

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM SALUDA COUNTY

The Honorable Donald B. Hocker, Circuit Court Judge

Hugh Parks Price,

Appellate Case No. 2025-002567

Appellant, pro se,

Lower Court Case No. 2025-CP-41-00100

RECEIVED

v.

SEP 14 2026

Lisa Lee Molstad,

SC Court of Appeals

Respondent.

**MEMORANDUM IN SUPPORT OF PROPOSED AMENDED MOTION FOR
SANCTIONS**

This memorandum supports Appellant's request for sanctions against former counsel Christian G. Spradley under Rule 269, SCACR. It identifies the governing appellate standard, confines the request to two filings made in this appeal, and explains why a renewed response period will protect every affected person without prejudice.

QUESTION PRESENTED

Whether the Court should determine, after notice and an opportunity to respond, that the motion to strike or motion to dismiss filed by Mr. Spradley was frivolous, taken solely for delay, or not in compliance with the appellate rules.

GOVERNING AUTHORITIES

1. Rule 269, SCACR. The Rule authorizes sanctions against offending attorneys or parties when an appeal, petition, motion, or return is frivolous, taken solely for delay, or noncompliant. It requires ten days' notice before sanctions are imposed.

2. Rule 240, SCACR. Motions must state their grounds, include a supporting memorandum with authorities, include proof of service, and be supported when necessary by affidavits or documents. A party opposing a motion ordinarily has ten days from service to file a return, subject to the Court's discretion to enlarge or limit that period.
3. Rules 262 and 267, SCACR. Rule 262 governs filing and service; Rule 267 governs captions, signatures, paper, and form. Appellant's proposed amendment corrects the caption and contact information and preserves direct notice to the attorney against whom sanctions are requested.
4. *Runyon v. Wright*, 322 S.C. 15, 19, 471 S.E.2d 160, 162 (1996). *Runyon* addresses sanctions under Rule 11, SCRCP, and confirms that sanctions decisions are committed to judicial discretion. Appellant cites it only by analogy; Rule 269's own text controls this appellate motion.
5. *Bauknight v. Pope*, 445 S.C. 408, 914 S.E.2d 848 (2025). *Bauknight* affirmed sanctions arising from a documented pattern of frivolous and delaying litigation conduct. It illustrates the need to connect any sanction to identified filings and record evidence, but it did not replace Rule 269's express requirements.

ARGUMENT

I THE REQUEST IS LIMITED TO IDENTIFIED APPELLATE FILINGS

The amended motion identifies Mr. Spradley's motion to strike and motion to dismiss in this appeal as the only filings for which Rule 269 sanctions are sought. Materials concerning other proceedings are offered only for chronology, knowledge, and context. Appellant does not ask this Court to impose Rule 269 sanctions for conduct occurring in a trial-court or criminal proceeding.

II THE COURT FILE PROVIDES THE CENTRAL FACTUAL COMPARISON

The Court's own file is the central factual comparison. It contains written status submissions received on April 27 and June 1, 2026. The June 30 motion to dismiss also arose while Appellant was incarcerated and after the Court's April 16 correspondence stated that the appeal would be held in abeyance pending disposition of Respondent's motion to strike and extension request. Appellant asks the Court to compare the challenged filings with the docket, orders, correspondence, and counsel's knowledge of the procedural circumstances, and then determine whether the Rule 269 threshold is met.

An unsuccessful argument is not automatically frivolous. The requested finding instead rests on Appellant's contention that dispositive relief was sought on factual or procedural premises that counsel could have checked against the Court's file. The Court is best positioned to decide whether that showing establishes frivolousness, sole purpose of delay, or noncompliance.

III THE APRIL 22 TRANSCRIPT IS OFFERED FOR LIMITED CONTEXT

The April 22, 2026 bond-revocation transcript documents Mr. Spradley's participation at a criminal bond hearing while representing Lisa Molstad. During that hearing he discussed Appellant's civil litigation and a civil motion he had prepared; the ensuing discussion included whether allegedly frivolous civil filings could constitute a failure to remain of "good behavior." The subsequent revocation order used the general "good behavior" ground but did not identify the particular conduct constituting the violation. Appellant therefore does not represent that the written order found his civil filings frivolous or that the bond was expressly revoked because of those filings. The transcript and order are offered together only as documented chronology bearing on knowledge and context. Appellant leaves to the Court what inference, if any, should be drawn and does not request Rule 269 sanctions for conduct at the criminal hearing.

IV RELATED APPELLATE CASE NO. 2026-001043 PROVIDES LIMITED PROCEDURAL CONTEXT

A related appeal involving Appellant, Appellate Case No. 2026-001043, was dismissed on July 6, 2026 for procedural deficiencies involving the transcript, initial brief, and designation. On September 9, 2026, this Court granted Appellant's July 31 motion to reinstate under Rule 260(a), SCACR, and accepted the initial brief and designation as filed. Appellant notes the proceeding because it involved procedural deficiencies during the same general period surrounding his incarceration. He does not contend that the September 9 order expressly held incarceration alone was good cause, nor that reinstatement there determines reinstatement or sanctions here. He respectfully identifies the related appellate proceeding for whatever limited procedural comparison the Court deems proper. Because Rule 210(h), SCACR, generally limits appellate review to facts appearing in the Record on Appeal, Appellant does not ask the Court to treat the separate record as substantive proof of the merits of this appeal; the Court may disregard the comparison if it finds it procedurally inappropriate.

V THE AMENDMENT AND A RENEWED RESPONSE PERIOD PROTECT DUE PROCESS

The amendment names Mr. Spradley and does not seek sanctions against Ms. Molstad or Mr. Riley. Because the challenged motions were filed for Ms. Molstad, she may have an interest in defending them through current counsel. Because the requested sanctions would be imposed on Mr. Spradley personally, he should also have a clear opportunity to respond pro se or through counsel authorized to represent him. A ten-day period following service of the accepted amendment would avoid prejudice and remove uncertainty concerning the response schedule.

CONCLUSION

Appellant respectfully requests acceptance of the amended motion, clarification of the persons and representative capacities in which returns may be filed, and a schedule allowing each appropriate respondent a fair opportunity to answer before the Court decides the merits.

Respectfully submitted,

/s/ Hugh Parks Price

Hugh Parks Price, Appellant pro se

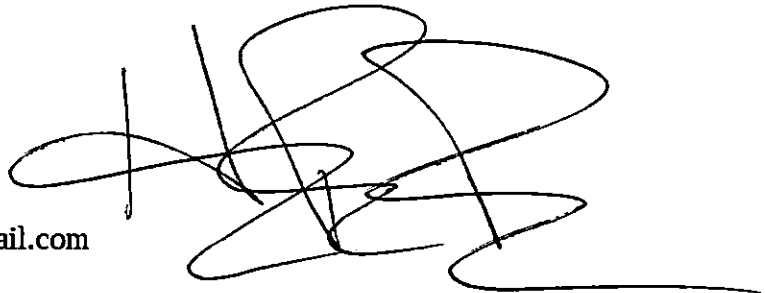
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Dated: September 14, 2026



9/14/26

CERTIFICATE OF SERVICE

I certify that on September 14, 2026, I served a true and correct copy of the foregoing Memorandum in Support of Proposed Amended Motion for Sanctions upon the persons listed below by the method or methods marked:

☒ C-Track electronic service ☐ United States mail ☒ Certified mail ☐ Electronic mail
☒ Hand delivery

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