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Aug 14 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

William A. McKinnon, Circuit Court Judge

Case No. 2024-CP-46-00289
Appellate Case No.: 2024-000279

Rock Point II,

Respondent,

v.

Ashley Williamson,

Appellant.

MOTION TO DISMISS APPEAL

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ATTORNEYS FOR RESPONDENT

Pursuant to Rules 211 and 240, SCACR, Respondent Rock Point II (“Respondent”) hereby moves for the dismissal of Appellant Ashley Williamson’s (“Appellant”) appeal on the grounds that Appellant failed to comply South Carolina Appellate Court Rule 211 by failing to timely file a final brief, following repeated failures to comply with the South Carolina Appellate Court Rules.

BACKGROUND

Appellant filed the Appeal now before this Court on March 1, 2024, presenting vague arguments of bias and the Circuit Court’s failure to correct undefined “procedural and legal errors.” Brief for Appellant at 5. Since the commencement of this Appeal, the Court has issued numerous deficiency notices to the Appellant for her failure to timely comply with the South Carolina Rules of Appellate Procedure. Following the most recent deficiency letter, the Record on this Appeal was served on July 16, 2026. However, the Record is incomplete. It does not include all of the documents cited by Appellant in her Designation of Matter, though it does appear to include the documents identified by Respondent. As a result, Respondent timely filed and served its final brief on August 4, 2026. The final brief from Appellant was due August 5, 2026. Rule 11(a), SCACR. As of the date of this Motion, Appellant has not filed or served her final brief on Respondent.

LEGAL STANDARD

An appellant who fails to follow procedural requirements strips the court of appellate jurisdiction. *E.g.*, *State v. Brown*, 358 S.C. 382, 387, 596 S.E.2d 39, 41 (2004); Rule 260(a), SCACR (requiring dismissal of an appeal when an appellant fails to comply with the South Carolina Appellate Court Rules).

ARGUMENT

Because Appellant has failed to comply with the procedural requirements contained in the South Carolina Appellate Court rules, she has stripped this Court of appellate jurisdiction, and this Appeal must be dismissed. The final briefs of both parties to this Appeal were required to be served on the other party and filed with this Court within twenty days of service of the Record on Appeal, which occurred on July 16, 2026. Rule 211(a), SCACR. Appellant's final brief was therefore due on August 5, 2026. *Id.* In violation of this procedural rule, Appellant failed to timely serve and file her final brief, and still has not done so as of the date of this Motion. By failing to comply with the procedure dictated by the South Carolina Appellate Court Rules, Appellant has divested this Court of appellate jurisdiction, and this Appeal must be dismissed. *Brown*, 358 S.C. at 387, 596 S.E.2d at 41; Rule 260(a), SCACR.

CONCLUSION

Due to Appellant's failure to follow the applicable procedural requirements, this Court has been stripped of appellate jurisdiction and should dismiss this Appeal.

[signature on following page]

Respectfully submitted,

/s/Mary M. Caskey

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PROOF OF SERVICE

I hereby certify that on August 14, 2026, I served **Respondents Motion to Dismiss Appeal** in the captioned matter on the Appellant, Ashley Williamson, by mailing a copy of the same, by United States Mail, postage prepaid, addressed as follows:

Ashley Williamson
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Rockhill, South Carolina 29732

HAYNSWORTH SINKLER BOYD, P.A.

Makayla A. Gladden

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