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SC Court of Appeals

THE STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

Appellate Case No. 2026-001966

Camelia Socite, Appellant,

v.

Mandarich Law Group, LLP; PACS Group, Inc.;
Edgefield Post Acute; and ADP, Inc., Defendants,

of which Mandarich Law Group, LLP is the Respondent.

Appeal from Edgefield County
Court of Common Pleas
The Honorable Vernon F. Dunbar, Circuit Court Judge
C/A No. 2025-CP-19-00353

INITIAL BRIEF OF APPELLANT

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ISSUES PRESENTED

I. Whether the circuit court erred in dismissing Mandarich for lack of specific personal jurisdiction by treating the absence of a continuing South Carolina relationship as dispositive, rather than assessing the alleged claim-related collection activity directed at a specifically identified South Carolina employer.

II. Alternatively, whether the court should have allowed narrowly focused jurisdictional discovery into Mandarich's identification of the South Carolina employer and its transmission and implementation of the wage-deduction process before dismissing Mandarich and denying discovery on the same jurisdictional premise.

STATEMENT OF THE CASE

Camelia Socite commenced this action in the Edgefield County Court of Common Pleas on October 14, 2025. The action concerns wage deductions undertaken to collect an Illinois judgment. Her October 22, 2025 Amended Complaint maintained the prior allegations and sought restitution of $5,082.78, interest, $15,000 in emotional-distress damages, $7,500 in consequential damages, $25,000 in punitive damages, and costs. No damages award is under review. The question here is whether Mandarich may be dismissed for lack of personal jurisdiction. (Complaint pp. 1-3; Amended Complaint pp. 1-3.)

Mandarich moved on April 6, 2026 to dismiss under Rules 12(b)(2) and 12(b)(6), SCRCP. Socite filed her opposition on April 7. On June 9, she filed a motion addressing the sufficiency of Mandarich's admissions responses and seeking production, including documents concerning its South Carolina contacts. (Motion to Dismiss pp. 1-3; Opposition pp. 1-3; Mandarich Discovery Motion pp. 1-5.)

Judge Dunbar heard argument on July 20, 2026, without a jury. The hearing also addressed a separate PACS/Edgefield discovery dispute. No exhibits were introduced during the hearing,

although the parties referred to filings and exchanged documents. The court took the matters under advisement; it did not announce dismissal at the hearing. (Tr. 2; 3:1-25; 20:4-8.)

The signed order entered August 7 granted Mandarich's motion to dismiss for lack of personal jurisdiction and denied Socite's Mandarich admissions-sufficiency motion on that ground. It also directed Mr. Echols to prepare a formal order. Socite timely moved for reconsideration on August 10. The court denied that motion by order entered August 28. (August 7 Order p. 2, paragraphs 2-3; August 28 Order p. 1.)

Socite served and filed her notice of appeal on September 2, 2026. This appeal challenges Mandarich's jurisdictional dismissal and the denial of reconsideration insofar as it concerns that dismissal. It does not seek appellate disposition of the surviving claims against PACS/Edgefield or their separate discovery disputes. (Notice of Appeal pp. 1-2.)

APPELLATE POSTURE

The August 7 order expressly grants Mandarich's dismissal, and the August 28 order expressly denies timely reconsideration. The notice of appeal seeks review of those entered decisions. Socite also acknowledges the August 7 instruction that a formal order be prepared. Rule 203(b)(1), SCACR, permits a party to await written notice of entry of the more complete order when a short order indicates that one will follow.

Socite does not treat an unsigned proposed order as an entered ruling or suggest that docketing an appeal resolves appellate jurisdiction. If this Court determines that the outstanding formal-order process prevents present review, Socite requests appropriate directions concerning that process and preservation of a timely appeal, rather than a merits determination based on counsel's unsigned draft. The merits arguments below address the entered August 7 and August 28 rulings.

RECORD REFERENCES

"Tr." refers to the certified transcript of the July 20, 2026 hearing, prepared by Sarah Galanti and certified September 18, 2026. "Opposition" is Socite's April 7, 2026 opposition to Mandarich's motion to dismiss. "Mandarich Discovery Motion" is her June 9, 2026 motion to determine sufficiency and compel production. Document references use each document's own pages (for an unnumbered pleading, counted from its caption page); the operative text of the August 7 order appears on Form 4 page 2. Initial-brief references are provided pursuant to Rule 208(b)(4), SCACR.

FACTS AND CONTENTIONS RELEVANT TO THIS APPEAL

The pleadings identify Socite as a Georgia resident employed at Edgefield Post Acute in Edgefield County, South Carolina. They attribute the challenged withholding to Defendants' enforcement of the Illinois wage-deduction process against those earnings. The original Complaint specifically identifies the employer and the place of the challenged garnishment; the Amended Complaint maintains the earlier allegations and describes deductions from May through October 2025. These remain allegations, not findings of liability. (Complaint pp. 2-3; Amended Complaint pp. 1-2.)

The April 7 Opposition expressly distinguished an out-of-state law firm's relationship with a Georgia resident from collection conduct aimed at a South Carolina employer/payroll channel. It requested factual development if the existing allegations were insufficient. The June 9 motion sought Mandarich's employer/payroll communications and expressly explained that those materials concerned its own jurisdictional defense. (Opposition p. 2, section IV; Mandarich Discovery Motion pp. 2-4, sections IV.A and IV.C.)

At the hearing, Mr. Echols stated that Mandarich obtained the Illinois judgment and forwarded it to PACS human resources in Maryland. He argued that Mandarich had taken no action in South Carolina and that amendment could not cure the supposed lack of contacts. Socite

responded that the withholding was pursued through her South Carolina employer and requested continued discovery. (Tr. 5:19-25; 7:6-12; 7:14-8:24.)

PACS/Edgefield counsel, Mr. Tabrizian, argued that Mandarich intended the garnishment to be enforced in South Carolina even if the process passed through Maryland. That position is relevant to identifying the issue presented at the hearing; it is not an affidavit, a finding, or a binding admission by Mandarich. (Tr. 10:15-11:14.)

The judge summarized an Illinois judgment sent to Maryland, followed by garnishment activity at Edgefield Post Acute in South Carolina. Socite agreed with that summary. This brief does not deny that agreement or assert that the transcript disproves a Maryland transmission. The disputed question is whether Mandarich purposefully directed the particular collection process toward the South Carolina employer, including through an intermediary. (Tr. 19:18-20:3.)

The August 7 order found that Mandarich had not directly or indirectly availed itself of South Carolina law and stated: "There is no continuing relationship or obligations (minimum contacts) which would subject Defendant to the jurisdiction of this Court." It denied the Mandarich admissions-sufficiency motion because personal jurisdiction was lacking. (August 7 Order p. 2, paragraphs 2-3.)

ARGUMENT I. THE DISMISSAL REQUIRES A CLAIM-SPECIFIC MINIMUM-CONTACTS ANALYSIS

A. Standard of review and preservation.

A personal-jurisdiction ruling is affirmed unless unsupported by the evidence or influenced by an error of law. At the pretrial stage, the plaintiff must make a prima facie showing through factual allegations or supporting materials. The court may consider evidence beyond the complaint. *Cockrell v. Hillerich & Bradsby Co.*, 363 S.C. 485, 491, 611 S.E.2d 505, 508

(2005); *Abdulla v. Southern Bank*, 439 S.C. 391, 400-03, 887 S.E.2d 138, 142-44 (Ct. App. 2023). Socite bears that burden; pro se status does not shift it to Mandarich.

The forum-directed-collection argument was presented in the April 7 Opposition, renewed at the hearing, and rejected by paragraph 3 of the August 7 order. The reconsideration request challenged the continuing-relationship formulation and requested focused jurisdictional discovery. The court denied reconsideration. (Opposition p. 2, section IV; Tr. 7:14-8:24; Reconsideration Motion section V; August 28 Order p. 1.)

B. An ongoing South Carolina business relationship is not indispensable to specific jurisdiction.

Section 36-2-803(A), South Carolina Code, addresses acts undertaken directly or through an agent, including transacting business and committing a tortious act in whole or in part in the State. The long-arm analysis extends to the constitutional limit. The necessary connection must be created by the particular defendant, and jurisdiction must also be reasonable. *Cockrell*, 363 S.C. at 491-93, 611 S.E.2d at 508-09.

Specific jurisdiction concerns the relationship among the defendant, the forum, and the claims. It does not require the unrelated, continuing business presence associated with general jurisdiction. A single act may suffice if its nature and quality create a substantial forum connection; an isolated or attenuated contact does not automatically suffice. *Burger King Corp. v. Rudzewicz*, 471 U.S. 462, 472-76 & n.18 (1985).

The August 7 order does contain a purposeful-availment conclusion. Socite therefore does not contend that the words "continuing relationship" alone establish reversible error. The error is using the absence of such a relationship to end the inquiry without adequately examining the asserted collection episode: selection of a particular South Carolina employer as the

wage-deduction target, transmission or direction of the process toward that employer, and the relationship of those acts to the claims. (August 7 Order p. 2; Opposition p. 2, section IV.)

C. The route through Maryland does not answer who selected and directed the South Carolina target.

Walden v. Fiore, 571 U.S. 277, 284-90 (2014), forecloses jurisdiction based only on the plaintiff's location or the place where she feels an injury. *Cockrell* likewise forbids attributing another entity's unilateral activity to the defendant. Those principles matter here. If an employer independently brought collection activity into South Carolina without Mandarich's purposeful direction, the employer's acts alone would not establish jurisdiction over Mandarich.

Socite's contention is different and narrower: Mandarich initiated and directed this collection effort toward a specifically identified South Carolina employer and payroll obligation. The employer's identity, the process Mandarich caused to issue, the recipients of its instructions, and its knowledge of the intended implementation are therefore material. An intermediary's Maryland address does not itself establish that South Carolina was merely an accidental destination. Nor does Socite's agreement with the judge's geographic summary concede that the employer acted unilaterally. (Opposition p. 2, section IV; Mandarich Discovery Motion pp. 2-4; Tr. 5:19-25; 19:18-20:3.)

In *Abdulla*, the plaintiff's move into South Carolina did not convert an out-of-state banking relationship into defendant-created South Carolina contacts. 439 S.C. at 402-03, 887 S.E.2d at 143-44. Socite does not rely on moving her residence into this State; she lives in Georgia. She relies on Mandarich's alleged selection and use of the South Carolina employer as the collection target. That factual distinction must be tested rather than resolved solely by identifying where the original debt or judgment arose.

The pleadings are not detailed about every transmission, and oral advocacy cannot substitute for proof of disputed facts. That limitation is precisely why the alternative request in Argument II matters. If this Court finds the existing showing insufficient to establish jurisdiction outright, it should determine whether dismissal was premature in light of the specific discovery already sought.

D. South Carolina's interest is relevant to fairness, but does not substitute for minimum contacts.

Once the defendant-created contacts are established, the court considers the character and duration of the acts, inconvenience to the parties, and South Carolina's interest. *Cockrell*, 363 S.C. at 492-93, 611 S.E.2d at 508-09. The identified employer and the challenged wage-deduction activity connect this dispute to South Carolina. Those connections support considering this forum, while Mandarich's burden of litigating here must also be assessed.

Section 37-5-104 prohibits garnishment of unpaid earnings for the covered categories of consumer debt, regardless of where the debt was made. Together with the territorial provisions of section 37-1-201, it demonstrates a substantial South Carolina policy interest in the enforcement question presented by the alleged conduct. It does not eliminate the separate constitutional inquiry. Socite seeks no appellate finding of statutory liability or damages on this jurisdictional record.

ARGUMENT II. AT MINIMUM, THE COURT SHOULD PERMIT FOCUSED JURISDICTIONAL DISCOVERY

A. Standard and preservation.

Jurisdictional discovery is not automatic. A court may deny a speculative fishing expedition based on conclusory allegations, but ordinarily should permit discovery shown necessary to resolve a nonfrivolous jurisdictional challenge. The decision is reviewed for abuse of

discretion. *Sullivan v. Hawker Beechcraft Corp.*, 397 S.C. 143, 152-54, 723 S.E.2d 835, 839-41 (Ct. App. 2012).

Here the April 7 Opposition expressly requested factual development as an alternative to dismissal. The June 9 motion identified records bearing on Mandarich's contacts with South Carolina and asked the court to reject a blanket jurisdiction-based refusal. Socite renewed her request to continue discovery at the hearing. Mandarich responded that a jurisdictional ruling was a prerequisite to fully responding. The August 7 order dismissed Mandarich and expressly denied the admissions-sufficiency motion on that same ground; reconsideration sought a limited jurisdictional period. (Opposition p. 2, section IV; Mandarich Discovery Motion pp. 2-4; Tr. 8:6-24; 10:1-12; August 7 Order p. 2; Reconsideration Motion section V and requested relief paragraphs 6-8.)

B. This request identifies the event, participants, and missing facts.

Socite did not ask to search generally for unrelated Mandarich offices, clients, or business in South Carolina. Her motion sought the records of the particular garnishment, including employer identification, third-party communications, and implementation instructions. Mandarich's own hearing presentation connected it to the Illinois judgment and the transmission to PACS. The dispute was over the significance and intended destination of that transaction. (Mandarich Discovery Motion pp. 2-4; Tr. 5:19-25; 7:6-12.)

Unlike a bare assertion that an out-of-state defendant must have some forum business, this inquiry is tied to a known employer, a known collection proceeding, and the wage deductions underlying the complaint. The specific unresolved facts are: who identified and named Edgefield as employer; what Mandarich sent or caused to be sent, to whom, and when; and what implementation it requested or understood would occur through the South Carolina employer. Those questions test purposeful direction without presuming an answer.

The reconsideration request identified the production Bates references for the South Carolina-addressed packet, the wage-deduction summons naming Edgefield, the ADP notice, and Mandarich's stop-and-return letter. (Reconsideration Motion section V.B.) Those identifications support the specificity of the discovery request. Socite does not ask this Court to deem counsel's characterizations conclusive, attribute a third-party mailing to Mandarich without proof, or use a post-suit corrective letter alone to create jurisdiction retroactively.

C. The requested remand would be limited and would preserve Mandarich's defense.

If the present record does not establish a prima facie case, Socite requests vacatur of the jurisdictional dismissal and a limited remand allowing the circuit court to set a reasonable period for discovery of nonprivileged documents concerning employer identification, pre-deduction transmissions, and implementation instructions for this wage-deduction proceeding. This relief would permit renewed Rule 12(b)(2) briefing on a developed record. It would not establish liability, compel privileged legal advice, or require unrestricted merits discovery.

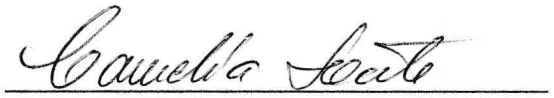
The appellate challenge to discovery is limited to the refusal to allow development of the jurisdictional facts necessary to oppose dismissal. Socite does not ask this Court to decide that every outstanding request is proper or that any requested admission must be deemed admitted. Mandarich could maintain its jurisdictional defense throughout the limited inquiry. That tailored remedy addresses the gap identified below without deciding the merits of the wage claim.

CONCLUSION

Socite respectfully requests that this Court reverse the dismissal of Mandarich for lack of personal jurisdiction and remand for further proceedings under the proper specific-jurisdiction standard. Alternatively, she requests that the Court vacate the dismissal and remand for focused jurisdictional discovery followed by renewed consideration of Rule 12(b)(2).

The August 28 denial of reconsideration should be reversed to the corresponding extent. No ruling on the merits, damages, or the surviving PACS/Edgefield claims is requested. If the Court determines that the contemplated formal order must first be entered for appellate review, Socite requests appropriate procedural directions without a merits adjudication of the unsigned proposed order.

Respectfully submitted,



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