin J. Davis

Self Represented Appellant

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Simpsonville, SC 29681

s/ Erica Lynn Davis

Self Represented Appellant

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Date: August 3, 2026