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SC Court of Appeals

CASE# 2026-002108

IN THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

IN THE ORIGINAL JURISDICTION

County of Aiken

Elvira Perez.....Petitioner

v.

SC Court of AppealsRespondent

**MOTION TO VACATE THE CLERK OF COURT’S ORDER
DESIGNATING JOSE A PEREZ AS THE REAL PARTY IN INTEREST**

Ms Elvira Perez hereby respectfully objects to the Clerk of Court’s Order designating Jose A Perez as the Petitioner, i.e., the Real Party in Interest. The State of South Carolina has consistently decreed that Rule 17 requires the “real party in

interest”, which it defined as the person or entity that has the actual legal right to bring a lawsuit and will directly benefit from its success¹.

WHEREFORE, Ms Perez respectfully submits that the relief sought herein ought to be granted.

Respectfully Submitted ,

/S/ _____
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¹ A real party in interest is one with a real, material or substantial interest. Charleston County School Dist. v. Charleston County Elec. Commn., 336 S.C. 174, 181, 519 S.E.2d 567, 571 (1999).; Anchor Point Inc. v. Shoals Sewer Co., 308 S.C. 422, [418 S.E.2d 546](#) (1992); Rule 17, SCRCF. The general rule is that a municipality must allege an infringement of its own proprietary interests or statutory rights to establish standing. City of Spartanburg v. County of Spartanburg, 303 S.C. 393, 401 S.E.2d 158 (1991).