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AUG 20 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM RICHLAND COUNTY

Joseph M. Strickland, Master-in-Equity

Appellate Case No. 2024-000917

U.S. Bank Trust National Association, as Respondent,
Trustee of Tiki Series IV Trust,
v.

Angela T. Franks aka Angela Thomansina Appellant.
Franks and CMS Roofing, LLC, Defendants,
Of which Angela T. Franks aka Angela
Thomansina Franks is the Appellant.

**APPELLANT'S NOTICE OF PRIOR FILING, REQUEST FOR CLERICAL
DOCKET CLARIFICATION,
AND COURTESY RESUBMISSION OF AMENDED AND SUPPLEMENTAL
RETURN**

Appellant Angela T. Franks, proceeding pro se, respectfully submits this Notice to clarify the filing history concerning her response to Respondent's July 22, 2026 Motion to Dismiss and to ensure that all papers previously delivered to the Court are associated with the pending motion.

1. On August 3, 2026, Appellant filed and served Appellant's Return in Opposition to Respondent's Motion to Dismiss Appeal; Renewed Request for Extension of Time and Leave to File Second Amended Record on Appeal Out of Time.
2. The public C-Track docket printed on August 19, 2026 lists an August 3, 2026 entry stating: "Motion - Return - Respondent's Motion to Dismiss." Accordingly, Appellant understands that the August 3 Return has been docketed and does not seek to create a duplicate filing or alter its original filing date.
3. On August 5, 2026, Appellant submitted an Amended and Supplemental Return in Opposition addressing the July 30, 2026 held-in-abeyance and deficiency correspondence and the August 3, 2026 refund correspondence. As of the August 19, 2026 public docket printout, no separate entry identifying that amended and supplemental filing appears.
4. The public C-Track page itself cautions that it should not be relied upon as the official record of action and that some documents received in a case may not be available for viewing. Appellant therefore seeks clerical clarification rather than presuming that the August 5 submission was rejected or omitted.

5. Appellant respectfully requests that the Clerk confirm whether the August 5 Amended and Supplemental Return has been received and associated with Respondent's July 22, 2026 Motion to Dismiss. Appellant provides another courtesy copy solely to ensure association with the pending motion.
6. If the August 5 submission was not accepted or requires a separate motion for leave, Appellant respectfully requests prompt written notice identifying the required procedure so that she may cure the issue without further confusion or delay.
7. Appellant further requests confirmation that her July 22, 2026 Motion for Extension of Time remains pending during the abeyance. The July 30 correspondence stated that no further action would be taken on that motion while Respondent's Motion to Dismiss remained pending; the August 3 refund correspondence did not state that Appellant's motion was denied, withdrawn, or rejected.
8. This Notice does not present a new merits argument, does not seek to restart the Rule 240 briefing period, and is not intended to duplicate Appellant's timely August 3 Return. Its purpose is to preserve an accurate filing history and assist the Clerk and Court in associating the papers already submitted with the pending motion.

WHEREFORE, Appellant respectfully requests that the Clerk and Court:

- A. confirm that Appellant's August 3, 2026 Return is docketed and associated with Respondent's July 22, 2026 Motion to Dismiss;
- B. confirm whether Appellant's August 5, 2026 Amended and Supplemental Return was received and, if received, associate it with the pending Motion to Dismiss;
- C. accept the attached copy as a courtesy resubmission without altering the original filing history;
- D. advise Appellant promptly if a separate motion for leave or other corrective filing is required; and
- E. confirm that Appellant's July 22, 2026 Motion for Extension of Time remains pending and that the refund of the motion fee did not constitute denial or rejection of that motion.

Respectfully submitted,



s/ Angela T. Franks

Angela T. Franks, Appellant pro se

P.O. Box 983

Columbia, South Carolina 29202

Telephone: (803) 466-3005

Dated: August 19, 2026

CERTIFICATE OF SERVICE

I hereby certify that on August 20, 2026, I served a true and correct copy of the foregoing Appellant's Notice of Prior Filing, Request for Clerical Docket Clarification, and Courtesy Resubmission of Amended and Supplemental Return upon all counsel of record by United States Mail, first-class postage prepaid, and/or authorized electronic service, addressed as follows:

Mr. Brian Lawrence Campbell, Esquire
2840 S. College Road, Suite 451
Wilmington, NC 28412

Mr. John P. Fetner, Esquire
2422 Devine Street, Suite A
Columbia, SC 29205

Ms. J. Pamela Price, Esquire
3550 Engineering Drive, Suite 260
Peachtree Corners, GA 30092

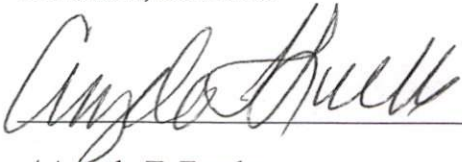
Ms. January N. Taylor, Esquire
3550 Engineering Drive, Suite 260
Peachtree Corners, GA 30092

Ms. Taylor Nicole Way, Esquire
13010 Morris Road, Suite 450
Alpharetta, GA 30004

Ms. Kimila Lynn Wooten, Esquire
325 W. McBee Avenue, Suite 301
Greenville, SC 29601

Ms. Meredith L. Coker, Esquire
P.O. Box 176
Charleston, SC 29402

Mr. Dean Anthony Hayes, Esquire
4500 Fort Jackson Boulevard, Suite 335
Columbia, SC 29209



s/ Angela T. Franks

Angela T. Franks, Appellant pro se

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SC Court of Appeals

EXHIBIT LIST

Exhibit A: Appellant's Return in Opposition to Respondent's Motion to Dismiss Appeal, dated August 3, 2026.

Exhibit B: Appellant's Amended and Supplemental Return in Opposition, submitted August 5, 2026.

Exhibit C: Public C-Track docket printout dated August 19, 2026.

Exhibit D: August 3, 2026 refund correspondence.



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

August 3, 2026

Paul Magargle
Div. of Finance and Personnel
1220 Senate St., Suite 101
Columbia, S.C. 29201

Re: U.S. Bank Trust National Association v. Angela Franks
Appellate Case No. 2024-000917

Dear Mr. Magargle:

We received a motion for an extension of time in the above entitled appeal. The appellant provided this office with a fifty dollar (\$50.00) filing fee in the form of a check, number 287827, which was deposited on July 22, 2026.

Please refund the \$50.00 filing fee to Angela Franks at their mailing address furnished below.

Ms. Angela Franks P.O. Box 983 Columbia SC 29202

Thank you for your assistance in this matter.

Very truly yours,

Catherine Harrison, deputy
CLERK

cc: Angela Franks
Brian Lawrence Campbell, Esquire
John P. Fetner, Esquire
J. Pamela Price, Esquire
January N Taylor, Esquire
Taylor Nicole Way, Esquire
Kimila Lynn Wooten, Esquire
Meredith L. Coker, Esquire
Dean Anthony Hayes, Esquire

South Carolina Appellate Case Management System

CLERK'S OFFICE
SUPREME COURT
COURT OF APPEALS

C-Track, the browser based CMS for Appellate Courts

Appellate Case No. ...

Cases

Case Search

Participant Search

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: 2024-000917

Court:	Court of Appeals	Classification:	Appeal - Common Pleas - Other
Short Title:	U.S. Bank Trust National Association v. Angela Franks View Full Title	Case Status:	Held in Abeyance
Consolidated:			
Filed Date:	05/31/2024	Oral Argument Date:	
Disposition Date:		Disposition Type:	
Remittitur Date:			
Lower Court or Tribunal:	Richland (2022CP4002905)		

- Party Information

Appellate Role	Party Name	Former	Attorney(s)
Appellant	Angela Franks	N	Self Represented Brian Lawrence Campbell John P. Fetner J. Pamela Price
Respondent	U.S. Bank Trust National Association	N	January N Taylor Taylor Nicole Way Kimila Lynn Wooten Meredith L. Coker Dean Anthony Hayes

Views

Display: Descending

Event Information

Filed Date	Event Information	Doc
08/12/2026	Motion - No Reply - Respondent's Motion to Dismiss	
08/03/2026	Correspondence - Outgoing- Request Refund Letter	
08/03/2026	Motion - Return - Respondent's Motion to Dismiss	
07/30/2026	Correspondence - Outgoing- Held in Abeyance and Deficiency Letter	
07/22/2026	Correspondence - Incoming - Appellant's Motion for Extension- 2nd Amended Record on Appeal	
07/22/2026	Motion - Respondent's Motion to Dismiss	
07/13/2026	Final Brief - Amended Appellant's Final Brief	
07/13/2026	Final Brief - Appellant	
07/07/2026	Correspondence - Incoming- Appellant's Notice of Intent to Comply With July 2, 2026 Order	
07/02/2026	Non-Dispositional Decision - Order (Respondents' Motion to Strike, Supplement the Record on Appeal, and Allow Late Filing)	
06/19/2026	Motion - No Reply- Respondents' Motion to Strike, Supplement the Record on Appeal, and Allow Late Filing	
06/11/2026	Correspondence - Incoming- Appellant's Objection to - Held In Abeyance Letter	
06/10/2026	Correspondence - Outgoing- Held In Abeyance Letter	
06/09/2026	Motion - Appellant's Return- Respondents' Motion to Strike, Supplement the Record on Appeal, and Allow Late Filing	
06/08/2026	Motion - Respondents' Motion to Strike, Supplement the Record on Appeal, and Allow Late Filing	
05/29/2026	Correspondence - Outgoing- Respondent's Final Brief Overdue Letter	
05/13/2026	Deficiency - Correction- Record on Appeal Filed	
04/30/2026	Deficiency - Deficiency Letter Sent- Record on Appeal Filed	
04/30/2026	Correspondence - Outgoing- 2nd Bound Copy Letter	

04/24/2026	Record - Record on Appeal Filed	
04/24/2026	Record - Proof of Service of Record on Appeal	
04/06/2026	Correspondence - Incoming- Appellant's Cease and Desist	
03/27/2026	Non-Dispositional Decision - Extension Granted(1st)- Record on Appeal	
03/25/2026	Motion - Extension of Time (1st)- Record on Appeal	
03/12/2026	Non-Dispositional Decision - Order- Appellant's Motion to Allow Late Filing	
03/12/2026	Motion - No Return- Appellant's Motion to Allow Late Filing	
02/25/2026	Motion - Appellant's Motion to Allow Late Filing	
02/19/2026	Correspondence - Outgoing- No Action Letter	
02/13/2026	Initial Brief - Reply	
02/05/2026	Correspondence - Outgoing- 1 Bound Copy Letter	
01/22/2026	Designation of Matter - Designation of Matter Filed- Respondent	
01/21/2026	Initial Brief - Respondent	
12/22/2025	Designation of Matter - 2nd Amended Designation of Matter Filed	
12/12/2025	Correspondence - Outgoing- No Action Letter	
12/09/2025	Motion - No Return- Appellant's Motion to Reconsider 11/03 Order	
11/17/2025	Motion - Appellant's Motion to Reconsider 11/03 Order	
11/03/2025	Non-Dispositional Decision - Order	
10/10/2025	Motion - No Return- Respondents Motion to Dismiss	
09/29/2025	Motion - Respondents Motion to Dismiss	
09/25/2025	Correspondence - Outgoing- No Action to Kimila Lynn Wooten's Letter	
09/24/2025	Correspondence - Incoming- Kimila Lynn Wooten's Letter	
09/02/2025	Non-Dispositional Decision - Order- Appellant and Respondent's Motion	
08/13/2025	Motion - No Reply- Ext. (1st)- Respondent's Initial Brief	
08/13/2025	Motion - No Return- Appellant's Motion to Amend- Appellant's Initial Brief	
08/07/2025	Motion - Return- Ext (1st)- Respondent's Initial Brief	
08/01/2025	Deficiency - Correction Ext (1st)- Respondent's Initial Brief	
07/31/2025	Deficiency - Deficiency Letter Sent Ext (1st)- Respondent's Initial Brief	
07/29/2025	Motion - Extension of Time (1st)- Respondent's Initial Brief	
07/28/2025	Motion - Appellant's Motion to Amend- Appellant's Initial Brief	
07/01/2025	Initial Brief - Appellant's Amended Initial Brief	
06/27/2025	Amended Designation of Matter - Designation of Matter Filed - Appellant	
06/27/2025	Amended Initial Brief - Appellant	
05/29/2025	Non-Dispositional Decision - Extension Granted (2nd)- Appellant's Amended Initial Brief	
05/28/2025	Motion - Extension of Time (2nd)- Appellant's Amended Initial Brief	
04/28/2025	Non-Dispositional Decision - Extension Granted (1st)- Appellant's Initial Brief	
04/25/2025	Motion - Extension of Time (1st)- Appellant's Amended Initial Brief	
04/08/2025	Non-Dispositional Decision - Order- Respondent's Motion to Dismiss	
03/04/2025	Motion - No Return- Respondent's Motion to Dismiss	
02/07/2025	Motion - Respondent's Motion to Dismiss	
01/21/2025	Non-Dispositional Decision - Extension Granted- Respondent's Initial Brief	
01/16/2025	Motion - Extension of Time 1st- Respondent's Initial Brief	
01/16/2025	Correspondence - Incoming- Dean Anthony Hayes's Notice of Appearance	
01/16/2025	Correspondence - Outgoing- Respondents Initial Brief Overdue Letter	
12/09/2024	Deficiency - Correction- (Appellants Initial Brief)	
11/20/2024	Deficiency - Deficiency Letter Sent- (Appellants Initial Brief)	
11/18/2024	Initial Brief - Appellant	
10/23/2024	Non-Dispositional Decision - Extension Granted- (AIB/DOM)	
10/18/2024	Motion - Extension of Time (2nd)- (AIB/DOM)	

09/18/2024	Non-Dispositional Decision - Extension Granted- (AIB/DOM)	
09/17/2024	Motion - Extension of Time (1st)- (AIB/DOM)	
08/19/2024	Correspondence - Outgoing (AIB/DOM Due Date)	
08/14/2024	Transcript Documents - No Transcript to be Ordered	
08/01/2024	Transcript Documents - (Appellants Status Update)	
06/27/2024	Correspondence - Outgoing (Notice of Appeal Initial Letter)- (Updated Caption/Title)	
06/24/2024	Correspondence - Incoming (Notice of Appearance)- (Meredith L. Coker)	
06/24/2024	Transcript Documents - Transcript Ordered	
06/24/2024	Deficiency - Correction- (Notice of Appeal)	
06/18/2024	Deficiency -2nd Deficiency Letter Sent- (Notice of Appeal)	
06/17/2024	Deficiency - Partial Correction- (Notice of Appeal)	
06/06/2024	Correspondence - Outgoing (Response to Respondents Letter)- (Kimila Lynn Wooten)	
06/04/2024	Correspondence - Incoming (Respondents Letter)- (Kimila Lynn Wooten)	
06/04/2024	Correspondence - Outgoing (Notice of Appeal Initial Letter)	
06/04/2024	Deficiency - Deficiency Letter Sent- (Notice of Appeal)	
05/31/2024	Notice of Appeal (Civil) - Initial	

THE STATE OF SOUTH CAROLINA
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APPEAL FROM RICHLAND COUNTY

Joseph M. Strickland, Master-in-Equity

SC Court of Appeals

Appellate Case No. 2024-000917

U.S. Bank Trust National Association, as Trustee of Tiki Series IV Trust, Respondent,
v.

Angela T. Franks aka Angela Thomansina Franks and CMS Roofing, LLC, Defendants,
Of which Angela T. Franks aka Angela Thomansina Franks is the Appellant.

**APPELLANT'S RETURN IN OPPOSITION TO RESPONDENT'S MOTION TO
DISMISS APPEAL; RENEWED REQUEST FOR EXTENSION OF TIME AND
LEAVE TO FILE SECOND AMENDED RECORD ON APPEAL OUT OF TIME**

Appellant Angela T. Franks, proceeding pro se, respectfully returns in opposition to Respondent's July 22, 2026 Motion to Dismiss Appeal. Appellant acknowledges that the Second Amended Record on Appeal was not completed within the original ten-day period stated in the Court's July 2, 2026 Order. Dismissal is nevertheless neither jurisdictionally required nor warranted. The record deadline is extendable under Rule 263(b), SCACR; Appellant has demonstrated good cause for a short extension; she timely filed the amended final brief required by the July 2 Order; and Respondent identifies no prejudice that cannot be cured by setting a firm new record deadline.

I. RELEVANT PROCEDURAL FACTS

1. On July 2, 2026, the Court struck the prior record and directed Appellant to serve and file a Second Amended Record on Appeal with an accurate index, all matter designated by the parties, no matter not presented to the circuit court, complete orders and pleadings, and consecutive pagination beginning with the index.
2. Under Rule 263(a), SCACR, the ten-day period expired on Monday, July 13, 2026 because the tenth day fell on Sunday, July 12, 2026.
3. Appellant timely served and filed the amended final brief on July 13, 2026. Respondent's motion acknowledges that filing, although it contains an obvious typographical reference to July 13, 2016 rather than July 13, 2026.
4. The only outstanding compliance item was the Second Amended Record on Appeal. The source materials exceed 300 pages and mix lower-court pleadings, orders, exhibits, appellate correspondence, bankruptcy materials, and documents from a separate 2017 action. The July 2 Order required a document-by-document review rather than simple repagination.
5. Appellant obtained and reviewed the Richland County Public Index for case 2022-CP-40-02905 to verify which documents were actually filed below and to identify the complete stay

and restore motions and orders, hearing notices, affidavits, motion to dismiss, answer, Record of Hearing, and foreclosure judgment.

6. Appellant contacted the Clerk's office on July 22, 2026 and was advised she could request an extension of time. Appellant has prepared and submits with or in conjunction with this Return a request for additional time and leave to file the Second Amended Record out of time.
7. Respondent filed its dismissal motion on July 22, 2026. Under Rule 240(b), SCACR, that motion automatically stays the time limits for perfecting the appeal until the motion is decided.

II. RESPONDENT'S MOTION DOES NOT JUSTIFY THE HARSHTEST SANCTION

Rule 240(c)(2), SCACR, requires an appellate motion to include a memorandum with citation of authorities. Respondent's motion asks for the ultimate sanction of dismissal but cites no rule, statute, or case in support of that request. Its caption also omits CMS Roofing, LLC and the complete caption the Court previously directed the parties to use, and the motion states that Appellant filed the amended final brief on July 13, 2016 rather than July 13, 2026. Appellant does not ask the Court to deny Respondent's motion solely because of these curable defects. They do, however, demonstrate why the rules should be applied evenhandedly and why a curable, nonjurisdictional default by a pro se appellant should not result in dismissal while comparable defects by represented counsel are overlooked.

Respondent's procedural chronology also treats Court-approved extensions as though they were violations. An extension granted by the Court is compliance with the modified deadline, not misconduct. The Court should decide the present motion on the actual nine-day record default, Appellant's prompt request for relief, the technical demands of the July 2 Order, the absence of prejudice, and the availability of an effective lesser remedy.

III. THE RECORD DEADLINE IS NONJURISDICTIONAL AND EXPRESSLY EXTENDABLE

Rule 263(b), SCACR, permits the appellate court to extend the time prescribed by the appellate rules for performing any act other than service of a notice of appeal under Rules 203 and 243. The act at issue here is preparation and filing of the Second Amended Record on Appeal, not service of the notice of appeal. The Court therefore retains authority to enlarge the deadline and accept the corrected record out of time.

Rule 260(a), SCACR, provides a dismissal mechanism for noncompliance and permits reinstatement upon good cause. Rule 263(b), however, expressly authorizes the Court to extend this nonjurisdictional deadline. Respondent's motion therefore does not establish that dismissal is the only lawful remedy; the Court may deny dismissal, grant leave to file out of time, and impose a firm new deadline that cures the present defect.

IV. GOOD CAUSE EXISTS FOR A SHORT, FIRM EXTENSION

The July 2 Order imposes exacting content and certification duties. Rule 210(c), SCACR, requires all designated matter, exclusion of matter not presented below, prescribed document order, complete copies of included orders and pleadings, and consecutive pagination beginning with the index. Rule 210(g) provides that filing the Record constitutes a certification that it contains all material proposed by the parties and no other material. Appellant should not be required to make that certification without first verifying the lower-court docket and matching each designated item to a complete filed document.

The delay was not deliberate, contumacious, or intended to obtain tactical advantage. Appellant timely complied with the amended-final-brief portion of the July 2 Order and has continued working to obtain and verify the lower-court file. The Public Index confirms numerous separately filed items that must be located, assembled, and indexed accurately. A short extension promotes compliance with the Court's order rather than evasion of it.

V. RESPONDENT SHOWS NO PREJUDICE, AND LESSER RELIEF FULLY PROTECTS RESPONDENT

The July 2 Order gives Respondent ten days after receipt of the Second Amended Record to serve and file its final brief. Thus, Respondent's briefing time does not begin until the corrected record is served. Respondent identifies no lost evidence, impaired argument, or other substantive prejudice caused by allowing a short extension.

A firm deadline, coupled with the Court's existing authority under Rule 260, fully protects Respondent and the orderly administration of the appeal. Dismissal would extinguish appellate review when a narrower remedy—granting a short extension and requiring strict compliance by a date certain—directly cures the current defect.

VI. SOUTH CAROLINA POLICY FAVORS MERITS REVIEW OVER THE HARSHTEST PROCEDURAL SANCTION

South Carolina policy favors disposition of disputes on their merits rather than on technicalities. *Micronics, Inc. v. South Carolina Department of Revenue*, 345 S.C. 506, 511, 548 S.E.2d 223, 226 (Ct. App. 2001). South Carolina courts also recognize dismissal as a harsh sanction generally reserved for a clear record of delay or contumacious conduct and after consideration of less drastic remedies. *McComas v. Ross*, 368 S.C. 59, 63, 626 S.E.2d 902, 904 (Ct. App. 2006). Although those cases arose in trial-level procedural settings, their sanction principles strongly support using an available, effective lesser remedy here.

Respondent's chronology lists extensions that the Court itself granted. A court-authorized extension is not itself a violation of a deadline. The chronology also omits the important fact that the Court afforded Respondent a ten-day cure period when Respondent's own final brief was overdue on May 29, 2026. Appellant requests the same basic opportunity to cure an extendable, nonjurisdictional deadline—not preferential treatment.

VII. THE COURT SHOULD NOT TREAT ADVERSE PROCEDURAL HISTORY AS PROOF OF BAD FAITH

Respondent characterizes prior corrections and extensions as repeated disregard of the rules. The prior orders show, however, that the Court denied Respondent's earlier dismissal requests and permitted correction of curable defects. The present task is unusually technical: the Court directed Appellant to include every properly designated lower-court item, exclude every improper item, provide complete documents, and create an accurate page-specific index. Appellant's effort to verify those matters is inconsistent with abandonment of the appeal.

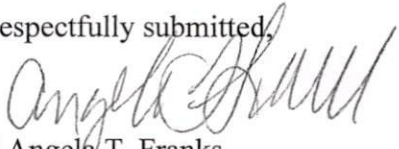
The present motion should be decided on the current default, the available extension authority, the reasons for the delay, the absence of prejudice, and the effectiveness of a date-certain extension—not on rhetoric suggesting that every prior court-approved extension constituted misconduct.

VIII. REQUEST FOR RELIEF

WHEREFORE, Appellant respectfully requests that the Court:

- A. DENY Respondent's Motion to Dismiss Appeal;
- B. GRANT Appellant leave to serve and file the Second Amended Record on Appeal out of time;
- C. SET the deadline for the Second Amended Record on Appeal as August 21, 2026, or twenty-one days after entry of the order disposing of Respondent's motion to dismiss, whichever is later;
- D. CONFIRM that Respondent's ten-day period for its final brief will run from receipt of the Second Amended Record, as stated in the July 2, 2026 Order;
- E. MAINTAIN the appeal in abeyance only as necessary to permit filing of the corrected record; and
- F. GRANT such other and further relief as the Court deems just and proper.

Respectfully submitted,



s/ Angela T. Franks

Angela T. Franks, Appellant pro se

P.O. Box 983

Columbia, South Carolina 29202

Telephone: (803) 466-3005

Dated: August 03, 2026

MEMORANDUM OF AUTHORITIES

Rule 240(b), SCACR, automatically stays the time limits for perfecting an appeal when a motion to dismiss is filed. Rule 240(c)(2) requires every appellate motion to include a memorandum with citation of authorities, and Rule 240(e) permits an opposing party ten days from service to file a return. Rule 263(b) authorizes extension of every appellate deadline except the jurisdictional time for service of a notice of appeal under Rules 203 and 243. Rule 210(c) prescribes the content and organization of the Record on Appeal, and Rule 210(g) makes filing the Record a certification of completeness and exclusion of improper matter. Rule 260(a) governs involuntary dismissal and reinstatement. These rules, read together, permit denial of dismissal and entry of a firm extended deadline for the Second Amended Record.

Micronics, Inc. v. South Carolina Department of Revenue, 345 S.C. 506, 511, 548 S.E.2d 223, 226 (Ct. App. 2001), recognizes South Carolina policy favoring disposition on the merits rather than on technicalities. *McComas v. Ross*, 368 S.C. 59, 63, 626 S.E.2d 902, 904 (Ct. App. 2006), recognizes dismissal as a harsh sanction generally associated with a clear record of delay or contumacious conduct and the inadequacy of lesser remedies. A date-certain extension is an effective lesser remedy here.

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SC Court of Appeals

CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of August, 2026, I served a true and correct copy of the foregoing Appellant's Return in Opposition to Respondent's Motion to Dismiss Appeal and Renewed Request for Extension of Time upon all counsel of record by United States Mail, first-class postage prepaid, and/or authorized electronic service, addressed as follows:

Mr. Brian Lawrence Campbell, Esquire
2840 S. College Road, Suite 451
Wilmington, NC 28412

Mr. John P. Fetner, Esquire
2422 Devine Street, Suite A
Columbia, SC 29205

Ms. J. Pamela Price, Esquire
3550 Engineering Drive, Suite 260
Peachtree Corners, GA 30092

Ms. January N. Taylor, Esquire
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Ms. Taylor Nicole Way, Esquire
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325 W. McBee Avenue, Suite 301
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Mr. Dean Anthony Hayes, Esquire
4500 Fort Jackson Boulevard, Suite 335
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U.S. Bank Trust National Association, as Trustee of Tiki Series IV Trust, Respondent,

v.

Angela T. Franks aka Angela Thomansina Franks and CMS Roofing, LLC, Defendants,
Of which Angela T. Franks aka Angela Thomansina Franks is the Appellant.

ORDER

This matter is before the Court on Respondent's Motion to Dismiss Appeal and Appellant's Return in Opposition and Renewed Request for Extension of Time. After consideration of the filings, the Court finds good cause to deny dismissal and permit completion of the Second Amended Record on Appeal.

IT IS ORDERED that Respondent's Motion to Dismiss Appeal is DENIED. Appellant shall serve and file the Second Amended Record on Appeal on or before August 21, 2026, or within twenty-one days after filing of this Order, whichever is later. Respondent's time to serve and file its final brief shall run from receipt of the Second Amended Record on Appeal as provided in the Court's July 2, 2026 Order.

IT IS SO ORDERED.

Judge, South Carolina Court of Appeals

Date: _____

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APPEAL FROM RICHLAND COUNTY

Joseph M. Strickland, Master-in-Equity

Appellate Case No. 2024-000917

U.S. Bank Trust National Association, as Respondent,
Trustee of Tiki Series IV Trust,

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Angela T. Franks aka Angela Thomansina Appellant.
Franks and CMS Roofing, LLC, Defendants,
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Thomansina Franks is the Appellant.

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SC Court of Appeals

**APPELLANT'S AMENDED AND SUPPLEMENTAL RETURN IN OPPOSITION TO
RESPONDENT'S MOTION TO DISMISS; REQUEST FOR CLARIFICATION, EQUAL
APPLICATION OF RULE 240, AND JOINT CONSIDERATION OF APPELLANT'S JULY
22, 2026 MOTION FOR EXTENSION OF TIME**

Appellant Angela T. Franks, pro se, submits this Amended and Supplemental Return in opposition to Respondent's July 22, 2026 Motion to Dismiss. This filing supplies the Court's July 30, 2026 abeyance and deficiency letter and the Clerk's August 3, 2026 refund correspondence, and respectfully requests that the Court apply Rule 240, SCACR, evenhandedly, clarify the status of Appellant's pending extension motion, deny dismissal, and establish a firm date for completion of the Second Amended Record on Appeal.

I. NEWLY CONFIRMED PROCEDURAL FACTS

1. On July 22, 2026, Appellant filed a Motion for Extension of Time to Serve and File the Second Amended Record on Appeal. Appellant tendered the required \$50 filing fee. The Clerk's August 3, 2026 correspondence confirms that the Court received the motion, deposited Appellant's check on July 22, 2026, and later directed that the \$50 be refunded to Appellant. See Exhibit B.
2. Respondent filed its Motion to Dismiss on the same date, July 22, 2026, but did not submit the \$50 filing fee required by Rule 240(d), SCACR.
3. On July 30, 2026, the Clerk advised the parties that the appeal would be held in abeyance pending the Court's decision on Respondent's Motion to Dismiss and that no further action would be taken on Appellant's July 22 extension motion while the dismissal motion remained pending. See Exhibit A.
4. The same July 30 letter found Respondent's Motion to Dismiss deficient because the required filing fee had not been submitted. The Clerk gave Respondent ten days to correct the deficiency

and stated that, if the deficiency was not corrected, the filing would not be considered. See Exhibit A.

5. The July 30 letter does not deny, reject, dismiss, or declare abandoned Appellant's July 22 extension motion. Likewise, the August 3 refund letter does not state that Appellant's motion was denied or withdrawn. It confirms receipt and payment and directs only a refund of the fee.

II. RESPONDENT'S MOTION IS CONDITIONALLY PENDING AND CANNOT BE CONSIDERED UNLESS THE FEE DEFICIENCY IS TIMELY CURED

Rule 240(d), SCACR, requires an appellate motion to be accompanied by the filing fee set by order of the Supreme Court. Rule 240(g) provides that a moving party's failure to perform an act required by Rule 240 may be deemed abandonment of the motion. The Clerk's July 30 letter is even more specific: Respondent must correct the missing-fee deficiency within ten days or the filing will not be considered.

Under Rule 263(a), SCACR, the day of the July 30 letter is excluded. The tenth day falls on Sunday, August 9, 2026; therefore, the cure period runs through Monday, August 10, 2026. If Respondent does not timely cure the deficiency, Appellant respectfully requests that the Motion to Dismiss not be considered, consistent with the Clerk's written directive.

III. THE ABEYANCE DOES NOT CONSTITUTE A DENIAL OF APPELLANT'S EXTENSION MOTION

The July 30 letter states only that no further action will be taken on Appellant's extension motion while the Court decides Respondent's Motion to Dismiss. It does not deny the extension request. The August 3 refund correspondence similarly does not characterize the motion as denied or procedurally defective. Appellant therefore respectfully requests written clarification that the July 22 extension motion remains pending and that the fee refund is an administrative action or fee relief, not a rejection of the motion.

IV. THE DISMISSAL MOTION AUTOMATICALLY STAYS THE REMAINING PERFECTION DEADLINES

Rule 240(b), SCACR, provides that a motion to dismiss automatically stays the time limits for perfecting the appeal until the motion is decided. The Court's July 30 abeyance letter is consistent with that rule. Consequently, no period after July 22, 2026 should be counted against Appellant as additional delay in completing the Second Amended Record while Respondent's dismissal motion remains pending.

The automatic stay does not erase the prior missed deadline, but it confirms that the present issue is whether Appellant should be granted relief from an extendable, nonjurisdictional deadline. Rule 263(b), SCACR, authorizes the Court to extend every appellate deadline except the jurisdictional notice-of-appeal deadlines. The Second Amended Record deadline is therefore subject to enlargement for good cause.

V. APPELLANT'S EXTENSION MOTION SHOULD BE CONSIDERED BEFORE OR TOGETHER WITH RESPONDENT'S DISMISSAL MOTION

Appellant's July 22 extension motion directly addresses the procedural default on which Respondent relies. Appellant filed the motion on the same day as Respondent's Motion to Dismiss, tendered the required fee, and sought a date-certain opportunity to complete the document-by-document review required by the Court's July 2 Order. That conduct demonstrates diligence and an intent to perfect the appeal, not abandonment.

Granting the requested extension would cure the nonjurisdictional defect and allow the appeal to proceed on a properly assembled Second Amended Record. Respondent will retain the full briefing period granted by the July 2 Order after receipt of that Record. By contrast, dismissal before meaningful consideration of Appellant's timely curative motion would impose the ultimate sanction without first considering the lesser, expressly authorized remedy of an extension.

VI. EVENHANDED APPLICATION OF RULE 240 FAVORS DENIAL OF DISMISSAL

Appellant does not request preferential treatment because she is self-represented. She requests equal treatment. Appellant filed her extension motion, served the parties, and tendered the full motion fee. Respondent's competing motion was filed without the required fee and was formally declared deficient. If Appellant is held to the procedural requirements of Rule 240, experienced counsel for Respondent should be held to the same requirements.

The July 30 deficiency notice demonstrates that the Clerk is enforcing the fee requirement against Respondent. Appellant respectfully asks the Court to complete that evenhanded process by refusing to consider Respondent's motion if the deficiency is not timely cured and, if it is cured, by considering Appellant's extension request before or contemporaneously with the dismissal request.

VII. REQUEST FOR RELIEF

WHEREFORE, Appellant respectfully requests that the Court:

1. take notice of the July 30, 2026 abeyance and deficiency letter and the August 3, 2026 refund correspondence;
2. clarify that Appellant's July 22, 2026 Motion for Extension of Time remains pending and that refund of Appellant's motion fee does not constitute denial or rejection of the motion;
3. decline to consider Respondent's Motion to Dismiss if Respondent fails to cure the \$50 filing-fee deficiency by the deadline computed under Rule 263(a), SCACR;
4. if Respondent timely cures the deficiency, consider Appellant's extension motion before or together with Respondent's Motion to Dismiss;
5. deny Respondent's Motion to Dismiss;
6. grant Appellant leave to serve and file the Second Amended Record on Appeal through August 21, 2026, or twenty-one days after entry of the Court's ruling on the dismissal motion, whichever is later;
7. confirm that Rule 240(b)'s automatic stay prevents additional perfection time from running after July 22, 2026 while the dismissal motion is pending; and
8. grant such other and further relief as the Court deems just and proper.

Respectfully submitted,



s/ Angela T. Franks

Angela T. Franks, Appellant pro se

P.O. Box 983

Columbia, SC 29202

(803) 466-3005

Dated: August 3, 2026

RECEIVED

AUG 05 2026

SC Court of Appeals

CERTIFICATE OF SERVICE

I hereby certify that on August 3, 2026, I served a true and correct copy of the foregoing Appellant's Amended and Supplemental Return in Opposition to Respondent's Motion to Dismiss upon all counsel of record by United States Mail, postage prepaid, and/or authorized electronic service, addressed as follows:

Mr. Brian Lawrence Campbell, Esquire
2840 S. College Road, Suite 451
Wilmington, NC 28412

Mr. John P. Fetner, Esquire
2422 Devine Street, Suite A
Columbia, SC 29205

Ms. J. Pamela Price, Esquire
3550 Engineering Drive, Suite 260
Peachtree Corners, GA 30092

Ms. January N. Taylor, Esquire
3550 Engineering Drive, Suite 260
Peachtree Corners, GA 30092

Ms. Taylor Nicole Way, Esquire
13010 Morris Road, Suite 450
Alpharetta, GA 30004

Ms. Kimila Lynn Wooten, Esquire
325 W. McBee Avenue, Suite 301
Greenville, SC 29601

Ms. Meredith L. Coker, Esquire
P.O. Box 176
Charleston, SC 29402

Mr. Dean Anthony Hayes, Esquire
4500 Fort Jackson Boulevard, Suite 335
Columbia, SC 29209



s/ Angela T. Franks

Angela T. Franks, Appellant pro se

EXHIBIT A

July 30, 2026 Held-in-Abeyance and Deficiency Letter



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
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July 30, 2026

Angela Franks
P.O. Box 983
Columbia SC 29202

Mr. Brian Lawrence Campbell, Esquire
2840 S. COLLEGE ROAD
Ste 451
WILMINGTON NC 28412

Mr. John P. Fetner, Esquire
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Ms. Taylor Nicole Way, Esquire
13010 Morris Rd.
Suite 450
Alpharetta GA 30004

Ms. Kimila Lynn Wooten, Esquire
325 W Mcbee Avenue
Suite 301
Greenville SC 29601

Re: U.S. Bank Trust National Association v. Angela Franks
Appellate Case No. 2024-000917

Dear Ms. Franks and Counsel:

Please be advised that this appeal will be held in abeyance pending the Court's decision on the respondent's motion to dismiss. Therefore, no further action will be taken on the appellant's motion for an extension to serve and file the second amended record on appeal filed on July 22, 2026.

Additionally, upon reviewing the respondent's motion to dismiss, the following deficiency has been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or the filing will not be considered:

- The required filing fee has not been submitted. **The correct filing fee is \$50.00.**

Very truly yours,


CLERK

EXHIBIT B

August 3, 2026 Refund Correspondence



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

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August 3, 2026

Paul Magargle
Div. of Finance and Personnel
1220 Senate St., Suite 101
Columbia, S.C. 29201

Re: U.S. Bank Trust National Association v. Angela Franks
Appellate Case No. 2024-000917

Dear Mr. Magargle:

We received a motion for an extension of time in the above entitled appeal. The appellant provided this office with a fifty dollar (\$50.00) filing fee in the form of a check, number 287827, which was deposited on July 22, 2026.

Please refund the \$50.00 filing fee to Angela Franks at their mailing address furnished below.

Ms. Angela Franks P.O. Box 983 Columbia SC 29202

Thank you for your assistance in this matter.

Very truly yours,

Catherine Harrison, deputy
CLERK

cc: Angela Franks
Brian Lawrence Campbell, Esquire
John P. Fetner, Esquire
J. Pamela Price, Esquire
January N Taylor, Esquire
Taylor Nicole Way, Esquire
Kimila Lynn Wooten, Esquire
Meredith L. Coker, Esquire
Dean Anthony Hayes, Esquire