

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM SALUDA COUNTY
Court of Common Pleas

Honorable Walton J. McLeod, IV, Circuit Court Judge

RECEIVED

SEP 25 2026

SC Court of Appeals

Case No. 2025-CP-41-00150

Appellate Case No. 2026-001043

Hugh Parks Price,

Appellant,

v.

Rebecca Bartley,

Respondent.

APPELLANT'S MOTION FOR LEAVE TO FILE SUR-REPLY
IN OPPOSITION TO RESPONDENT'S MOTION TO DISMISS

Appellant Hugh Parks Price, appearing pro se, respectfully moves under Rule 240, SCACR, for leave to file the attached Sur-Reply in Opposition to Respondent's Motion to Dismiss. The Sur-Reply is limited to matters raised for the first time in Respondent's Reply in Support of Motion to Dismiss, filed September 15, 2026. In support, Appellant states:

1. Respondent moved to dismiss this appeal on August 31, 2026. Appellant filed his Return on September 10, 2026, as directed by this Court's Order filed September 9, 2026. Respondent filed her Reply on September 15, 2026.

2. The Reply presents three matters that were not in the Motion and that Appellant has had no opportunity to address: (a) Exhibits A and B, the complaints in this action and in Case

No. 2026-CP-41-00059, which Respondent placed before the Court for the first time; (b) the statement that the filing of restraining order petition 2023-OR-41-10100010 "is the only factual allegation in the complaint in the instant case" (Reply p. 4); and (c) the argument, in footnote 2, that this action was itself filed outside the statute of limitations (Reply pp. 4–5 n.2).

3. The proposed Sur-Reply addresses only those matters and does not repeat the arguments in Appellant's Return. It also corrects a statement in Appellant's own Return that the Reply's exhibits show to have been overbroad, and discloses one further instance of the withdrawn citation. Appellant believes the Court should have both before it decides the Motion, and should have them from him.

4. Because the Record on Appeal has not been filed, the Sur-Reply attaches the circuit court documents on which it relies, as Rule 240(c)(3), SCACR, provides: the Amended Complaint (Exhibit 1), Respondent's Answer to Amended Complaint (Exhibit 2), and Respondent's Notice of Motion and Motion to Dismiss or, Alternatively, for Leave to File Answer Out of Time (Exhibit 3). The transcript of the March 26, 2026 hearing is already on file with this Court.

5. Granting leave will cause no delay. The appeal is held in abeyance pending decision of the Motion, and Appellant has consented to Respondent's request that her brief be due seven days after that decision. Appellant's Motion for Leave to File Corrected Initial Brief, filed September 10, 2026, remains pending, and no return to it has been filed.

WHEREFORE, Appellant respectfully requests that the Court grant leave and accept the attached Sur-Reply as filed.

Respectfully submitted,



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Appellant, Pro Se

Ward, South Carolina
September 25, 2026

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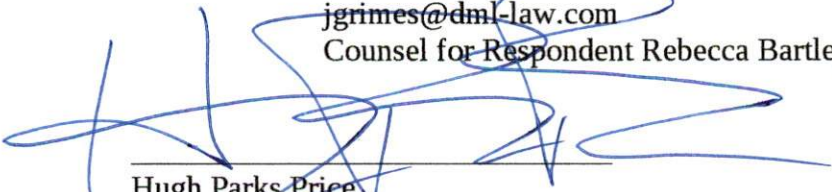
Respondent.

CERTIFICATE OF SERVICE

I certify that on the date below I served a true and correct copy of Appellant's Motion for Leave to File Sur-Reply in Opposition to Respondent's Motion to Dismiss, together with the proposed Sur-Reply and Exhibits 1 through 3, upon counsel for Respondent by United States Certified Mail, postage prepaid, and by electronic mail, addressed as follows:

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Counsel for Respondent Rebecca Bartley

HAND DELIVERY ☒



Hugh Parks Price
Appellant, Pro Se

Dated: September 25, 2026

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