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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

MOTION TO DISMISS APPEAL

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Pro Se Appellant

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Introduction

Respondent Crescent Roofing & Remodeling, LLC moves to dismiss the appeal of Appellant Eric Ragsdale (Appellate Case No. 2024-000420) pursuant to Rules 240 and 260 of the South Carolina Appellate Court Rules (hereinafter “Rules”) on the grounds of his persistent failure to abide by the Rules and this Court’s specific orders to file a Record on Appeal pursuant to Rule 210, SCACR. In pertinent part, Rule 260 requires that “the Clerk shall issue an order of dismissal ... [w]henever it appears that an appellant or a petitioner has failed to comply with the requirements of” the South Carolina Appellate Court Rules. Rule 260(a), SCACR. Rule 240 allows for a motion to dismiss an appeal on these grounds. Rule 240(a), SCACR. Although Appellant filed the Notice of Appeal in this matter on March 14, 2024, he has not filed a Record on Appeal that complies with the Rules after the passage of two (2) years and six (6) months.

Appellant has delayed the perfection of this appeal by willfully refusing to comply with the Court’s Rules and Orders at every step of the process. For example, Appellant repeatedly refused to pay the court reporter for the 14-page transcript of the hearing giving rise to the order he is appealing. Although the transcript was produced by Court Reporter Pamela E. Green on May 9, 2024, Appellant did not produce the transcript to the Respondent until April 7, 2025, nearly one year after it was available. See **Exhibit 1**, pp.2 & 16 (compare 2024 date of Court Reporter’s certificate of production on page 16, to the 2025 filing date of the transcript by this Court on page 2). Significantly, Appellant/Defendant Eric Ragsdale engaged in similar misconduct in the circuit court proceeding below. In the February 15, 2024 order that is the subject of this appeal, Judge Price held that Appellant/Defendant Ragsdale failed to comply with the South Carolina Rules of Civil Procedure and engaged in bad-faith litigation tactics that prejudiced the Respondent/Plaintiff:

I FIND that [Respondent/Plaintiff] has demonstrated by clear, convincing and substantial evidence that it was prejudiced by [Appellant/Defendant Ragsdale’s]

failure to respond to discovery and that [Respondent] has incurred substantial costs due to [Appellant/Defendant's] willful disregard for his obligations under the South Carolina Rules of Civil Procedure.”

Exhibit 2 at pp. 6-7. The instant appeal is simply a continuation of Appellant’s prejudicial attempts to delay the adjudication of Respondent/Plaintiff’s claims and cause Respondent to incur “unnecessary attorney’s fees” by intentionally failing to meet the deadlines established by the Rules, unjustifiably delaying his compliance with the Rules, and filing baseless motions.

Factual Background

Rule 210 of the South Carolina Rules of Appellate Practice requires appellants to file the Record on Appeal “[w]ithin thirty (30) days after service of the last [initial] brief.” Rule 210(a), SCACR. In this matter, the Record on Appeal was due on or before September 5, 2025 which is 30 days following the filing of the last initial brief by Respondent on August 6, 2025.¹ **Exhibit 3**. The Court emphasized this deadline by writing to Appellant on August 18, 2025 requiring Appellant to file a bound copy of both the Record on Appeal and his Final Appellant’s Brief. **Exhibit 4**. In a letter dated August 7, 2025, Respondent’s counsel wrote to Appellant Ragsdale serving upon him Respondent’s Initial Brief and reminding him of counsel’s earlier correspondence explaining that Appellant’s Designation of Matter to Be Included in the Record on Appeal impermissibly included documents that were not filed with, nor considered by, the trial court in violation of Rule 209(g), SCACR. Respondent’s counsel also repeated his request that the Designation include documents filed with, and considered by, the trial court and that those documents must be included in the Record on Appeal. **Exhibit 5**. After providing Appellant with ample time to correct his Designation, Respondent filed a competing Designation of Matters to be Included in the Record on Appeal on September 18, 2025. **Exhibit 6**. Appellant responded to

¹ Appellant filed no reply brief.

Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal by filing a baseless Motion to Strike both of Respondent's documents. Appellant's Motion was denied by Order dated November 18, 2025. **Exhibit 7.** The November 18th Order recognized that Appellant had not filed a Reply. It also granted Respondent's request to strike material from Appellant's Designation that he had not filed with, nor raised to, the trial court.

Despite the Court's Order in November of 2025, Appellant did not file nor serve a Record on Appeal to the Respondent. After nearly four (4) months of inactivity, Respondent filed a Motion to Dismiss this Appeal on February 27, 2026 based on Appellant/Defendant Ragsdale's failure to comply with the Rules and file a Record on Appeal and his Final Brief. **Exhibit 8.** Respondent specifically pointed out in its Motion to Dismiss that "Appellant has yet to file a record on appeal or a final brief that complies with the Rules after the passage of nearly two (2) years [since filing the appeal]." **Exhibit 8** at p.2. Appellant did not respond to Respondent's February 27th Motion to Dismiss and did not deny Respondent's claim that Appellant had not filed or served the Record on Appeal. Nevertheless, the Court denied the Respondent's Motion by Order dated June 9, 2026. The June 9th Order also required Appellant to "provide proof of service for the record on appeal within 20 days of the date of this order or the appeal will be dismissed." **Exhibit 9.** As with earlier deadlines, Appellant did not file or provide either the Record on Appeal or Final Brief; however, Appellant falsely filed certificates of service on August 24, 2026 claiming he had served both documents to Respondent's counsel. **Exhibit 10.** Two (2) days after Appellant's shocking misrepresentation about the Record and Final Brief, Counsel for Respondent sent a letter dated August 26, 2026 to the Court informing it of the falsity of Appellant's service claims. **Exhibit 11.** In a letter dated September 22, 2026 the Court noted it too had not received Appellant's Final Brief and gave Appellant another ten (10) day deadline to file it or else his appeal would be dismissed.

Exhibit 12. The Court’s September 22, 2026 letter made no mention of whether or not it had received a bound copy of the Record on Appeal as it had requested a year earlier on August 18, 2025. See **Exhibit 4.** As of the date of this filing, Respondent has not yet received a Record on Appeal and therefore no party is able to file final briefs as required by the Rules and the Court’s September 22, 2026 letter to the parties setting forth deadlines for doing to. The Court appears to have assumed Appellant had filed and served a Record on Appeal when Appellant produced Certificates of Service on August 24, 2026; nevertheless, no Record or Final Brief has ever been served to Respondent. Accordingly, Respondent files the instant Motion to Dismiss this appeal based on Appellant’s repeated non-compliance with applicable Rules, the specific Orders and instructions of this Court, and/or Appellant’s misrepresentations to this Court.

Legal Argument

In pertinent part, Rule 260 requires that “the Clerk shall issue an order of dismissal ... [w]henever it appears that an appellant or a petitioner has failed to comply with the requirements of” the South Carolina Appellate Court Rules. Rule 260(a), SCACR. Rule 240(a) specifically allows for a motion to dismiss an appeal. Appellant Eric Ragsdale has deliberately failed to comply with South Carolina Appellate Court Rules (hereinafter “Rules”) and has repeatedly delayed the perfection of this appeal through his willful disobedience to the Court’s Rules and its orders. This appeal has been pending for thirty (30) months and Appellant has yet to produce a Record on Appeal or a Final Brief that complies with the Rules. While Appellant’s failure to comply with the Court’s deadlines is grounds for dismissal under Rule 260(a), SCACR; Appellant’s willful disobedience to the Rules regarding the creation of the Record on Appeal provides an additional ground for dismissal.

In pertinent part, Rule 209 requires each party to produce a Designation of Matter to be Included in the Record of Appeal (hereinafter “Designation”) that “set[s] forth with specificity those parts of the transcript, pleadings, orders, exhibits, or other materials which he proposes to include in the record on appeal.” Rule 209(a), SCACR. Appellant’s initial Designation did not include the very motions and accompanying exhibits that were the subject of the order appealed from. The omitted documents include Plaintiff’s Motion to Compel Discovery Responses; Plaintiff’s Motion for an ADR Extension, and the joint Exhibits filed in support of those two motions. The trial judge heard arguments on these pleadings and documents and granted the relief the Respondent/Plaintiff sought. On appeal, Appellant/Defendant seeks to exclude this material from the Record on Appeal while including in the Record documents that were neither raised to, nor ruled upon by, the trial judge in order to support Appellant’s appellate arguments. The material advocated by Appellant is described as Emergency Notice of Motion and Motion of Defendant to Quash Plaintiff’s Motion to Compel (Appellant Designation Item #8) as well as certain Exhibits (Appellant Item #5) and Respondent/Plaintiff’s Discovery Responses (Appellant Item #6). Respondent’s counsel immediately objected to these improper designations pointing out that they violated Rule 210(c), SCACR because they had not been filed or referred to below. They were stricken from Appellant’s Designation by order of this Court dated November 18, 2025. See **Exhibit 7**. Nevertheless, Appellant did not amend his Designation to include the materials designated by Respondent that were actually considered by the Court below even though this omission was specifically brought to the Appellant’s attention by both the Court and Respondent’s counsel on several occasions. Since the filing of this appeal, Appellant has refused to produce a Record on Appeal with those materials or even acknowledge the existence of the material designated by the Respondent.

Respondent therefore asks this Court to strike this appeal pursuant to Rule 260, SCACR for Appellant's repeated and willful noncompliance with the Rules. Throughout the long process to perfect this appeal, Appellant has offered no authority to permit his willful non-compliance with the Rules, nor does any such authority. On three (3) separate occasions during the process, Respondent's counsel made Appellant aware of the requirements regarding the appropriate material to be included in the Record on Appeal. In its Order filed November 18, 2024, this Court also informed Appellant that "[t]he Record shall not ... include matter which was not presented to the lower court" pursuant to Rule 210(c), SCACR. Nevertheless, Appellant made no attempt to comply with the Rules. Rather than trying to comply with the Rules, Appellant filed a frivolous Motion to Strike Respondent's initial brief and sought permission to use material not present to the trial court without citing any South Carolina authority to support Appellant's position. **Exhibit 13**. This filing amounts to a willful disobedience of the Court's authority and the rules governing the operation of this Court. Delay of the appeal can be the only motive for disregarding the simple and commonsensical requirement that an appeal only involve material actually filed with, and considered by, the lower court in reaching the order appealed from.

The intentional, voluntary and willful failure to comply with the clear instructions of a South Carolina court is universally recognized as contempt of that court's authority and procedures. In *State v. Bevilacqua*, 316 S.C. 122, 129,447 S.E.2d 213, 217 (Ct. App. 1994), this Court defined a "willful act" as "one done voluntarily and intentionally with the specific intent to do something the law forbids, or with the specific intent to fail to do something the law requires to be done, that is to say with the bad purpose either to disobey or disregard the law." Our Supreme Court considered another "willful act" of noncompliance in *Bauknight v. Pope*, 914 S.E.2d 848, 855 (S.C. 2025). While *Bevilacqua* considered willful disobedience of a court's contempt order,

the *Bauknight* Court considered the “bad faith, willful disobedience or gross indifference” of an attorney who engaged in “frivolous and serial, abusive filings for the purpose of delay” in singer James Brown’s long running estate case. While a comparison of the willful disobedience of an attorney to that of a *pro se* litigant is distinguishable in most instances, the unique facts of this matter erase that distinction. As with *Bevilacqua*, Appellant in this matter willfully failed to comply with the Court’s Rules and orders. As with *Bauknight*, Appellant engaged in bad faith and willful disobedience to the Rules he undertook to obey by choosing to represent himself. It is axiomatic that a *pro se* litigant must comply with all rules of court procedure. See *State v. Burton*, 356 S.C. 259, 265 fn.5, 589 S.E.2d 6 (S.C. 2003) (holding that “*pro se* litigants are held to the same standards as attorneys.”).

Appellant was repeatedly informed of the Rule’s simple requirements to meet its deadlines and only include material considered by the trial judge in the Record on Appeal. The Court gave Appellant numerous opportunities to correct his deficiencies generally, and more than a year to produce a complaint Record on Appeal. Nevertheless, Appellant made no effort to comply with the Rule or the Court’s orders. While the *Bauknight* Court relied on Rule 11 of the South Carolina Rules of Civil Procedure to punish an attorney for filing pleadings, motions and other papers that were “interposed for delay,” Rule 260(a), SCACR provides this Court with the obligation and power to punish an appellant’s bad faith, willful disobedience, and gross indifference to the Court’s Rules by dismissing Appellant’s appeal.

Conclusion

Respondent Crescent Roofing & Remodeling, LLC asks this Court to dismiss the appeal of Appellant Eric Ragsdale pursuant to Rules 240 and 260 of the South Carolina Appellate Court Rules as well as related authority due to Appellant’s willful disobedience and gross indifference to

this Court's Rules and orders. Additionally, this Court should dismiss this appeal as a sanction for contempt due to Appellant's repeated misrepresentations claiming both directly and indirectly to have created and served upon the Respondent a Record on Appeal that complies with the Rules. This Court required Appellant to provide it with a bound copy of the Record on August 18, 2025, yet it appears that Appellant has not yet done so even though he falsely claimed to have produced and served such a Record on Respondent. Such bad faith warrants dismissal of this appeal pursuant to the authority set forth in this Motion.

THE PHILLIPS FIRM, LLC
Attorney & Counselor at Law

/s/Robert B. Phillips

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28 September 2026

Attorney for the Respondent

From: [Eric Ragsdale](#)
To: [Court Of Appeals Filings](#)
Subject: 2024-000420 Initial Brief Of Appellant Crescent Roofing & Remodeling v Eric Ragsdale
Date: Monday, April 7, 2025 10:25:46 PM
Attachments: [Transcript 2022-CP-32-3934 case 2024-000420.pdf](#)

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. *******

Please find attached transcript and other attachments for the court's review forthcoming

Thank you
Eric Ragsdale

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Apr 07 2025

SC Court of Appeals

1 STATE OF SOUTH CAROLINA)
 2 COUNTY OF LEXINGTON) COURT OF COMMON PLEAS NONJURY
 3
 4 CRESCENT ROOFING & REMODELING, LLC,) TRANSCRIPT
 5 PLAINTIFF,) OF
 6 VS.) RECORD
 7 ERIC RAGSDALE,) 2022-CP-32-3934
 8 DEFENDANT.)

February 6th, 2024

B E F O R E:

THE HONORABLE BENTLEY D. PRICE, Judge.

A P P E A R A N C E S:

ROBERT B. PHILLIPS
 ESQ.
 Attorney for the Plaintiff

ERIC RAGSDALE
 Pro Se

Transcribed by Pamela E. Green, from
 WebEx

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I N D E X

(WHEREUPON, there were no exhibits marked or
testimony taken during this hearing.)

1 P R O C E E D I N G S

2
3 THE COURT: Crescent Roofing & Remodeling versus Eric
4 Ragsdale.

5 MR. PHILLIPS: Good morning, Your Honor. Sam
6 Phillips. I'm here on behalf of the plaintiff, Crescent
7 Roofing & Remodeling.

8 MR. RAGSDALE: Good afternoon.

9 THE COURT: All right. So this is a motion to
10 compel.

11 MR. PHILLIPS: Yes, Your Honor.

12 There's also two motions. There's a, a motion to
13 compel.

14 Mr. Ragsdale, I think you've got two -- a phone and a
15 computer going. You're getting feedback.

16 THE COURT: Yeah.

17 MR. PHILLIPS: You have to turn one of those off.

18 THE COURT: It echoes when you do -- when you have
19 two things going at one time. You got to turn one of them
20 off.

21 MR. PHILLIPS: Your Honor, if I could?

22 And so there -- there's also a motion to enlarge the
23 time to participate in ADR and mediation. There's a
24 common timeline for both. So, let me just briefly go
25 through that for the Court.

1 This dispute arose over a contract signed between my
2 client and Mr. Ragsdale on January 11th, 2021, to
3 replace his roof and do some interior painting at his
4 residence. Mr. Ragsdale signed the contract. The
5 contract amount was \$21,627. Gave a thousand dollar down
6 payment.

7 About a week later my client replaced the roof and
8 there was a contingency in the, in the contract, if there
9 was rotted wood underneath the shingles, that that would
10 be replaced for \$75.00 a sheet. Three sheets were
11 replaced. That bumped the contract price to 21,852.

12 Insurance -- Mr. Ragsdale's insurance made several
13 payments over the next three months towards that balance.
14 The interior painting happened on April 23rd. After
15 that, the insurance paid an additional amount for a total
16 of \$16,950 leaving a balance due on the contract of
17 \$4,902.56.

18 My -- the owner of my company, Chris Lambeth, had
19 attended the end of both of this work, had spoken to
20 Mr. Ragsdale. He had indicated he was satisfied with the
21 work and that he would be paying the balance. That
22 payment didn't arrive.

23 And so my client went down to Lexington's Magistrate
24 Court on November 6th, 2022, and filed suit for the
25 missing money. Mr. Ragsdale answered and sought \$21,627

1 in punitive damages in a counterclaim, which, of course,
2 moved the case from Magistrate Court to Circuit Court.

3 In, in that complaint, there's just a conclusionary
4 statement. He's claiming that the contract was ambiguous,
5 that the contract didn't reflect the claims. Importantly,
6 that the painting and the roof work was defective, that
7 there was some problem that my client used subcontractors.
8 He claimed that the work damaged several -- some, some
9 shrubbery, some sod, some other items on his house. He,
10 he also claimed he didn't receive the warranty that he
11 paid for and he claims that my client cyber bullied him
12 and inflicted intentional emotional distress, what we call
13 outrage.

14 So, the case was moved. Significantly that
15 counterclaim wasn't served on my client. The case was
16 moved. He received a notice from the Court that it had
17 been put in the Circuit Court and, on June 14th, 2023,
18 he received the ADR notice from the Court that had a
19 deadline on it obviously.

20 So, he contacted me a couple days later, on
21 July 21st, asked what was going on. I took a look at
22 the case for him and I filed an appearance that day and I
23 filed, on July 23rd, I filed interrogatories and request
24 to produce with Mr. Ragsdale.

25 There were 33 interrogatories. They were just the

1 standard interrogatories and then one or two questions
2 about his numerous allegations in his counterclaim just so
3 I could figure out what he was talking about.

4 Two days after that, I, I contacted the, the
5 mediator, Attorney Yolanda Courie, here in Columbia and
6 said look, you know, I know we have a, a mediation
7 scheduled. I know nothing about this complaint. I
8 explained this to Mr. Ragsdale that, you know, there's no
9 way to evaluate these claims. You didn't point them out
10 to my client and you haven't put dollar amounts on them.
11 You're just seeking this \$21,000 number for damage that we
12 have no, no understanding or no belief in.

13 So, can we postpone mediation. The mediator agreed.
14 Mr. Ragsdale agreed.

15 And so the 30 days to respond to discovery went
16 forward. He didn't respond. He reached out to me, asked
17 for an extension for the discovery, and also said he
18 wanted to engage in settlement discussions outside of the
19 mediator.

20 In a long email, which is -- I've placed in the
21 record, I explained that oh, well, okay, we can look at
22 that but you got to answer the discovery cause I have no
23 idea and -- you know, about what you're claiming here in
24 this counterclaim.

25 So, he agreed to that. He moved forward. We

1 received the discovery responses, which I'll talk about in
2 just a second. But, to finish the narrative, they were
3 inadequate. They didn't really tell us anything. There
4 were mostly objections that were obviously cut and pasted
5 from the internet.

6 So, we asked for, you know, more complete responses.
7 We still have not received those. We asked for those well
8 back in October 5th of last year and Mr. Ragsdale then
9 wrote, wrote the Court and asked for sanctions for not
10 participating in the mediation.

11 I, I reached out to the chief administrative judge
12 with the letter that's required in order to, you know, to
13 extend the ADR deadline and Judge McCaslin said that,
14 because Mr. Ragsdale was objecting to that, I should file
15 a motion to extend time. That's our second motion.

16 And, Your Honor, it, it gets down to, in our
17 motion -- I mean in our discovery, we literally are just
18 asking the, the questions that are allowed by the rules
19 and for some support for these -- all these allegations
20 that are listed.

21 The objections that we got back were -- and I just --
22 you know, I, I drafted a very detailed letter to Mr.
23 Ragsdale. It's in the record. I explained it. Let me
24 just give you a, a few highlights.

25 As to Standard Interrogatory Number 1, who are your

1 witnesses, his, his objection is that it imposed a
2 requirement other than and in addition to what's in the
3 Rules of Civil Procedure when, in fact, it is exactly the
4 requirement in the rules.

5 He objected to Number 2 when we asked for photos or
6 documents, that we were seeking information that was
7 outside the scope of discovery.

8 As to Standard Interrogatory Number 6, we asked,
9 okay, well, who are your experts. You're claiming this
10 work was not done properly and he claimed that there was
11 a, a future attorney/client privilege. So, he didn't have
12 to respond to that.

13 As to his insurance, he said that was equally
14 available to us, which it's obviously not, and then, most
15 importantly, how do you get to 21,600 and some odd
16 dollars. Give us your itemized statement as allowed by
17 Standard Interrogatory Number 5 and he said that that
18 request was beyond any applicable statute of limitations.

19 So, in our prospective, this is -- you know, I'm,
20 I'm -- I've had several cases over the years with pro se
21 litigants. That's why I took the time to write out and
22 explain what we're asking for, the reason we were asking
23 for it, and how it's important for the discovery process
24 and what we got is what, what I believe is to be a bad
25 faith attempt to try to, to skate out of this by -- we had

1 agreed to postpone the mediation.

2 We had agreed to do discovery. We had, we had agreed
3 that we'd talk to him outside of mediation about
4 settlement when we got information and it was never
5 provided.

6 I, I -- last night at 10:00, I'm -- I, I -- I'm up
7 late working on another case and I see that Mr. Ragsdale
8 has now -- was trying to file an emergency motion a --
9 about our motion to compel.

10 Your Honor, I, I, I believe this has been done in bad
11 faith. It's been done in bad faith from the start. We
12 haven't seen anywhere close to thousands -- tens of
13 thousands of dollars of damage. It has taken this case
14 out of Magistrate's Court where my client could represent
15 himself. He caused him to have a lawyer. We're, we're
16 here at this hearing.

17 And so we're asking for attorney's fees based off of
18 the unnecessary work that has been, that has been produced
19 by this cut and paste job on responses.

20 And then, Your Honor, what he filed today about an
21 emergency motion, this, this motion has been pending for
22 four months. And so now we have yet no -- something else
23 that was filed and I, I, I believe it's now pretty clear
24 that his counterclaims were done in bad faith. He's
25 avoiding his requirements under discovery so that we can

1 prove they were done in bad faith.

2 And so I would ask the Court to sanction him for
3 attorney's fees under Rule 37(d), you know, the, the cost
4 of, of, of preparing for this. It's less than a thousand
5 dollars. I have an affidavit in the record.

6 But I would strike -- I would ask that, under
7 37(b)(2)(C), the Court strike his counterclaims. He, he
8 has had more than enough opportunity to prove that there's
9 a basis for them. He has not and it -- this is call --
10 you know, on a \$4,000 claim, my client's gonna end up
11 spending well more than that.

12 We believe that's the motivation behind this and
13 that, and that -- so, therefore, we should strike the
14 counterclaims and go forward with a trial on the breach of
15 contract, which is all this dispute is about.

16 Thank you, Your Honor.

17 THE COURT: All right. Thank you.

18 Well, I guess that begs the question, Mr. Phillips,
19 what is the amount of damages that your clients are
20 seeking?

21 MR. PHILLIPS: I -- just what's unpaid underneath --
22 under the contract that Mr. Ragsdale signed. That's
23 \$4,902.56. And then, based on the unnecessary work to
24 file this motion to compel, we are seeking \$875.00 as a
25 sanction for attorney's fees. And again, Your Honor, this

1 is all in a filing that I have with the Court including my
2 attorney's affidavit -- attorney fee affidavit.

3 THE COURT: All right. Mr. Ragsdale, would you like
4 to respond?

5 MR. RAGSDALE: Yes, sir.

6 How you doing, Your Honor?

7 THE COURT: Fine.

8 MR. RAGSDALE: I apologize for the technical
9 difficulty. I was trying to set up this video. I don't
10 know if you can see me or not.

11 I just want to say that I am a pro se litigant and I
12 have, in good faith, responded in our -- my limited legal
13 knowledge to responses that the plaintiffs had requested.

14 The, the discovery requests that they have requested
15 was the information that the documents that the plaintiff
16 had that just corresponded with text messages, verbal
17 communication, and before this issue arose, to a, a, a
18 contingency of Magistrate's Court for the amount owed.
19 They was communication -- there's pictures that, that
20 plaintiff is aware of as far as the damages concerned.

21 As far as the motion to compel, Your Honor, I
22 apologize for my ignorance to the law. I tried to do it
23 the best I could, research in the way that that resource's
24 available. I tried to ask questions.

25 In no way have I tried to impede or tried to evade my

1 responsibilities. But the plaintiff in this case, Your
2 Honor, has, has failed to respond and I, I filed a motion
3 after I had a, a letter from the Court to, to show cause.
4 Time had expired. I asked for a mediation to be able to
5 work out the differences in the claims.

6 I had never signed verbally to the plaintiff's
7 attorney. I did not agree -- disagree not to have
8 mediation. I done everything I could to put this -- if --
9 issue and evidence before the Court.

10 I would just like to say, Your Honor, that, as far as
11 the, the, the complaint, this was a collection for money
12 owed. There was not an insurance dispute and, in
13 discovery motions, everything that was asked for I -- of
14 course, we have not hired expert witnesses. I've provided
15 all the information. It, it was relevant. Even showed as
16 an example to plaintiff attorney some of the text messages
17 that the plaintiff had custody of and this information
18 that they keep asking for I feel like that was in their
19 possession enough to prove or disapprove the claims.

20 As far as the motion to compel, I, I -- I'd ask the
21 Court last night, because I am limited in knowledge, to
22 set aside because there was a pending matter before Judge
23 McCaslin on the rule to show cause for the mediation
24 hearing.

25 As far as any information that the Court requires for

1 me to provide, I think everything has been put on the
2 record. Again, I'd like to be able to respond accordingly
3 but is, is -- I would ask the Court to consider me and not
4 my pleadings as my limited knowledge and construe them
5 more so as a, as a citizen and, and not as a skilled
6 attorney.

7 THE COURT: All right. Well, that's the problem that
8 you run into, Mr. Ragsdale. Exactly what you just said is
9 exactly the reason why everybody that's sitting on this
10 Zoom call today has an attorney because, representing
11 yourself, the law states that I have to hold you to the
12 same rules as the attorneys. And regardless of whether
13 you are ignorant of the rules, you are still held to that
14 same standard.

15 And so Mr. Phillips is correct that you can not just
16 claim \$21,000 in punitive damages. That's not actually
17 even a counterclaim to be quite honest with you.

18 But with all that being said, I am gonna grant the
19 motion to extend the time. However, I'm going to strike
20 your answer in this case. I'm gonna remand it back to
21 Magistrate's Court and I'm gonna give y'all 60 days from
22 today's date to mediate the case. If the case is not
23 mediated in the next 60 days, I'm gonna hold you in
24 default and we'll have a damages hearing.

25 Mr. Phillips, just send me an order.

1 MR. PHILLIPS: I will, Your Honor. Appreciate it.

2 THE COURT: Have a good day.

3 MR. PHILLIPS: Thank you, sir.

4

5 * * *END OF REQUESTED TRANSCRIPT OF RECORD* * *

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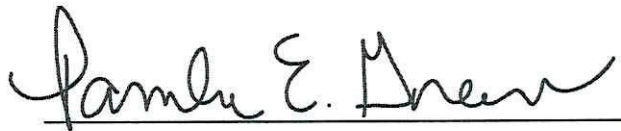
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C E R T I F I C A T E

I, Pamela E. Green, Official Court Reporter for the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Court of Common Pleas Nonjury for Lexington County, South Carolina, on the 6th day of February, 2024.

I do further certify that I am neither of kin, counsel nor interest to any party hereto.

May 9th, 2024

A handwritten signature in cursive script, reading "Pamela E. Green", written over a horizontal line.

PAMELA E. GREEN, Court Reporter

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF LEXINGTON	)	Civil Action No. 2022-CP-32-03934
	)	
Crescent Roofing & Remodeling LLC,	)	
	)	
Plaintiff,	)	ORDER
	)	
v.	)	
	)	
Eric Ragsdale,	)	
	)	
Defendant.	)	
	)	

Judge: Hon. Bentley D. Price
Date of Hearing: February 6, 2023 via Webex
Appearance for Plaintiff: Robert B. "Sam" Phillips, Esq.
Appearance for Defendant: Eric Ragsdale, *pro se*.

THIS MATTER came before the Court on the *Plaintiff's Motion to Compel Discovery* and *Plaintiff's Reply to Defendant's Request for ADR Sanctions*, both filed on November 1, 2023 as well as *Plaintiff's Motion for an ADR Extension* filed on November 15, 2023. Plaintiff filed ten (10) common Exhibits on November 1, 2023 that were incorporated into both its *Motion to Compel* and *Reply to Defendant's Request for ADR Sanctions*. Defendant emailed a document to the Court styled *Emergency Motion to Quash Plaintiff's Motion to Compel* late in the evening of February 5, 2023.

HISTORY OF THE CASE

On January 11, 2021, Defendant Eric Ragsdale entered into an agreement with Plaintiff Crescent Roofing & Remodeling LLC to replace the roof and perform some interior painting on Mr. Ragsdale's residence for an agreed upon price of \$21,627.94 plus a contingency to replace rotted wood found underneath the existing roof. Crescent Roofing replaced the roof on January 18-19, 2021 and completed the painting on April 23, 2021. The total cost of the completed work

was \$21,852.94 (original contract price plus cost of replacing three (3) sheets of plywood at \$75.00 per sheet). Mr. Ragsdale paid \$1,000.00 to the Plaintiff at the start of the job and Mr. Ragsdale's home insurance carrier made several partial payments as the work progressed. At the completion of the job, Crescent Roofing's owner, Chris Lambreth, met with Mr. Ragsdale at his home to inspect the work. Mr. Ragsdale did not express any concern or dissatisfaction with the roofing work or painting to either Mr. Lambreth during this end-of-job walk through or at any other time to any of Crescent's workers on the job site. Although Mr. Ragsdale told Mr. Lambreth he would pay the remaining contract balance of \$4,902.56 from his office, Mr. Ragsdale ultimately refused to do so on multiple occasions.

After Mr. Ragsdale refused numerous requests to pay the outstanding balance of the contract (\$4,902.56), Crescent Roofing and Remodeling, LLC brought an action for breach of contract in the Swansea Magistrate Court in Lexington County on July 27, 2022 (2022CV321100943). Defendant Ragsdale filed an answer and a dozen counterclaims on November 16, 2022 seeking \$21,627.64 in compensatory damages and an unspecified amount of punitive damages. The action was transferred to Lexington County Circuit Court on November 16, 2022.

After learning it could not continue to represent itself in Circuit Court, Crescent Roofing hired attorney Robert "Sam" Phillips who filed an appearance on July 21, 2023. On July 23, 2023, Plaintiff's counsel served discovery on Mr. Ragsdale seeking answers to the Standard Interrogatories set forth in the South Carolina Rules of Civil Procedure, an explanation of the basis of Mr. Ragsdale's dozen counterclaims, and sought the production of documents related to those claims. On July 25, 2023, Plaintiff's counsel reached out to court appointed mediator Yolanda Courie to propose a continuation of the mediation so that the Defendant would have an opportunity

to respond to discovery observing that “mediations without the benefit of discovery responses rarely succeed.” Mediator Courie agreed informing both parties that “the mediation will be more meaningful with some discovery.” The mediator and Mr. Ragsdale agreed to a continuation of the mediation until November 2023. On August 28, 2023 Mr. Ragsdale sought a thirty (30) day extension for answering discovery. He also indicated he was “reaching out to offer settlement options in the matter.” Plaintiff’s counsel responded to Mr. Ragsdale’s “settlement options” request by explaining the need for discovery responses so that Plaintiff could evaluate the evidence of his counterclaims and meaningfully participate in settlement talks. Mr. Ragsdale did not raise any objection to postponing the mediation at any time during this period.

After the 30-day discovery extension passed, Plaintiff’s counsel again reached out to Mr. Ragsdale. Shortly thereafter, Mr. Ragsdale responded to Plaintiff’s Interrogatories and Requests to Produce (hereinafter collectively “Plaintiff’s Discovery”). Most of Mr. Ragsdale’s responses to Plaintiff’s Discovery were evasive or irrelevant objections that were not supported by the South Carolina Rules of Civil Procedure. For example, in response to Plaintiff’s Standard Interrogatory #1 (Rule 33(b)(1), SCRCP) seeking the names of Mr. Ragsdale’s witnesses, he objected claiming the Interrogatory “deviate[d] or purport[ed] to impose requirements other than or in addition to those required by the South Carolina Rules of Civil Procedure.” In response to Standard Interrogatory #2 (Rule 33(b)(2), SCRCP) seeking photos and document related to his counterclaims, Mr. Ragsdale objected claiming the interrogatory “seek[s] information or documents outside the scope of discovery permissible by the South Carolina Rules of Civil Procedure.” Mr. Ragsdale also refused to provide any documentation or other evidence to justify his claim for more than \$20,000.00 in compensatory damages, relief from contractual obligation of almost \$5,000.00, and an unspecified amount of punitive damages. In response to Standard

Interrogatory #5 (Rule 33(b)(5), SCRCPP) requesting an itemized damages statement, Mr. Ragsdale objected claiming the interrogatory “seek[s] information or documents for any period of time beyond any applicable statute of limitations.” Plaintiff’s counsel wrote a detailed response to each of Mr. Ragsdale’s many objections on October 23, 2023 and asked the Defendant for more complete responses. Mr. Ragsdale responded by seeking ADR sanctions against Plaintiff on October 25, 2023 by falsely claiming that Plaintiff’s counsel had unilaterally canceled mediation and had made discovery requests in “disregard to the essential spirit [sic] of the law outlined in the Rules of Civil Procedure.”

As of the date of the hearing in this matter, Mr. Ragsdale has not supplemented or clarified his initial discovery responses, nor had he filed a response to Plaintiff’s Motion to Compel his discovery responses other than an email to the Court on the eve of the hearing making an “emergency” request to either quash the pending motions or grant him an extension to raise “objections” to those motions.

LAW

Rule 1 of the South Carolina Rules of Civil Procedure (hereinafter “SCRCPP”) provides that the scope and purpose of rules “shall be construed to secure the just, speedy, and inexpensive determination of every action.” Rule 1, SCRCPP. “The entire thrust of the discovery rules involves full and fair disclosure, to prevent a trial from becoming a guessing game or one of surprise for either party.” *Samples v. Mitchell*, 495 S.E.2d 213, 217 (S.C. Ct. App. 1997). Where a party’s right to discovery material is not accorded, prejudice must be presumed. *Id.* at 215. Discovery “is not a children’s game, but a serious effort on the part of adult human beings to administer justice.” *Griffin v. Capital Cash*, 423 S.E.2d 143, 146 (S.C. Ct. App. 1992) quoting *United States v. Fischer Lumber Co.*, 102 F.2d 872, 873 (4th Cir. 1947). Rule 37(a), SCRCPP allows a party, after reasonable

notice, to seek an order compelling an opposing party to answer interrogatories submitted to that party pursuant to Rule 33, SCRCF. A noncompliant party who fails to answer interrogatories may be ordered to pay the moving party's expenses in bringing such a motion to compel pursuant to Rule 37(a)(4), SCRCF or otherwise sanction the noncompliant party with an order refusing to allow the disobedient party to support designated counterclaims or defenses as well as strike the disobedient party's pleadings pursuant to Rule 37(d), SCRCF. "In deciding what sanction to impose for failure to disclose evidence during the discovery process, the trial court should consider the nature of the interrogatories, the discovery posture of the case, willfulness, and the degree of prejudice." *Samples v. Mitchell*, 495 S.E.2d 213, 216 (S.C. Ct. App. 1997).

Under the South Carolina Alternative Dispute Resolution Rules (hereinafter "SCADRR"), mediation is a voluntary process that is; nevertheless, required by Rule 3(a), SCADRR (hereinafter "SCADRR") for all civil actions. While the SCADRR rules impose a Three Hundred (300) day timeframe for conducting a mediation, Rule 5(e), SCADRR allows parties to file a good faith motion for an extension of that deadline. Said extensions are only a violation of the Rules "[i]f any person or entity subject to the ADR Rules violates any provision of the ADR Rules **without good cause.**" Rule 10(a), SCADRR (emphasis added). In *Ross v. Waccamaw Community Hospital*, 744 S.E.2d 547 (S.C. 2013), our Supreme Court addressed the consequences of failing to comply with a statutory mediation requirement in a medical malpractice case. The court characterized the failure as a "non-jurisdiction procedural defect" and refused to impose a harsh sanction noting that the trial court "retains the discretion to permit the mediation process to continue" past a mediation deadline. 744 S.E.2d at 551. Relying on the *Ross* decision, the South Carolina Court of Appeals declined to sanction the failure to meet a mediation deadline upon a showing that the non-compliant party made a good-faith attempt to work with the opposing party

to obtain necessary discovery in order to facilitate discovery and a mediation. *Rickerson v. Karl*, 770 S.E.2d 767 (S.C. Ct. App. 2015).

DISCUSSION

Based on its filings with this Court, Plaintiff argued Defendant's actions were deliberately undertaken in bad faith and for the purpose of imposing delay and/or additional costs to the Plaintiff. Plaintiff pointed to Defendant's late-night filing to the Court, along with his continued failure to respond to Plaintiff's discovery requests, as the latest evidence of Defendant's willful bad-faith and sanctionable conduct. The Court agrees with Plaintiff and finds that Plaintiff's interrogatories and requests for production were compliant with South Carolina law and were reasonably calculated to obtain the evidence the Plaintiff is entitled to in order to respond to Defendant's numerous counterclaims. The Plaintiff's request for a three (3) month delay in mediation to complete discovery was appropriate and found to be agreeable at the time by both the court-designated mediator and the Defendant. Although Defendant agreed to the proposed discovery-then-mediation schedule proposed by Plaintiff's counsel, Defendant willfully and in bad-faith refused to comply with his discovery obligations, complained about the delay in mediation, and otherwise sought to benefit from his misconduct. This misconduct prejudiced the Plaintiff's ability to respond to Defendant's counterclaims, prevented it from meaningfully participating in mediation, and caused Plaintiff to incur unnecessary attorney's fees. Accordingly, I find that Plaintiff has met its burden in the Motions at issue in this matter and the Court enters the following order:

SANCTION

I FIND that Plaintiff has demonstrated by clear, convincing and substantial evidence that it was prejudiced by Defendant's failure to respond to discovery and that Plaintiff has incurred

substantial costs due to Defendant's willful disregard for his obligations under the South Carolina Rules of Civil Procedure. On the other hand, I find that Defendant suffered no prejudice from Plaintiff's request to delay mandatory mediation until such time as the Defendant could provide Plaintiff with the discovery responses it is entitled to. Defendant only attempted to withdraw his initial agreement to delay mediation and seek sanctions against the Plaintiff in response to Plaintiff's objections to the sufficiency of the Defendant's discovery responses. After reviewing the filings in this matter and hearing oral arguments from both parties, the Court finds that striking Defendant's Answer and Counterclaims is an appropriate discovery sanction.

Consequently, it is ORDERED that:

- 1) Defendant's answer and counterclaims are hereby stricken from the record,
- 2) Both parties are required to participate, in good faith, with mandatory mediation withing sixty (60) days of the filing of this order, and
- 3) This action is hereby remanded to the Swansea Magistrate Court in Lexington County for further proceedings in accordance with this Order and other applicable law.

AND IT IS SO ORDERED.

<< judicial e-signature found on page to follow >>



Lexington Common Pleas

Case Caption: Crescent Roofing & Remodeling LLC VS Eric Ragsdale

Case Number: 2022CP3203934

Type: Order/Discovery and Disclosure of Evidence

IT IS SO ORDERED!

/s Hon. Bentley D. Price, Circuit Judge 2766

RECEIVED

Aug 06 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

The Honorable Bentley D. Price, Circuit Court Judge

Appellate Case No.: 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

Initial Brief of Respondent

Robert B. (Sam) Phillips
SC Bar #16954
The Phillips Firm, LLC
Attorney & Counselor at Law
1025 Calhoun Street, #3
Columbia, SC 29201
(803) 726-4268

Attorney for Respondent

Columbia, SC
6 August 2025

Exhibit 3



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 18, 2025

Eric Ragsdale
121 Shumpert Rd.
West Columbia SC 29172

Re: Crescent Roofing & Remodeling, LLC v. Eric Ragsdale
Appellate Case No. 2024-000420

Dear Mr. Ragsdale:

The Court has determined a need exists for one (1) bound copy of the record on appeal and all final briefs. The additional copies must comply with the binding and cover color requirements specified by Rule 267 of the South Carolina Appellate Court Rules (SCACR).

Accordingly, the appellant(s) must file an original record on appeal and final brief(s), in either electronic or unbound paper form, as well as one (1) bound paper copy of each. All other parties must file an original final brief and one (1) bound paper copy. **The bound copies are due to be served and filed at the same time as the original record on appeal and final briefs.**

The correct caption for this appeal should read as follows on the record on appeal and all final briefs:

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

Exhibit 4

We request large parcels such as bound paper copies of the record on appeal and all final briefs be sent directly to the Court via the street address: **1220 Senate Street, Columbia, SC 29201.**

Very truly yours,


CLERK

cc: Robert Sam Phillips, Esquire



THE PHILLIPS FIRM, LLC
ATTORNEY & COUNSELOR AT LAW

August 6, 2025

Eric Ragsdale
121 Shumpert Road
West Columbia, SC 29172

RE: Errors in Your Designation of Matters to be Included on Appeal

Mr. Ragsdale,

Attached please find a copy of the Respondent's Initial Brief and Proof of Service documents that were emailed to you earlier today.

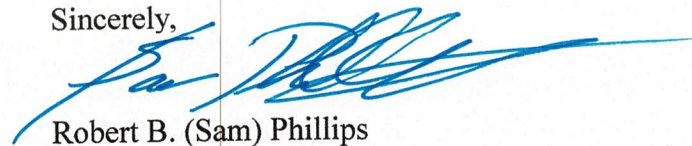
Additionally, I have not heard back from you regarding my earlier correspondence concerning your **Designation of Matters**. You will recall that I pointed out to you the requirements of Rule 210(c) of the South Carolina Rules of Appellate Practice that record of the appeal "shall not ... include matter which was not presented to the lower court or tribunal." As the Appealant you are responsible for producing the "Record on Appeal [which] shall be arranged in the following order: the title page, index, orders, judgments, decrees, decisions, pleadings, transcript, charges, and exhibits and other materials or documents." Rule 210(c), SCACR. Several of the materials you designated were not filed with the Circuit Court nor considered by Judge Bentley Price at the February 6th hearing including your Item #5 Rule to Show Cause Exhibits, Item #6 Plaintiff's Discovery Responses, and Item #8 Emergency Notice of Motion and Motion of Defendant to Quash Plaintiff's Motion to Compel. I ask that you remove them from the Designation and Record.

Items that were before the Judge, and that I have asked you to include in the Record on Appeal include the following:

- Hearing Transcript.
- Plaintiff's Complaint.
- Defendant's Answer and Counter Claim.
- Plaintiff's Motion to Compel Discovery Responses.
- Plaintiff's Motion for an ADR Extension.
- The ten (10) joint exhibits filed with the Motions to Compel and for an Extension.

If you require copies of any of the aforementioned documents, let me know and I can email them to you.

Sincerely,



Robert B. (Sam) Phillips

cc: Court of Appeals (ctappfilings@sccourts.org)

Exhibit 5

RECEIVED

Sep 18 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

**RESPONENT'S DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

Eric Ragsdale *pro se*
121 Shumpert Road
West Columbia, S.C. 29172
803.309.0539
Ericragsdale60@gmail.com
Pro Se Appellant

The Phillips Firm, LLC
by Robert B. (Sam) Phillips, Esq.
1025 Calhoun Street, #3
Columbia, SC 29201
803.726.4268
sam@phillipsfirm.net
Attorney for Respondent

Exhibit 6

Respondent proposes the following to be included in the Record on Appeal. Respondent's attorney attempted to consult with Appellant to settle disputes over the record (see attachment), but has not received any response.

1. Transcript of Hearing, February 6, 2024 (all 15 pages).
2. Plaintiff's Complaint.
3. Defendant's Answer and Counterclaims.
4. Plaintiff's Motion to Compel Discovery Responses.
5. Plaintiff's Motion for an ADR Extension.
6. The ten (10) joint exhibits filed with Motions to Compel and for an ADR Extension.

I certify that this designation contains no matter which is irrelevant to this appeal or that was not before the Court at the time of the Order appealed from.

THE PHILLIPS FIRM, LLC
Attorney & Counselor at Law

/s/Robert B. Phillips

By Robert B. (Sam) Phillips, Esq.
SC Bar # 16954
1025 Calhoun Street #3
Columbia, SC 29201
(803)726-4268
Sam@PhillipsFirm.Net

Attorney for the Respondent

August 18, 2025

The South Carolina Court of Appeals

Crescent Roofing & Remodeling, LLC, Respondent,

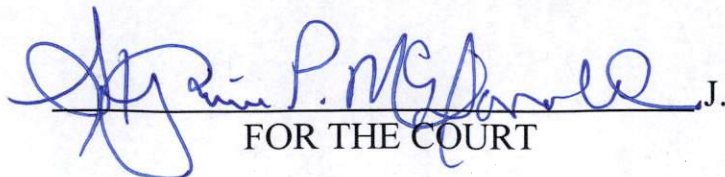
v.

Eric Ragsdale, Appellant.

Appellate Case No. 2024-000420

ORDER

On August 6, 2025, Respondent filed its initial brief. On September 8, 2025, Appellant filed a motion seeking to strike Respondent's initial brief, requesting certain matters be preserved for appellate review, requesting all matters designated in Appellant's designation of matter be included in the record on appeal, and for leave to correct any errors in Appellant's brief. Respondent filed a return, opposing Appellant's motion and seeking sanctions and to strike Appellant's April 29, 2025 designation of matter. Specifically, Respondent argues items 5, 6, and 8 are not properly before this court because they were not presented to the circuit court. Appellant did not file a reply. After careful consideration, Appellant's September 8, 2025 motion is denied. Additionally, Respondent's request for sanctions is denied; however, Respondent's request to strike matters 5, 6, and 8 from Appellant's April 29, 2025 designation of matter is granted. *See* Rule 210(c), SCACR ("The [r]ecord shall not, however, include matter which was not presented to the lower court or tribunal."). Within ten days of the date of this order, Appellant shall serve and file an amended designation of matter omitting items 5, 6, and 8.

 J.
FOR THE COURT

Columbia, South Carolina

FILED
Nov 18 2025

Exhibit 7

cc:

Eric Ragsdale

Robert Sam Phillips, Esquire

RECEIVED

Feb 27 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

MOTION TO DISMISS APPEAL

Eric Ragsdale *pro se*
121 Shumpert Road
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803.309.0539
Ericragsdale60@gmail.com
Pro Se Appellant

The Phillips Firm, LLC
by Robert B. (Sam) Phillips, Esq.
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Attorney for Respondent

Introduction

Respondent Crescent Roofing & Remodeling, LLC moves to dismiss the appeal of Appellant Eric Ragsdale (Appellate Case No. 2024-000420) pursuant to Rules 240 and 260 of the South Carolina Appellate Court Rules. In pertinent part, Rule 260 requires that “the Clerk shall issue an order of dismissal ... [w]henever it appears that an appellant or a petitioner has failed to comply with the requirements of” the South Carolina Appellate Court Rules. Rule 260(a), SCACR. Rule 240(a) specifically allows for a motion to dismiss an appeal. Appellant Eric Ragsdale has deliberately failed to comply with the South Carolina Appellate Court Rules (hereinafter “Rules”) and prosecuted this appeal with willful disobedience to the Court’s rules and orders. Although the Notice of Appeal in this matter was filed on March 14, 2024; Appellant has yet to file a record on appeal or a final brief that complies with the Rules after the passage of nearly two (2) years. Significantly, Appellant has taken no action toward perfecting this appeal for almost three (3) months following this Court’s last order addressing the very issues created by Appellant’s antics. *See Order filed November 18, 2025* attached as **Exhibit A**. One need look no further than the Court’s own table of filings in this matter to discover Appellant’s repeated non-compliance with the Rules’ deadlines, the Court Clerk’s specific written directives to Appellant, and orders of the Court itself. *Table retrieved on 2/26/2026 and attached as **Exhibit B***. A summary of these instances follows. While failure to comply with the Court’s deadlines is grounds for dismissal under Rule 260(a), SCACR, Appellant’s willful disobedience to the Rules regarding the creation of the Record on Appeal provides an independent ground for dismissal.

Respondent therefore asks this Court to strike this appeal pursuant to Rule 260, SCACR for Appellant’s repeated and willful noncompliance with the Rules. Alternatively, Respondent seeks an order from this Court requiring the Record on Appeal to include the motions and other

documents set forth in Respondent's Designation of Matter to be Included in the Record Appeal as required by Rule 209, SCACR. Respondent's Matters were the very documents argued to, and considered by, the Court below. If this Court fails to grant the relief sought and allows this appeal to continue on the Appellant's Designation of Matters, the Court will be countenancing an appeal of an order issued in response to motions that will NOT be included in the Record on Appeal.

Citation of Facts and Authority

In pertinent part, Rule 209 requires each party to produce a Designation of Matter to be Included in the Record of Appeal (hereinafter "Designation") that "set[s] forth with specificity those parts of the transcript, pleadings, orders, exhibits, or other materials which he proposes to include in the record on appeal." Rule 209(a), SCACR. Appellant's initial Designation did not include the very motions that are the subject of the order appealed from including Plaintiff's Motion to Compel Discovery Responses; Plaintiff's Motion for an ADR Extension, and the joint Exhibits filed in support of those two motions. All motions and exhibits were filed November 1, 2023. *Plaintiff's Motion to Compel* and *Motion for an ADR Extension* will be referred to collectively as the "Subject Motions" and are attached hereto as **Exhibit C**. The accompanying exhibits are not included as they are not relevant to his Motion.

Respondent's counsel received Appellant's initial Designation on April 29, 2025. The Designation not only omitted the Subject Motions, it included three designations of material that was neither filed with, nor considered by, the trial court including "Emergency Notice of Motion and Motion of Defendant to Quash Plaintiff's Motion to Compel ... (Designation Item #8)," "Rule to Show Cause Exhibits ... (Item #5)," and "Plaintiff's Discovery Responses (Item #6)" hereinafter these three designations will be referred to as "Improper Designations." Respondent's counsel immediately objected to the Improper Designations pointing out that they violated Rule 210(c),

SCACR in a letter to Appellant dated May 7, 2025. Appellant didn't respond to either Respondent's May 7th Letter regarding the Improper Designations or counsel's attempt to confer with him about it. Respondent's counsel therefore wrote to Appellant again on August 6, 2025 repeating the explanation of why the Improper Designations were violative of Rule 210(c), SCACR and why the Rules required the Subject Motions to be included in the Record of Appeal. As with Respondent's earlier letter, Appellant refused to engage with counsel over the dispute, so Respondent filed its competing Designation of Matter to be Included in the Record on Appeal without objection on September 18, 2025. *Appellant's Initial Designation (April 29, 2025), Counsel Letters to Appellant Objection to Appellant's Designation (May 7 and August 6, 2025), and Respondent's Designation (September 18, 2025)* are collectively attached as **Exhibit D**.

Rather than complying with the clear and easily met requirements of the South Carolina Appellate Court Rules regarding the Designation, Appellant filed a Motion to Strike Respondent's initial brief, sought permission to include the Improper Designation in the Record, and asked for leave to correct his other errors in his September 8, 2025 Motion to Strike. Respondent filed a timely return opposing Appellant's Motion asking the Court to, *inter alia*, strike Appellant's Improper Designations and include the Subject Motion in Appellant's Designation pursuant to the Rules of Appellate Practice. This Court granted Respondent's request to strike the Improper Designations, but did not require the inclusion of the Subject Motions in Appellant's Designation by Order dated November 18, 2025. Respondent asked the Court to reconsider the omission of the Subject Motions from its November 18th Order in a letter dated November 19, 2025, but the Court demurred on December 2, 2025. Appellant filed an Amended Designation on December 1, 2025 which still did not include the Subject Motions. *Court of Appeal Order filed November 18, 2025; Respondent's Request to Reconsider the November 18th Order filed November 19, 2025,*

Clerk's No Action Letter denying request for reconsideration on December 2, 2025, and Appellant's Amended Designation filed December 1, 2025 are collectively attached as **Exhibit E**. For the sake of brevity, Respondent relies on the procedural history contained in the Court's Order of November 18, 2025 for a description of the parties' various filings that produce the Order as the filings are voluminous and not necessary for this Motion.

Since Appellant's filing of the Amended Designation on December 1, 2025, Appellant has neither filed, nor attempted to file, a final brief or record that is compliant with the South Carolina Rules of Appellate Practice. If such materials were permitted to be filed, this would be a travesty of an appeal as the Record would not include the very motions that were the subject of the hearing and Order that is being appealed from. Materials not provided to, nor considered below, cannot be included in Appellant's Designation of materials because they are "not relevant to the appeal." Rule 209(b), SCACR. Rule 210(c) also limits the Record on Appeal to material considered below: "The Record on Appeal shall include matter designated to be included by any party under Rule 209 ... [and] shall not, however, include matter which was not presented to the lower court." Rule 210(c), SCACR. Throughout the long process to perfect this appeal, Appellant has offered no authority to permit his willful non-compliance with the Rules, nor does any such authority. Although the Subject Motions were before the trial court, argued to the trial court at a hearing, and were the basis of the Order appealed from, Appellant/Defendant refused to include them in the Designation while simultaneously including material neither filed with, nor argued to, the trial court. On three (3) separate occasions during the process, Respondent's counsel made Appellant aware of these requirements; nevertheless, Appellant made no attempt to comply with the Rules.

Rather than complying with the Rules that were clearly explained to him, Appellant filed a frivolous Motion to Strike Respondent's initial brief and permit his use of the Improper

Designations for no reason recognized by any South Carolina authority. This amounts to a willful disobedience of the Court's authority and the rules governing the operation of this Court. Delay could be the only motive for disobedience of the simple requirement to only include materials considered by a court that issued an order based on those materials, and nothing else. More shockingly, Appellant's Motion asks this Court ratify his noncompliance with the Court's own rules, requirements and orders.

The intentional, voluntary and willful failure to comply with the clear instructions of a South Carolina court is a universally recognized as contempt of that court's authority and procedures. In *State v. Bevilacqua*, 316 S.C. 122, 129,447 S.E.2d 213, 217 (Ct. App. 1994), this Court defined a "willful act" as "one done voluntarily and intentionally with the specific intent to do something the law forbids, or with the specific intent to fail to do something the law requires to be done, that is to say with the bad purpose either to disobey or disregard the law." While *Bevilacqua* was considering a contempt sanction for willful disobedience to a court's order, our Supreme Court considered the "bad faith, willful disobedience or gross indifference" of a party who engaged in "frivolous and serial, abusive filings for the purpose of delay" by an attorney involved in singer James Brown's long running estate case. *Bauknight v. Pope*, 914 S.E.2d 848, 855 (S.C. 2025). While a comparison of the willful disobedience of an attorney to that of a *pro se* litigant is distinguishable in most instances, the unique facts of this matter erase that distinction. Appellant willfully failed to comply with very simple rules he undertook to obey by choosing to represent himself such as meeting the Court's deadlines and commands. It is axiomatic that a *pro se* litigant must comply with all rules of court procedure. See *State v. Burton*, 356 S.C. 259, 265 fn.5, 589 S.E.2d 6 (S.C. 2003) (holding that "pro se litigants are held to the same standards as attorneys.").

Appellant was repeatedly informed of the Court's simple requirements to meet its deadlines and include only materials put before the trial judge in the Record on Appeal. Despite those points being driven home several times, Appellant made no effort to comply with them but instead filed a frivolous Motion to Strike Respondent's brief and ask this Court to countenance Appellant's misconduct which could have produced nothing for the Appellant except further delay of the adjudication of Respondent's original claims. In *Bauknight*, the Supreme Court relied on Rule 11 of the South Carolina Rules of Civil Procedure to impose the obligation that an attorney's signature "constitutes a certificate by him that he has read the pleading, motion or other paper; that to the best of his knowledge, information and belief there is good ground to support it; and that it is not interposed for delay." Rule 11(a), SCRPC. This certification requirement applies equally to both attorneys and "[a] party who is not represented by an attorney." *Id.* The *Bauknight* Court amplified the trial court's holding that the errant attorney's conduct was a "willful and purposeful" violation of Rule 11 because she was made aware of her misconduct, but "offered no reasonable explanation or justification for her conduct that would allow the court to excuse her actions" which the trial court went on to characterize as "willful and purposeful." 914 S.E.2d at 852-53. The trial court concluded her "bad faith, willful disobedience or gross indifference justify[ed] a severe sanction." 914 S.E.2d at 853. While Respondent is not requesting the same severe monetary sanction imposed in *Bauknight*, it should certainly be entitled to a dismissal under Rule 260(a), SCACR which Respondent notes has similar requirements to Rule 11, SCRPC.

Other Instances of Non-Compliance with South Carolina's Appellate Court Rules

Appellant's additional instances of Non-Compliance are set forth below and can be found on the Court of Appeal table of filings for this case attached hereto as **Exhibit B**. During this appeal, Appellant has:

- failed to pay the required filing fee as required by Rule 203(d)(1)(B), SCACR. See Letter from Clerk, SC Court of Appeals (March 21, 2024);
- failed to file notice of appeal with lower court as required by Rule 203(d)(1)(B), SCACR. See Letter from Clerk, SC Court of Appeals (March 21, 2024);
- failed to timely request production of the hearing transcript, and to pay for that production, as required by Rule 207(a)(1), SCACR. See correspondence from Appellant to Clerk, SC Court of Appeals without copying Respondent (March 24 to April 12, 2024);
- failed to inform Respondent of Appellant's delays in order the transcript as required by Rule 207(a)(1), SCACR. See correspondence from Appellant to Clerk, SC Court of Appeals without copying Respondent (March 24 to April 12, 2024);
- failed to timely obtain the transcript of the hearing below as required by Rule 207(a)(1), SCACR. See Letter from Clerk, SC Court of Appeals (June 10, 2024); and
- failed to timely file and serve Appellant's initial brief as required by Rule 208(a)(1), SCACR; failed to file a compliant proof of service as required by Rule 262(c)(3), SCACR; and had still not paid the required filing fee as required by Rule 203(b)(1)(B), SCACR. See Letter from Clerk, SC Court of Appeals (July 10, 2024).

In addition to the numerous instances set forth above, Appellant filed to comply with the requirements of creating the Record on Appeal. This Court's Clerk required Appellant to file his initial brief and designation of matters to be included on appeal by July 21, 2024. See *Letter from Clerk, SC Court of Appeals* (July 10, 2024) in **Exhibit B**. Appellant failed to comply with Clerk's July 10th Letter so Clerk instructed Appellant to file his initial appeal and designation of matters to be included on appeal by October 5, 2024. See *Letter from Clerk, SC Court of Appeals* (September 24, 2024) in **Exhibit B**. Once again, Appellant failed to comply with Clerk's Sept. 2024 Letter so the Clerk required Appellant to file his initial appeal and designation of matters to be included on appeal by December 4, 2024. See *Letter from Clerk, SC Court of Appeals* (November 25, 2024) in **Exhibit B**. Once again, Appellant failed to comply with Clerk's Nov. 25th Letter so the Court itself ordered Appellant to file his initial brief and designation of matters to be included on appeal

by January 24, 2025. See *Crescent Roofing & Remodeling, LLC v. Eric Ragsdale*, App. Case No. 2024-000420 (Ct. App. Jan. 14, 2025) in **Exhibit B**. Appellant failed to timely comply with this Court's January 24, 2025 deadline; nevertheless, the Court extended the filing deadline to April 7, 2025. See *Crescent Roofing & Remodeling, LLC v. Eric Ragsdale*, App. Case No. 2024-000420 (Ct. App. Mar. 6, 2025) in **Exhibit B**. As before, Appellant made no attempt to comply with the Court of Appeals' Order of March 6, 2025. Not only did he not file and serve his initial appeal and designation of matters to be included on appeal by the Court's April 7, 2025 deadline, Appellant has not filed them as of the filing of this Motion. See *Letter from Clerk, SC Court of Appeals* (April 23, 2025) in **Exhibit B**.

Each individual order and letter listed above is attached hereto in chronological order as **Exhibit F**. They are include to demonstrate that Appellant's disobedience of the Rules was not the honest mistake of a litigant new to the Court's procedures. Compliance with deadlines is a well-established part of modern life and society. While Appellant may have begun the appeal process in ignorance of the Rules, they were quickly and repeatedly brought to his attention, then deliberately ignored by him. The documents submitted as **Exhibit F**, as well as the other material described above are more than sufficient grounds for dismissing an appeal, an admittedly radical step in all but the most egregious cases. This is that egregious case.

Conclusion

Respondent Crescent Roofing & Remodeling, LLC asks this Court to dismiss the appeal of Appellant Eric Ragsdale pursuant to Rule 240 of the South Carolina Appellate Court Rules and related authority set forth above due to Appellant's willful disobedience with this Court's order and procedural rules. Alternatively, Respondent seeks an order from this Court requiring the

Record on Appeal to include the motions and other documents set forth in Respondent's Designation of Matter to be Included in the Record Appeal as required by Rule 209, SCACR.

THE PHILLIPS FIRM, LLC
Attorney & Counselor at Law

/s/Robert B. Phillips

By Robert B. (Sam) Phillips, Esq.

SC Bar # 16954

1025 Calhoun Street #3

Columbia, SC 29201

(803)726-4268

Sam@PhillipsFirm.Net

27 February 2026

Attorney for the Respondent

The South Carolina Court of Appeals

Crescent Roofing & Remodeling, LLC, Respondent,

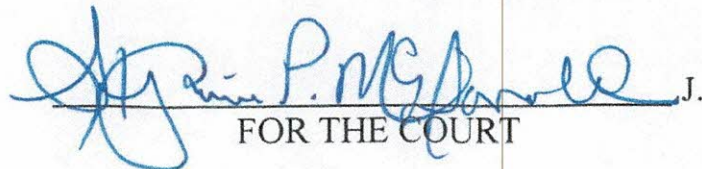
v.

Eric Ragsdale, Appellant.

Appellate Case No. 2024-000420

ORDER

On August 6, 2025, Respondent filed its initial brief. On September 8, 2025, Appellant filed a motion seeking to strike Respondent's initial brief, requesting certain matters be preserved for appellate review, requesting all matters designated in Appellant's designation of matter be included in the record on appeal, and for leave to correct any errors in Appellant's brief. Respondent filed a return, opposing Appellant's motion and seeking sanctions and to strike Appellant's April 29, 2025 designation of matter. Specifically, Respondent argues items 5, 6, and 8 are not properly before this court because they were not presented to the circuit court. Appellant did not file a reply. After careful consideration, Appellant's September 8, 2025 motion is denied. Additionally, Respondent's request for sanctions is denied; however, Respondent's request to strike matters 5, 6, and 8 from Appellant's April 29, 2025 designation of matter is granted. *See* Rule 210(c), SCACR ("The [r]ecord shall not, however, include matter which was not presented to the lower court or tribunal."). Within ten days of the date of this order, Appellant shall serve and file an amended designation of matter omitting items 5, 6, and 8.


FOR THE COURT

Columbia, South Carolina

FILED
Nov 18 2025



cc:

Eric Ragsdale

Robert Sam Phillips, Esquire

South Carolina Appellate Case Management System

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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: 2024-000420

Court:	Court of Appeals	Classification:	Appeal - Common Pleas - Other
Short Title:	Crescent Roofing & Remodeling, LLC v. Eric Ragsdale View Full Title	Case Status:	Final Briefing / Record
Consolidated:			
Filed Date:	03/14/2024	Oral Argument Date:	
Disposition Date:		Disposition Type:	
Remittitur Date:			
Lower Court or Tribunal:	Lexington (2022CP3203934)		

- Party Information

Appellate Role	Party Name	Former	Attorney(s)
Appellant	Eric Ragsdale	N	Self Represented
Respondent	Crescent Roofing & Remodeling, LLC	N	Robert Sam Phillips

Views

Display: Descending

Event Information

Filed Date	Event Information	Doc
12/02/2025	Correspondence - Outgoing (No Action Letter)	
12/01/2025	Designation of Matter - Amended Designation of Matter Filed (Appellant)	
11/19/2025	Correspondence - Incoming (Regarding Order for Motion to Strike)	
11/18/2025	Non-Dispositional Decision - Order (Motion to Strike - Granted)	
10/15/2025	Correspondence - Outgoing (Appeal Held in Abeyance)	
10/14/2025	Motion - No Reply - Strike	
09/26/2025	Correspondence - Incoming (Copy of Appellant's Initial Brief and Transcript)	
09/18/2025	Designation of Matter - Designation of Matter Filed (Respondent)	
09/18/2025	Motion - Return - Strike	
09/08/2025	Motion - Strike	
08/18/2025	Correspondence - Outgoing (One Bound Copy Request)	
08/06/2025	Initial Brief - Respondent	
07/24/2025	Non-Dispositional Decision - Order (Motion - Dismiss)	
06/19/2025	Correspondence - Incoming (Regarding Motion to Dismiss)	
06/19/2025	Motion - No Return - Dismiss	
05/28/2025	Motion - Dismiss	
05/27/2025	Correspondence - Incoming (Copy of Letter from Respondent to Appellant)	
04/29/2025	Designation of Matter - Designation of Matter Filed (Appellant)	
04/29/2025	Deficiency - Correction (Appellant's Initial Brief)	
04/23/2025	Deficiency - Deficiency Letter Sent (Appellant's Initial Brief)	
04/07/2025	Correspondence - Incoming (Attachments to Appellant's Initial Brief)	
04/07/2025	Correspondence - Incoming (Copy of Transcript)	
04/07/2025	Initial Brief - Appellant	

EXHIBIT

B

tabbles

03/06/2025	Non-Dispositional Decision - Extension Granted (Appellant's Initial Brief)	
01/24/2025	Motion - Extension of Time (2nd) (Appellant's Initial Brief) and for Permission to File Without Fee	
01/14/2025	Non-Dispositional Decision - Extension Granted (Appellant's Initial Brief)	
12/04/2024	Deficiency - Correction (Motion for Extension)	
11/25/2024	Non-Dispositional Decision - Withdrawn or Ended (Motion for Extension)	
09/24/2024	Deficiency - Second Deficiency Letter Sent (Motion for Extension)	
07/29/2024	Deficiency - Partial Correction (Motion for Extension)	
07/10/2024	Deficiency - Deficiency Letter Sent (Motion for Extension)	
07/09/2024	Motion - Extension of Time (1st) (Appellant's Initial Brief)	
06/17/2024	Transcript Documents - Transcript Delivered - Direct Appeal	
06/10/2024	Correspondence - Outgoing (Transcript Overdue Letter)	
06/10/2024	Transcript Documents - Emails from Appellant Regarding Transcript	
04/18/2024	Transcript Documents - Emails Regarding Transcript	
04/11/2024	Transcript Documents - Other Correspondence	
04/02/2024	Deficiency - Correction (Notice of Appeal)	
03/21/2024	Transcript Documents - Transcript Ordered	
03/21/2024	Deficiency - Deficiency Letter Sent (Notice of Appeal)	
03/21/2024	Correspondence - Outgoing (Notice of Appeal Initial Letter)	
03/14/2024	Notice of Appeal (Civil) - Initial	

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

EXHIBIT C to Respondent's Motion to Dismiss Appeal

Exhibit Includes:

1. Plaintiff's Motion to Compel, filed Nov. 1, 2023
2. Plaintiff's Motion to Extend ADR Deadline, filed Nov. 1, 2023.

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF LEXINGTON	)	Civil Action No. 2022-CP-32-03934
	)	
Crescent Roofing & Remodeling LLC,	)	
	)	
Plaintiff,	)	NOTICE OF MOTION AND MOTION
	)	TO COMPEL
v.	)	
	)	
Eric Ragsdale,	)	
	)	
Defendant.	)	
_____	)	

TO: DEFENDANT ERIC RAGSDALE, *pro se*.

PLEASE TAKE NOTICE that Plaintiff Crescent Roofing & Remodeling LLC, by and through his attorney, Robert B. "Sam" Phillips, Esq, will move at a date and time to be set by the Court, but not sooner than ten (10) days after service hereof, for an Order compelling Defendant Eric Ragsdale to produce information and/or documents responsive to Plaintiff's First Set of Interrogatories and Requests for Production served on 23 July 2023. This Motion is brought pursuant to the South Carolina Rules of Civil Procedure, including Rules 7, 33, 34 & 37 and is based upon the grounds stated below:

1. On January 11, 2021, Defendant Eric Ragsdale entered into an agreement with Plaintiff Crescent Roofing & Remodeling LLC to replace the roof and perform some interior painting on Mr. Ragsdale's residence at 121 Shumpert Road in West Columbia for an agreed upon price of \$21,627.94 plus a contingency to replace rotted wood found underneath the existing roof at an additional cost. See Exhibit 1.

2. Crescent replaced the roof on January 18-19, 2021 and performed the interior painting on April 23, 2021. The total cost of the project was \$21,852.94 (original contract price plus cost of replacing three (3) sheets of plywood at \$75.00 per sheet).
3. At the start of the project on January 11th, Mr. Ragsdale made an initial payment of \$1,000 to Crescent Roof. Thereafter, Ragsdale's home insurer made three (3) partial payments toward the work on January 27th (\$2,815.30), February 12th (\$9,936.75), and April 23rd (\$3,198.33).
4. After receiving a total of \$16,950.38 toward the total amount due, Plaintiff attempted to collect the remaining balance of \$4,902.56 from Mr. Ragsdale pursuant to their agreement, but Mr. Ragsdale refused. Thereafter, Crescent Roofing & Remodeling LLC filed suit for breach of contract against Mr. Ragsdale in magistrate's court to collect this remaining balance.
5. Defendant Eric Ragsdale filed a counterclaims in Magistrate's Court for \$21,627.64 plus punitive damages thereby causing the case to be moved from Magistrate's Court to the Lexington County Circuit Court.
6. After learning that it could not represent itself in Circuit Court as it had in Magistrate's Court, Plaintiff Crescent Construction hired the undersigned attorney who filed an appearance in this matter on July 23, 2023.
7. On July 23, 2023, Plaintiff's counsel served Defendant Ragsdale with Interrogatories and Requests to Produce. See Exhibit 2.
8. On July 25, 2023, Plaintiff's counsel reached out to court appointed mediator Yolanda Courie to propose a continuation of the mediation so that the Defendant would have an opportunity to respond to discovery observing that "mediations without the benefit of discovery responses rarely succeed." Exhibit 3. Mediator Courie agreed recognizing "the mediation will be more

meaningful with some discovery.” She went onto propose additional dates for a mediation in November of 2023. Id.

9. Defendant Ragsdale was copied on the correspondence between Plaintiff’s counsel and mediator, and was specifically asked if he agreed to the postponement. Defendant did not raise any objection to postponing the mediation at that time.

10. Plaintiff served Defendant Ragsdale with discovery on July 23, 2023. Exhibit 4.

11. Mr. Ragsdale did not respond in the required 30 days, so Plaintiff’s counsel granted him a thirty (30) day extension on August 28, 2023. See Exhibit 5.

12. In addition to asking for an extension of time in which to answer Plaintiff’s discovery, Defendant Ragsdale indicated he was “reaching out to offer settlement options in the matter.” Exhibit 5.

13. Plaintiff’s counsel responded to the Defendant’s request for “settlement options” by explaining that “[once] I have an opportunity to review your discovery responses and confer with my client, I will reach back out to you to discuss a settlement. As it stands now, I know nothing more about your claims than what you put in your Answer.” Exhibit 5. Defendant did not raise any objection to postponing the mediation at that time.

14. Defendant Ragsdale failed to produce any response to Plaintiff’s discovery after the 30-day extension, so Plaintiff’s attorney reached out to him again on October 4, 2023 to inquire about the status of his discovery responses. See Exhibit 6.

15. On October 8, 2023, Defendant produced a few responses to Plaintiff’s discovery, but lodged various objections to 95% of the Plaintiff’s Interrogatories and Requests to Produce. See Exhibit 7.

16. Defendant's October 8th discovery objections were simple recitals of standard discovery objections that had little relevance to Plaintiff's Interrogatories and Requests to Produce. For example, Defendant objected to the efficacy of every Standard Interrogatory (from Rule 33(b), SCRCPP) asked by the Plaintiff.

17. The objections Defendant raised to Plaintiff's first five (5) Interrogatories are representative of the objections raised to each of the remaining Interrogatories:

- a. In response to Plaintiff's Interrogatory #1, drawn directly from Standard Interrogatory #1, Rule 33(b)(1) SCRCPP that seeks the identities of witnesses known to a party, the Defendant objected claiming the Interrogatory "deviate[d] or purport[ed] to impose requirements other than or in addition to those required by the South Carolina Rules of Civil Procedure."
- b. In response to Plaintiff's Interrogatory #2, drawn directly from Standard Interrogatory #2, Rule 33(b)(2) SCRCPP that seeks photos and documents related to the a party's counterclaims, the Defendant objected claiming the Interrogatory "seek[s] information or documents outside the scope of discovery permissible by the South Carolina Rules of Civil Procedure."
- c. In response to Plaintiff's Interrogatory #3, drawn directly from Standard Interrogatory #6, Rule 33(b)(6) SCRCPP that seeks the name(s) of any expert(s) a party intends to rely upon, the Defendant objected claiming the Interrogatory "seek[s] information or documents protected by future Attorney-Client Privilege, the litigant or Attorney Work Product Doctrine, or any other applicable privilege or immunity."
- d. In response to Plaintiff's Interrogatory #4, drawn directly from Standard Interrogatory #4, Rule 33(b)(4) SCRCPP that inquires about a party's insurance coverage, the Defendant objected claiming the Interrogatory "seek[s] information or documents that are beyond his custody, possession, or control and/or seeks information that is equally available to Plaintiffs."
- e. In response to Plaintiff's Interrogatory #5, drawn directly from Standard Interrogatory #5, Rule 33(b)(5) SCRCPP which asks for a party's itemized statement of damages claim, the Defendant objected claiming the Interrogatory "seek[s] information or documents for any period of time beyond any applicable statute of limitations."

18. Plaintiff's counsel wrote the Defendant on October 23, 2023 responding to each of his objections and again asked the Defendant to provide the discovery responses to which the Plaintiff is entitled. See Exhibit 8.

19. In response to Plaintiffs Counsel's October 23rd letter seeking discovery responses, Defendant Ragsdale reneged on his agreement with Counsel answer discovery then discuss settlement, and sought to penalize Plaintiff for the parties joint decision to postpone mediation. See Exhibit 5.

20. Although Defendant Ragsdale's seeks more than \$20,000.00 from Plaintiff through his counterclaims, the Defendant only produced a single invoice for \$2,460.64 as evidence of his damages. The invoice from Carolina Heating Service, Inc. of Greenville, South Carolina documents a repair to Defendant's Generac Generator on January 18, 2021. See Exhibit 9. This damages claim is doubtful on its face because the Plaintiff's crew began its work on the Defendant's roof on January 18th and did not witness either the alleged damage or the repair claimed by the Defendant with this invoice.

21. Plaintiff consulted with the Defendant regarding this Motion to Compel in its October 23rd letter. Exhibit 8.

22. Defendant's subsequent conduct makes it clear that without a Court Order, the Defendant will not provide the discovery responses Plaintiff is entitled to pursuant to the South Carolina Rules of Civil Procedure.

23. Additionally, Plaintiff asks this Court for an award of reasonable attorney's fees in the amount of Eight Hundred and Seventy-Five Dollars (\$875.00) to defer the financial burden imposed by Defendant's bad-faith objections to discovery that is clearly authorized by the South Carolina Rules of Civil Procedure. See Exhibit 10.

WHEREFORE, Plaintiff Crescent Roofing & Remodeling LLC respectfully requests that this Court order Defendant Eric Ragsdale to withdraw his all objections to the Plaintiff's Discovery and produce the requested discovery. Plaintiff Crescent Roofing & Remodeling LLC also requests that the Court award it the costs and attorney's fees incurred in the filing of this Motion pursuant to Rule 37(a)(4), SCRCP.

THE PHILLIPS FIRM, LLC
Attorney & Counselor at Law

s/Robert B. Phillips

By Robert B. (Sam) Phillips, Esq.

SC Bar # 16954

1025 Calhoun Street #3

Columbia, SC 29201

(803)726-4268

Sam@PhillipsFirm.Net

Attorney for the Plaintiff.

1 November 2023

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF LEXINGTON	)	Civil Action No. 2022-CP-32-03934
	)	
Crescent Roofing & Remodeling LLC,	)	
	)	NOTICE OF MOTION AND
Plaintiff,	)	PLAINTIFF'S MOTION FOR
	)	ADR EXTENSION
v.	)	
	)	
Eric Ragsdale,	)	
	)	
Defendant.	)	
_____	)	

TO: DEFENDANT ERIC RAGSDALE, *pro se*.

PLEASE TAKE NOTICE that Plaintiff Crescent Roofing & Remodeling LLC, by and through his attorney, Robert B. "Sam" Phillips, Esq, is moving for an ADR Extension with the Honorable Debra R. McCaslin, Chief Judge for Administrative Purposes for Common Pleas in the Eleventh Judicial Circuit. This Motion is brought pursuant to Rules 33, 34 & 37 of the South Carolina Rules of Civil Procedure; Rule 10 of the South Carolina's Alternative Dispute Resolution Rules; and is based upon the grounds stated below:

1. On January 11, 2021, Defendant Eric Ragsdale entered into an agreement with Plaintiff Crescent Roofing & Remodeling LLC to replace the roof and perform some interior painting on Mr. Ragsdale's residence at 121 Shumpert Road in West Columbia for an agreed upon price of \$21,627.94 plus a contingency to replace rotted wood found underneath the existing roof at an additional cost. See Exhibit 1.
2. Crescent replaced the roof on January 18-19, 2021 and performed the interior painting on April 23, 2021. The total cost of the project was \$21,852.94 (original contract price plus cost of replacing three (3) sheets of plywood per the contract contingency of \$75.00 per sheet).

3. At the start of the project on January 11th, Mr. Ragsdale made an initial payment of \$1,000 to Crescent Roof. Thereafter, Ragsdale's home insurer made three (3) partial payments toward the work on January 27th (\$2,815.30), February 12th (\$9,936.75), and April 23rd (\$3,198.33).
4. After receiving a total of \$16,950.38 toward the total amount due, Plaintiff attempted to collect the remaining balance of \$4,902.56 from Mr. Ragsdale pursuant to their agreement, but Mr. Ragsdale refused. Thereafter, Crescent Roofing & Remodeling LLC filed suit for breach of contract against Mr. Ragsdale in magistrate's court to collect this remaining balance.
5. Defendant Eric Ragsdale filed a counterclaims in Magistrate's Court for \$21,627.64 plus punitive damages thereby causing the case to be moved from Magistrate's Court to the Lexington County Circuit Court.
6. Plaintiff's owner conducted a walk through with Mr. Ragsdale after the completion of the painting and roofing work. Mr. Ragsdale did not raise most of the issues set forth in his counterclaims during that walk through with Plaintiff only learning of those claims during this litigation.
7. After learning that it could not represent itself in Circuit Court as it had in Magistrate's Court, Plaintiff Crescent Construction hired the undersigned attorney who filed an appearance in this matter on July 23, 2023.
8. On July 23, 2023, Plaintiff's counsel served Defendant Ragsdale with Interrogatories and Requests to Produce attached hereto as Exhibit 2.
9. On July 25, 2023, Plaintiff's counsel reached out to court appointed mediator Yolanda Courie to propose a continuation of the mediation so that the Defendant would have an opportunity to respond to discovery observing that "mediations without the benefit of discovery responses rarely succeed." Exhibit 3. Mediator Courie agreed recognizing "the mediation will be more

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12. Mr. Ragsdale did not respond in the required 30 days, so Plaintiff’s counsel granted him a thirty (30) day extension on August 28, 2023. Defendant did not raise any objection to postponing the mediation at that time, in fact, he indicated that he was “reaching out to offer settlement options in the matter.” . See Exhibit 5.

13. Plaintiff’s counsel responded to the Defendant’s request for “settlement options” by explaining that “[once] I have an opportunity to review your discovery responses and confer with my client, I will reach back out to you to discuss a settlement. As it stands now, I know nothing more about your claims than what you put in your Answer.” Exhibit 5. Defendant did not raise any objection to postponing the mediation at that time either.

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- d. In response to Plaintiff's Interrogatory #4, drawn directly from Standard Interrogatory #4, Rule 33(b)(4) SCRCPP that inquires about a party's insurance coverage, the Defendant objected claiming the Interrogatory "seek[s] information or documents that are beyond his custody, possession, or control and/or seeks information that is equally available to Plaintiffs."
- e. In response to Plaintiff's Interrogatory #5, drawn directly from Standard Interrogatory #5, Rule 33(b)(5) SCRCPP which asks for a party's itemized statement of damages claim, the Defendant objected claiming the Interrogatory "seek[s] information or documents for any period of time beyond any appliable statute of limitations."

18. Plaintiff's counsel wrote the Defendant on October 23, 2023 responding to each of his objections and again asked the Defendant to provide the discovery responses to which the Plaintiff is entitled. See Exhibit 8.

19. In response to Plaintiffs Counsel's October 23rd letter seeking discovery responses, Defendant Ragsdale reneged on his agreement with Counsel to delay mediation now seeks to penalize Plaintiff for the parties joint decision to postpone mediation.

20. Defendant Ragsdale was fully apprised by Plaintiff's Counsel that Plaintiff disputes all of his claims of faulty workmanship, misrepresentations and damage caused by Plaintiff's workers.

21. In joint email communication with both the Defendant and Mediator Courie, Plaintiff's counsel made it clear why a short delay in meditation was necessary in order to conduct discovery so the Plaintiff could evaluate the validity of the Defendant's many claims. See Exhibit 3.

22. Defendant Ragsdale not only agreed to a delay in meditation in order to complete discovery, he later inquired about direct settlement negotiations with the Plaintiff when he asked for more time to respond to the Plaintiff's discovery. See Exhibit 5.

23. Defendant Ragsdale's "agreement" to a mediation delay only changed after Plaintiff's counsel rejected his attempt to avoid providing the Plaintiff with information and documents he is entitled to through discovery.

24. Although Defendant Ragsdale's seeks more than \$20,000.00 from Plaintiff through his counterclaims, the Defendant only produced a single invoice for \$2,460.64 as evidence of his damages. The invoice from Carolina Heating Service, Inc. of Greenville, South Carolina purports to document a repair to Defendant's Generac Generator on January 18, 2021. See Exhibit 9. This damages claim is doubtful on its face because the Plaintiff's crew began its work on the

Defendant's roof on January 18th and did not witness either the alleged damage or the repair claimed by the Defendant.

25. Mediation is a voluntary process that is; nevertheless, required by Rule 3(a) of the Alternative Dispute Resolution Rules (hereinafter "SCADRR") for all civil actions.

26. While mediation is mandatory, the SCADRR allows and encourages litigants in civil matters to conference about the conduct of the mediation; however, such a conference is not a basis for delaying other requirements such as discovery. Rule 5(b), SCADRR.

27. While the SCADRR rules imposes a Three Hundred day (300) limit for conducting a mediation, Rule 5(e), SCADRR allows parties to file a good faith motion for a deferral. Plaintiff filed such a motion prior to Defendant's request for ADR sanctions.

28. It is clear that ADR sanctions are only appropriate "[i]f any person or entity subject to the ADR Rules violates any provision of the ADR Rules **without good cause.**" Rule 10(a), SCADRR (emphasis added).

29. This matter was begun by Plaintiff in Magistrate's Court wherein the Plaintiff business was able to represent itself.

30. Plaintiff was slow to recognize that as a business, it would not be able to maintain its representation without a lawyer after the Defendant's counterclaims caused the case to be moved to Circuit Court. This delay in obtaining an attorney caused no prejudice to the Defendant as Defendant did not pursue any discovery nor reached out to the Plaintiff about settlement possibilities.

31. Plaintiff's counsel moved expeditiously in addressing mandatory mediation within two (2) days of his appearance in this matter.

32. In *Ross v. Waccamaw Community Hospital*, 744 S.E.2d 547 (S.C. 2013), our Supreme Court addressed the consequences of failing to comply with a statutory mediation requirement in a medical malpractice case. The court characterized the failure as a “non-jurisdiction procedural defect” and refused to impose a harsh sanction noting that the trial court “retains the discretion to permit the mediation process to continue” past a mediation deadline. 744 S.E.2d at 551.

33. Relying on the *Ross* decision, the South Carolina Court of Appeals declined to sanction the failure to meet a mediation deadline upon a showing that the non-compliant party made an attempt to work with the opposing party to obtain necessary discovery in order to facilitate discovery and a mediation. *Rickerson v. Karl*, 770 S.E.2d 767 (S.C. Ct. App. 2015).

34. Plaintiff asks this Court for an order in this matter deferring mandatory mediation until the end of the year (2023) in order to provide the Plaintiff with an opportunity to pursue information and documents through a Motion to Compel discovery responses from the Defendant.

WHEREFORE, Plaintiff Crescent Roofing & Remodeling LLC respectfully requests that this Court order that mandatory mediation be deferred in this matter until the end of 2023 in order to provide Plaintiff with time to have his Motion to Compel discovery responses from Defendant Eric Ragsdale heard and decided upon.

THE PHILLIPS FIRM, LLC
Attorney & Counselor at Law

s/Robert B. Phillips
 By Robert B. (Sam) Phillips, Esq.
 SC Bar # 16954
 1025 Calhoun Street #3
 Columbia, SC 29201
 (803)726-4268
 Sam@PhillipsFirm.Net

Attorney for the Plaintiff.

1 November 2023

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

EXHIBIT D to Respondent's Motion to Dismiss Appeal

Exhibit Includes:

1. Appellant's Initial Designation, filed April 29, 2025,
2. Respondent's Counsel Letter to Appellant Objecting to Initial Designation, dated May 7, 2025.
3. Respondent's Counsel Letter to Appellant Objecting to Initial Designation, dated August 6, 2025), and
4. Respondent's Initial Designation, filed September 18, 2025.

RECEIVED

Apr 29 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley Price, Circuit Court Judge

Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

The Appellant proposes the following be included in the record on Appeal:

1. Courts Record Of Respondent's Complaint and Appellant's Counterclaim;
2. Order dated February 14, 2024;
3. Transcript Of Motion To Compel Hearing;
4. Response Of Defendant To Alternate Dispute Resolution Rule To Show Cause;
5. Rule To Show Cause Exhibits Documents 1,2,3,4,5A,B,6,7A,B,C,8 Page 1,2,3,4,9A,B,C,D,10,11 1&2;
6. Plaintiff's Discovery Response;
7. Plaintiff's Reply To Defendant's Request For Sanctions;
8. Emergency Notice Of Motion And Motion Of Defendant To Quash Plaintiff's Motion To Compel Or In The Alternative To Stay Plaintiff's Motion To Compel Discovery To File Appropriate Objections.

I certify that this designation contains no matter which is irrelevant to this appeal.

April 29, 2025



THE PHILLIPS FIRM, LLC
ATTORNEY & COUNSELOR AT LAW

Via Email Only

Appellant Eric Ragsdale
ericragsdale60@gmail.com

RECEIVED

May 27 2025

SC Court of Appeals

7 May 2025

RE: Errors in Your Designation of Matters to be Included on Appeal

Mr. Ragsdale,

I just received your **Designation of Matters** in the mail. It contains material that was not presented to the trial court during the February 6, 2024 Motion to Compel hearing you are appealing from. The Record on Appeal cannot contain material not presented to the trial court during the relevant hearing leading to the ruling you are appealing from pursuant to Rule 210(c) of the South Carolina Rules of Appellate Practice. Specifically, you improperly seek to include material that was not present to, nor considered by, Judge Bentley Price during the February 6th hearing including Item #5 Rule to Show Cause Exhibits, Item #6 Plaintiff's Discovery Responses and Item #8 Emergency Notice of Motion and Motion of Defendant to Quash Plaintiffs Motion to Compel. I ask that you remove them from the Designation and Record.

As for Item #5, the only "exhibits" filed for the February 6th Hearing were those attached to the Plaintiff's Motion to Compel and Reply to Defendant's Request for ADR Sanctions. The exhibits you seek to include in the record seem to be from some other filing and therefore can not be a part of the record per Rule 210(c) because they were not considered by Judge Price.

As for Item #6, the February 6th hearing concerned compelling discovery responses from you, the defendant in the matter. Plaintiff's discovery responses were raised to the Court and therefore can not be included in the record of this appeal per Rule 210(c).

Lastly, as for Item #8, you did not file any response to Plaintiff's Motion to Compel. As noted in the first paragraph of Judge Price's order, you emailed a document styled an Emergency Motion to the Court on the night preceding the February 6th hearing, but it was not admitted during the hearing because it was not properly filed with the court or served on the Plaintiff. You can not add material not before the trial judge to the record on appeal pursuant to Rule 210(c).

Please remove Items 5, 6, and 8 from the Designation; otherwise, I shall seek to have the Designation stricken.

Sincerely,


Robert B. (Sam) Phillips

cc: Court of Appeals (ctappfilings@sccourts.org)

OFFICE ADDRESS

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(803) 726-4269

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MAILING ADDRESS

1025 CALHOUN STREET, BOX 3
COLUMBIA, SC 29201



THE PHILLIPS FIRM, LLC
ATTORNEY & COUNSELOR AT LAW

August 6, 2025

Eric Ragsdale
121 Shumpert Road
West Columbia, SC 29172

RE: Errors in Your Designation of Matters to be Included on Appeal

Mr. Ragsdale,

Attached please find a copy of the Respondent's Initial Brief and Proof of Service documents that were emailed to you earlier today.

Additionally, I have not heard back from you regarding my earlier correspondence concerning your **Designation of Matters**. You will recall that I pointed out to you the requirements of Rule 210(c) of the South Carolina Rules of Appellate Practice that record of the appeal "shall not ... include matter which was not presented to the lower court or tribunal." As the Appealant you are responsible for producing the "Record on Appeal [which] shall be arranged in the following order: the title page, index, orders, judgments, decrees, decisions, pleadings, transcript, charges, and exhibits and other materials or documents." Rule 210(c), SCACR. Several of the materials you designated were not filed with the Circuit Court nor considered by Judge Bentley Price at the February 6th hearing including your Item #5 Rule to Show Cause Exhibits, Item #6 Plaintiff's Discovery Responses, and Item #8 Emergency Notice of Motion and Motion of Defendant to Quash Plaintiff's Motion to Compel. I ask that you remove them from the Designation and Record.

Items that were before the Judge, and that I have asked you to include in the Record on Appeal include the following:

- Hearing Transcript.
- Plaintiff's Complaint.
- Defendant's Answer and Counter Claim.
- Plaintiff's Motion to Compel Discovery Responses.
- Plaintiff's Motion for an ADR Extension.
- The ten (10) joint exhibits filed with the Motions to Compel and for an Extension.

If you require copies of any of the aforementioned documents, let me know and I can email them to you.

Sincerely,

Robert B. (Sam) Phillips

cc: Court of Appeals (ctappfilings@sccourts.org)

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RECEIVED

Sep 18 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

**RESPONENT'S DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

Eric Ragsdale *pro se*
121 Shumpert Road
West Columbia, S.C. 29172
803.309.0539
Ericragsdale60@gmail.com
Pro Se Appellant

The Phillips Firm, LLC
by Robert B. (Sam) Phillips, Esq.
1025 Calhoun Street, #3
Columbia, SC 29201
803.726.4268
sam@phillipsfirm.net
Attorney for Respondent

Respondent proposes the following to be included in the Record on Appeal. Respondent's attorney attempted to consult with Appellant to settle disputes over the record (see attachment), but has not received any response.

1. Transcript of Hearing, February 6, 2024 (all 15 pages).
2. Plaintiff's Complaint.
3. Defendant's Answer and Counterclaims.
4. Plaintiff's Motion to Compel Discovery Responses.
5. Plaintiff's Motion for an ADR Extension.
6. The ten (10) joint exhibits filed with Motions to Compel and for an ADR Extension.

I certify that this designation contains no matter which is irrelevant to this appeal or that was not before the Court at the time of the Order appealed from.

THE PHILLIPS FIRM, LLC
Attorney & Counselor at Law

/s/Robert B. Phillips
By Robert B. (Sam) Phillips, Esq.
SC Bar # 16954
1025 Calhoun Street #3
Columbia, SC 29201
(803)726-4268
Sam@PhillipsFirm.Net

Attorney for the Respondent

August 18, 2025

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

EXHIBIT E to Respondent's Motion to Dismiss Appeal

Exhibit Includes:

1. Court of Appeal Order filed November 18, 2025.
2. Respondent's Request to Reconsider the November 18th Order filed November 19, 2025.
3. Clerk's No Action Letter denying Request for Reconsideration dated December 2, 2025.
4. Appellant's Amended Designation filed December 1, 2025.

The South Carolina Court of Appeals

Crescent Roofing & Remodeling, LLC, Respondent,

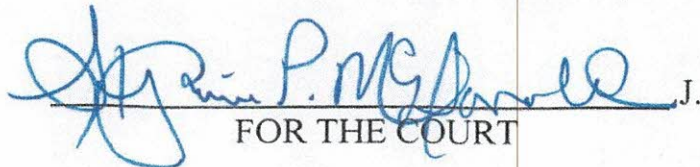
v.

Eric Ragsdale, Appellant.

Appellate Case No. 2024-000420

ORDER

On August 6, 2025, Respondent filed its initial brief. On September 8, 2025, Appellant filed a motion seeking to strike Respondent's initial brief, requesting certain matters be preserved for appellate review, requesting all matters designated in Appellant's designation of matter be included in the record on appeal, and for leave to correct any errors in Appellant's brief. Respondent filed a return, opposing Appellant's motion and seeking sanctions and to strike Appellant's April 29, 2025 designation of matter. Specifically, Respondent argues items 5, 6, and 8 are not properly before this court because they were not presented to the circuit court. Appellant did not file a reply. After careful consideration, Appellant's September 8, 2025 motion is denied. Additionally, Respondent's request for sanctions is denied; however, Respondent's request to strike matters 5, 6, and 8 from Appellant's April 29, 2025 designation of matter is granted. *See* Rule 210(c), SCACR ("The [r]ecord shall not, however, include matter which was not presented to the lower court or tribunal."). Within ten days of the date of this order, Appellant shall serve and file an amended designation of matter omitting items 5, 6, and 8.


FOR THE COURT

Columbia, South Carolina

FILED
Nov 18 2025



THE PHILLIPS FIRM, LLC
ATTORNEY & COUNSELOR AT LAW

Via Email to ctappfilings@sccourts.org

Caitlyn Singleton
Senior Appeals Specialist
South Carolina Court of Appeals

Re: Clarification of Court's Order dated November 18, 2025
Crescent Roofing & Remodeling, LLC v. Eric Ragsdale
Appellate Case No. 2024-000420

19 November 2025

RECEIVED
Nov 19 2025
SC Court of Appeals

Dear Ms. Singleton,

I received your email of November 18th with the aforementioned Order. In Respondent's Return to Appellant's Motion to Strike Respondent's Brief (attached hereto with exhibits), Respondent sought three (3) actions from the Court of Appeal:

- (1) Dismiss Appellant's appeal or,
- (2) Strike documents that were not provided to the trial court from Appellant's Designation of Matter to be Included in Record on Appeal (hereinafter "Designation"), and
- (3) Order Appellant to include certain documents filed with and considered by the trial court in the Designation per the Respondent's request pursuant to Rule 209, SCACR.

While the Court ruled on issues 1 & 2, it did not address issue (3) which will undoubtedly cause further delay in the perfection of this Appeal.

In pertinent part, the Order commands that "[w]ithin ten days of the date of this order, Appellant shall serve and file an amended designation of matter omitting items 5, 6, and 8." While this is the relief sought by Respondent's Issue #2, the Order makes no reference to Respondent's request to include documents that were properly raised to, and argued before, the trial court in Issue #3. Respondent counsel had previously attempted to have Appellant include those documents in the Designation going so far as to provide Appellant with a draft Designation. See Respondent's Return to the Appellant's Motion to Strike Respondent's Initial Brief at **Exhibit H**.

The Rules of Appellate Procedure are clear and very commonsensical. Material filed with, and considered, by the lower court may be designated by either party for inclusion in the Record on Appeal while material that was not presented to the lower court cannot be designated. An appeal would be transformed into a continuation of the dispute below if new material could be presented for the first time during the appeal.

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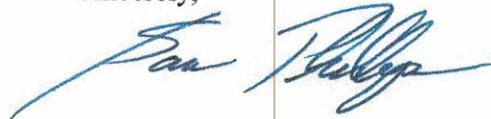
Letter to South Carolina Court of Appeals
19 November 2025
Page -2-

Similarly, the Court of Appeals could not fully and fairly adjudicate an appeal if relevant material considered by the lower court were withheld by the whim of a party. This is clearly the intent of Rules 209 and 210 of the South Carolina Appellate Court Rules. The "must clearly identify what the party desires to have included ... [AND] the Designation may only propose to include portions of the transcript, pleadings, order, exhibits and other material which may be properly included in the Record [pursuant to Rule 210(c), SCACR]." Rule 209(b), SCACR. Rule 210(c), SCACR clearly requires that the "Record shall not ... include matter which was not presented to the lower court." "A party shall not include any matter in his designation which is not relevant to the appeal." Rule 209(b), SCACR. A party's "signature constitutes a certificate that the Designation contain no matter which is irrelevant to the appeal." Rule 209(c), SCACR.

While the text of the Court's November 18th Order certainly does not allow for the exclusion of the material designated by the Respondent, it also does not specifically require the Appellant to conform to the requirements of Rules 209 and 210, SCACR. In light of the excessive delays in perfecting this appeal, I would ask that the Court clarify the requirements of the Amended Designation to include matters designated by Respondent.

I have attached Respondent's Return to the Motion to Strike along with its exhibits in support of this request. Thank you in advance for your consideration of this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sam Phillips", written over a horizontal line.

Robert B. (Sam) Phillips, Esq.

cc: Appellant Eric Ragsdale (via email)



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

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December 02, 2025

Mr. Robert Sam Phillips, Esquire
1025 Calhoun Street
#3
Columbia SC 29201

Re: Crescent Roofing & Remodeling, LLC v. Eric Ragsdale
Appellate Case No. 2024-000420

Dear Counsel:

We are in receipt of your correspondence filed on November 19, 2025. If you wish to request relief from this Court, you must do so in the form of a motion pursuant to Rule 240 of the South Carolina Appellate Court Rules. No further action will be taken on your correspondence.

Very truly yours,

Jasmine D. Smith, Deputy

CLERK

cc: Eric Ragsdale

RECEIVED

Dec 01 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley Price, Circuit Court Judge

Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

AMENDED DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

The Appellant proposes the following be included in the record on Appeal:

1. Courts Record Of Respondent's Complaint and Appellant's Counterclaim;
2. Order dated February 14, 2024;
3. Transcript Of Motion To Compel Hearing;
4. Response Of Defendant To Alternate Dispute Resolution Rule To Show Cause;
5. # 5 STICKEN PER COURT ORDER FILED NOVEMBER 18, 2025
6. # 6 STICKEN PER COURT ORDER FILED NOVEMBER 18, 2025
7. Plaintiff's Reply To Defendant's Request For Sanctions;
8. #8 STICKEN PER COURT ORDER FILED NOVEMBER 18, 2025.

I certify that this amended designation contains no matter which is irrelevant to this appeal.
December 1 2025.

Respectfully,

Eric Ragsdale, Prose
Appellant
121 Shumpert Rd
West Columbia S.C. 29172
Ericragsdale60@gmail.com
803 309-0539

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

EXHIBIT F to Respondent's Motion to Dismiss Appeal

Exhibit Includes:

Letters from the Clerk of the South Carolina Court of Appeals and Orders from the Court of Appeals repeatedly extending deadlines missed by the Appellant.



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

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March 21, 2024

Eric Ragsdale
121 Shumpert Rd.
West Columbia SC 29172

Re: Crescent Roofing & Remodeling, LLC v. Eric Ragsdale
Appellate Case No. 2024-000420

Dear Mr. Ragsdale:

Upon reviewing your notice of appeal, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and each deficiency must be corrected within ten (10) days of the date of this letter or this matter will be dismissed:

- The required filing fee has not been submitted. The correct filing fee is \$250.00.
- You must provide proof of filing a copy of your notice of appeal with the clerk of the lower court.

Very truly yours,

A handwritten signature in blue ink that reads "Catherine S. Harrison, deputy". The signature is fluid and cursive.

CLERK

cc: Robert Sam Phillips, Esquire

From: [Eric Ragsdale](#)
To: [Green, Pamela E.](#)
Cc: [Court Of Appeals Filings; Transcripts](#)
Subject: Re: Crescent Roofing v. Eric Ragsdale
Date: Thursday, April 11, 2024 12:59:55 PM

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

If you did please provide, I can't seem to find where you did in the stream of emails, or is that asking to much for the service you provide, in a court mandated process.

Or you can ask the court to assign another reporter if you prefer not to work with a pro,se litigant, whom is depending on the skill of others

Thank you

On Thu, Apr 11, 2024 at 12:47 PM Green, Pamela E. <PGreen@sccourts.org> wrote:
I gave you the estimate in the previous emails

Get [Outlook for iOS](#)

From: Eric Ragsdale <ericragsdale60@gmail.com>
Sent: Thursday, April 11, 2024 12:45:21 PM
To: Court Of Appeals Filings <ctappfilings@sccourts.org>; Green, Pamela E. <PGreen@sccourts.org>; Transcripts <transcripts@sccourts.org>
Subject: Re: Crescent Roofing v. Eric Ragsdale

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

I get that, I need an estimated full amount to send you for processing the transcript. I am on a time requirement per the rules to provide a brief for my appeal.

Such production may require requesting an extension of time that I have to be prompt according to the rules and your schedule may not meet the requirements and if not, an extension request would be required on your part that I am sure you are aware.

Please provide this estimate full amount to obtain a money order since you do not except personal checks.

Thank you
Eric Ragsdale

On Mon, Apr 8, 2024 at 2:30 PM Green, Pamela E. <PGreen@sccourts.org> wrote:
It is \$4.25 per page. Court Admin told me the hearing lasted for 40 minutes. Not 20.

There is no way to get an exact estimate. It is only an estimate and that's the best estimate I can give you.

Pamela E. Green

Circuit Court Reporter

At-Large

From: Eric Ragsdale <ericragdsdale60@gmail.com>

Sent: Monday, April 8, 2024 1:05 PM

To: Green, Pamela E. <PGreen@sccourts.org>

Subject: Re: Crescent Roofing v. Eric Ragsdale

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

I received your message but I'm not sure the amount you are charging for the hearing that was about 20 minutes in duration. Please let me know the cost and if this is an estimated cost, how can I know an exact cost based on the per page.

Thank you

Eric Ragsdale

On Sun, Mar 24, 2024 at 5:03 PM Green, Pamela E. <PGreen@sccourts.org> wrote:
Mr. Ragsdale,

I have been asked by Court Administration to prepare the above referenced transcript. I can only give you an estimate of the cost for this transcript. It looks like the hearing lasted for about 40 minutes. That would usually be about a 50 page transcript.

If you wish to receive this transcript, please send a money order or cashier's check to my address of PO Box 819 Reidville SC 29375 and I will prepare this for you when I receive the payment. Thank you.

Pamela E. Green

Circuit Court Reporter

At-Large

~~~ CONFIDENTIALITY NOTICE ~~~ This message is intended only for the addressee and may contain information that is confidential. If you are not the intended recipient, do not read, copy, retain, or disseminate this message or any attachment. If you have received this message in error, please contact the sender immediately and delete all copies of the message and any attachments.



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

CATHERINE S. HARRISON  
CHIEF DEPUTY CLERK

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June 10, 2024

Eric Ragsdale  
121 Shumpert Rd.  
West Columbia SC 29172

Re: Crescent Roofing & Remodeling, LLC v. Eric Ragsdale  
Appellate Case No. 2024-000420

Dear Mr. Ragsdale:

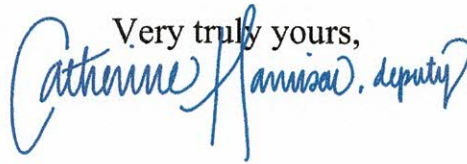
Our records indicate that the transcript in the above matter should have been delivered. As of today's date, we have not received any information indicating that the court reporter has been granted an extension. Further, you have not notified us that you have failed to receive the transcript, nor have we received your initial brief.

If you have not yet received the transcript, Rule 207 of the South Carolina Appellate Court Rules requires you to contact the Office of Court Administration. The address for Court Administration is as follows:

South Carolina Office of Court Administration  
1220 Senate Street, Suite 200  
Columbia, SC 29201  
[transcripts@sccourts.org](mailto:transcripts@sccourts.org)

Be sure to copy the Court and opposing counsel with all correspondence concerning the transcript.

Please advise the Court of the status of the transcript within ten (10) days of the date of this letter, or your appeal will be dismissed.

Very truly yours,  
Catherine Hamissou, deputy

CLERK

cc: Robert Sam Phillips, Esquire



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

CATHERINE S. HARRISON  
CHIEF DEPUTY CLERK

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[www.sccourts.org](http://www.sccourts.org)

July 10, 2024

Eric Ragsdale  
121 Shumpert Rd.  
West Columbia SC 29172

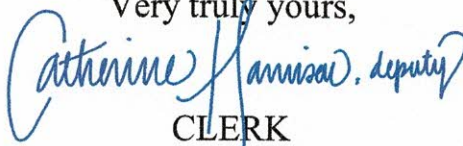
Re: Crescent Roofing & Remodeling, LLC v. Eric Ragsdale  
Appellate Case No. 2024-000420

Dear Mr. Ragsdale:

Upon reviewing your motion for an extension of time, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and each deficiency must be corrected within ten (10) days of the date of this letter or your filing will not be considered:

- The accompanying proof of service is not in compliance with the SCACR. Pursuant to Rule 262(c)(3), SCACR, and *Re: Methods of Electronic Filing & Service Under Rule 262 of the South Carolina Appellate Court Rules*, S.C. Sup. Ct. Order dated May 6, 2022, only lawyers admitted to practice in South Carolina may serve other lawyers using the lawyer's primary email address in AIS. You must provide a proof of service stating that a copy of your motion has been mailed to opposing counsel.
- The required filing fee has not been submitted. The correct filing fee is \$50.00.

Very truly yours,

  
CLERK

cc: Robert Sam Phillips, Esquire





## 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](http://www.sccourts.org)

September 24, 2024

Eric Ragsdale  
121 Shumpert Rd.  
West Columbia SC 29172

Re: Crescent Roofing & Remodeling, LLC v. Eric Ragsdale  
Appellate Case No. 2024-000420

Dear Mr. Ragsdale:

Upon reviewing your motion for an extension of time, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and each deficiency must be corrected within ten (10) days of the date of this letter or your filing will not be considered. This is the Court's second request for this deficiency correction:

- The accompanying proof of service is not in compliance with the SCACR. Pursuant to Rule 262(c)(3), SCACR, and *Re: Methods of Electronic Filing & Service Under Rule 262 of the South Carolina Appellate Court Rules*, S.C. Sup. Ct. Order dated May 6, 2022, only lawyers admitted to practice in South Carolina may serve other lawyers using the lawyer's primary email address in AIS. You must provide a proof of service stating that a copy of your motion has been mailed to opposing counsel.

Very truly yours,

A handwritten signature in blue ink that reads "Catherine Harrison, deputy".

CLERK

cc: Robert Sam Phillips, Esquire



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

CATHERINE S. HARRISON  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629  
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COLUMBIA, SOUTH CAROLINA 29201  
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FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

November 25, 2024

Eric Ragsdale  
121 Shumpert Rd.  
West Columbia SC 29172

Re: Crescent Roofing & Remodeling, LLC v. Eric Ragsdale  
Appellate Case No. 2024-000420

Dear Mr. Ragsdale:

As of the date of this letter, this Court has not received a corrected proof of service for your motion for an extension of time. Therefore, no action will be taken on your motion. You must serve and file your appellant's initial brief and designation of matter within ten (10) days of the date of this letter or this appeal will be dismissed.

Very truly yours,

A handwritten signature in blue ink that reads "Catherine S. Harrison, deputy". The signature is written in a cursive style.

CLERK

cc: Robert Sam Phillips, Esquire

# The South Carolina Court of Appeals

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

Appellate Case No. 2024-000420

The Honorable Bentley Price  
Lexington County  
Trial Court Case No. 2022CP3203934

---

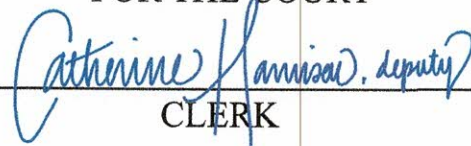
## ORDER

---

The time for serving and filing the appellant's initial brief and designation of matter is hereby extended until January 24, 2025.

FOR THE COURT

BY

  
CLERK

Columbia, South Carolina

cc:

Eric Ragsdale

Robert Sam Phillips, Esquire

**FILED**  
**Jan 14 2025**

---

# The South Carolina Court of Appeals

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

Appellate Case No. 2024-000420

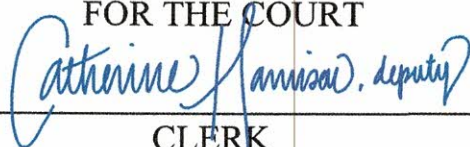
The Honorable Bentley Price  
Lexington County  
Trial Court Case No. 2022CP3203934

---

## ORDER

---

The appellant filed a motion for an extension of time to serve and file the appellant's initial brief and designation of matter and to waive the filing fee for this motion. The motion is Granted. The time for serving and filing the appellant's initial brief and designation of matter will expire on April 7, 2025. No further extensions will be granted absent extraordinary circumstances.

FOR THE COURT  
BY  CLERK

Columbia, South Carolina

cc:  
Eric Ragsdale  
Robert Sam Phillips, Esquire

**FILED**  
**Mar 06 2025**



**RECEIVED**

**Feb 27 2026**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, ..... Respondent,

v.

Eric Ragsdale, ..... Appellant.

**PROOF OF SERVICE**

**Documents Hereby Served of the Appellant:**

- 1) RESPONDENT'S MOTION TO DISMISS APPEAL**
- 2) EXHIBITS A – F.**
- 3) CERTIFICATE OF SERVICE.**
- 4) RECEIPT FOR MOTION FEE.**

On behalf of **Respondent Crescent Roofing & Remodeling LLC**, Respondent in the above-captioned matter, I hereby certify that I have served a copy of the aforementioned documents upon **Appellant Eric Ragsdale** by emailing them to him and also by mailing copies of them via USPS, all postage paid, to 121 Shumpert Road, West Columbia, SC 29172 on this **27<sup>TH</sup> day of February, 2026.**

Columbia, South Carolina

/s/ Robert B. Phillips  
Robert B. (Sam) Phillips, Esq.



RECEIVED

Feb 27 2026

SC Court of Appeals

## The South Carolina Court of Appeals

Robert Sam Phillips  
1025 Calhoun Street  
#3  
Columbia SC 29201

02/27/2026

### RECEIPT #107371

|                                |                                                     |
|--------------------------------|-----------------------------------------------------|
| <b>Case No:</b>                | 2024-000420                                         |
| <b>Case Short Title:</b>       | Crescent Roofing & Remodeling, LLC v. Eric Ragsdale |
| <b>Event:</b>                  |                                                     |
| <b>Fee Type:</b>               | Motion Fee Filed After 10-15-18                     |
| <b>Amount:</b>                 | \$50.00                                             |
| <b>Payment Type:</b>           | Check                                               |
| <b>Reference No:</b>           | 5740                                                |
| <b>Check/Money Order Date:</b> | 02/27/2026                                          |
| <b>Comments:</b>               | Motion to Dismiss (e-filed 2/27/2026)               |

# The South Carolina Court of Appeals

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

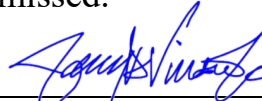
Appellate Case No. 2024-000420

---

## ORDER

---

After careful consideration, Respondent's motion to dismiss is respectfully denied. Appellant must provide proof of service for the record on appeal within 20 days of the date of this order or the appeal will be dismissed.



---

FOR THE COURT

Columbia, South Carolina

cc:  
Eric Ragsdale  
Robert Sam Phillips, Esquire

**FILED**  
**Jun 09 2026**

---

Exhibit 9

August 23, 2026

**RECEIVED**

**Aug 24 2026**

**SC Court of Appeals**

The Honorable Mary-Caitlyn Singleton  
Chief Deputy Clerk, South Carolina Court of Appeals  
1220 Senate Street,  
Columbia, South Carolina 29201  
[ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)  
(By Us Mail)

RE: Crescent Roofing & Remodeling, LLC v. Eric Ragsdale Appellate Case  
No. 2024-000420

Dear Ms Singleton:

Please find attached proof of service of the record on appeal as instructed by the court order dated August 11, 2026 within the 10 days allowed.

Enclosed for the filing per the order request:

- (1) Letter from court dated August 18, 2025, instructing Appellant to provide record on appeal in Hardbound copy of brief and transcript in the above case,
- (2) Letter dated September 22, 2025, from Appellate of acknowledging the submission of documents,
- (3) Witnessed Proof of service dated September 22, 2025, of providing the same of requested record on appeal per letter dated August 18, 2025.

Sincerely,



Eric Ragsdale  
121 Shumpert Rd  
West Columbia S.C., 29172  
803 309-0539  
[ericragsdale60@gmail.com](mailto:ericragsdale60@gmail.com)  
Pro'se Appellant

cc: By US Mail  
Robert B. (Sam) Phillips  
The Phillips Firm, LLC  
1025 Calhoun Street, Box 3  
Columbia, South Carolina 29201  
(803) 726-4269  
Attorney for Respondent

**Exhibit 10**



September 22, 2025

**RECEIVED**

**Aug 24 2026**

**SC Court of Appeals**

The Honorable Catherine S Harrison  
Chief Deputy Clerk, South Carolina Court of Appeals  
1220 Senate Street,  
Columbia, South Carolina 29201  
[ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)  
(By Us Mail)

RE: Crescent Roofing & Remodeling, LLC v. Eric Ragsdale Appellate Case  
No. 2024-000420

Dear Ms Harrison:

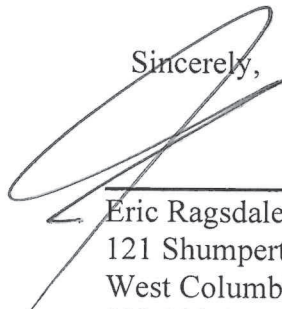
Based on my understanding, I believe the documents you requested is as the following.

Please instruct if any further documents filed may be required in hardbound form.

Enclosed for the filing per your request:

- (1) Hardbound copy of Initial Brief filed April 8, 2025, served on the opposing counsel in the above case
- (2) Transcript of Record
- (3) Proof of service on the respondent

Sincerely,



Eric Ragsdale  
121 Shumpert Rd  
West Columbia S.C., 29172  
803 309-0539  
[ericragsdale60@gmail.com](mailto:ericragsdale60@gmail.com)  
Pro'se Appellant

cc: By US Mail April 8, 2025  
Robert B. (Sam) Phillips  
The Phillips Firm, LLC  
1025 Calhoun Street, Box 3  
Columbia, South Carolina 29201  
(803) 726-4269  
Attorney for Respondent



COPY

## 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](http://www.sccourts.org)

August 18, 2025

Eric Ragsdale  
121 Shumpert Rd.  
West Columbia SC 29172

Re: Crescent Roofing & Remodeling, LLC v. Eric Ragsdale  
Appellate Case No. 2024-000420

Dear Mr. Ragsdale:

The Court has determined a need exists for one (1) bound copy of the record on appeal and all final briefs. The additional copies must comply with the binding and cover color requirements specified by Rule 267 of the South Carolina Appellate Court Rules (SCACR).

Accordingly, the appellant(s) must file an original record on appeal and final brief(s), in either electronic or unbound paper form, as well as one (1) bound paper copy of each. All other parties must file an original final brief and one (1) bound paper copy. **The bound copies are due to be served and filed at the same time as the original record on appeal and final briefs.**

The correct caption for this appeal should read as follows on the record on appeal and all final briefs:

**Crescent Roofing & Remodeling, LLC, Respondent,**

**v.**

**Eric Ragsdale, Appellant.**

COPY

We request large parcels such as bound paper copies of the record on appeal and all final briefs be sent directly to the Court via the street address: **1220 Senate Street, Columbia, SC 29201.**

Very truly yours,

*Catherine J. Annunzio, deputy*  
CLERK

cc: Robert Sam Phillips, Esquire

**RECEIVED**

**Aug 24 2026**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

Bentley Price, Circuit Court Judge

Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

PROOF OF SERVICE

I certify that on September 22, 2025, I have provided to the court as instructed to 1220 Senate St., Columbia, S.C., 29201, by U.S. Mail, postage prepaid, as a Response to the Court letter dated August 18, 2025, including bound copy with transcript of record as requested with previous copies of same to Robert Sam Phillips, 1025 Calhoun St. Box 3, Columbia S.C. 29201, attorney of record in the above-captioned matter.

Witness

Date

Witness

Date

Eric Ragsdale, Appellant Pro'se  
121 Shumpert Rd  
West Columbia, S.C. 29172  
803 309-0539  
Ericragsdale60@gmail.com





**THE PHILLIPS FIRM, LLC**  
ATTORNEY & COUNSELOR AT LAW

26 August 2026

**Sent via Email to: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)**  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

**Re: Declaration of Counsel in**  
**Crescent Roofing & Remodeling, LLC v. Eric Ragsdale**  
**No. 2024-000420**

To Whom it May Concern:

I am counsel for Respondent Crescent Roofing & Remodeling, LLC in the aforementioned matter. In order for the Court to have an accurate record regarding Appellant Eric Ragsdale's recent filing of a document that purports to be a "Witnessed Proof of service dated September 22, 2025, of providing the same of requested record on appeal per letter dated August 18, 2025," I want to personally advise the Court that I have neither been served with, nor have I seen or been made aware of, the Appellant producing a Record on Appeal as required by Rule 210, SCACR in this matter. Despite numerous claims to the contrary, I do not believe Appellant has produced the Record or a Final Brief as required by Rule 211, SCACR despite being advised on multiple occasions regarding those requirements including, but not limited to, this Court's Order dated August 18, 2025 of more than one (1) year ago requiring Appellant to file paper copies of each.

This declaration is made based on my personal knowledge and inquiry into relevant resources to ascertain if said Record on Appeal and Appellant's Final Brief has been produced and filed.

Sincerely,

Robert B. (Sam) Phillips, Esq.

**RECEIVED**

**Aug 26 2026**

**SC Court of Appeals**

**Exhibit 11**

OFFICE ADDRESS

2001 ASSEMBLY STREET, STE 101  
COLUMBIA, SC 29201

(803) 726-4269

[WWW.PHILLIPSFIRM.NET](http://WWW.PHILLIPSFIRM.NET)

MAILING ADDRESS

1025 CALHOUN STREET, BOX 3  
COLUMBIA, SC 29201



# 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](http://www.sccourts.org)

September 22, 2026

Eric Ragsdale  
121 Shumpert Rd.  
West Columbia SC 29172

Mr. Robert Sam Phillips, Esquire  
1025 Calhoun Street  
#3  
Columbia SC 29201

Re: Crescent Roofing & Remodeling, LLC v. Eric Ragsdale  
Appellate Case No. 2024-000420

Dear Counsel and Mr. Ragsdale:

Our records reflect that the time for serving and filing the final briefs has expired. If Appellant does not file his final brief within ten (10) days of the date of this letter, the appeal will be dismissed. Additionally, if Respondent does not file its final brief within ten (10) days of the date of this letter, the Court will not consider Respondent's brief. To the extent Respondent contends Appellant has not properly served the Record on Appeal in order for Respondent to complete its final brief, Respondent must file a motion pursuant to Rule 240, SCACR.

Exhibit 12

Very truly yours,

Handwritten signature of Jasmine D. Smith in cursive script, followed by the word "Deputy" in a smaller, less legible script.

CLERK

RECEIVED

Sep 08 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

Bentley Price, Circuit Court Judge

Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, Respondent,

v.

Eric Ragsdale, Appellant.

MOTION TO STRIKE INTIAL BRIEF OF  
RESPONDENT FOR FAILURE TO FILE PER RULE  
262 AND OR SERVE APELLATE PER RULE 240,  
STRIKING SCANDALOUS AND OFFENSIVE  
PEADINGS, IN SAME MOVE UPON THE COURT  
TO REQUEST MATTERS CONCERNING  
MEDIATION AND SANCANTIONS RAISED BY  
APPELLATE IN LOWER COURT BE PRESERVED  
AND REQUEST PERMISSION TO CORRECT  
BRIEF DEFIECIES DEEMED BY THE COURT

Eric Ragsdale  
121 Shumpert Road  
West Columbia, S.C. 29172  
DD803.309.0539  
Ericragsdale60@gmail.com  
Prose Appellant

The Phillips Firm, LLC  
Robert B. (Sam) Phillips, Esq.  
1025 Calhoun Street, #3  
Columbia, SC 29201  
803.726.4268  
sam@phillipsfirm.net  
Attorney for Respondent

Exhibit 13



Appellant Eric Ragsdale prayerfully and hereby moves by permission to this Honorable Court for an Order Striking Respondent's "Crescent Roofing & Remodeling, LLC, Initial Brief," filed by Respondent on August 6<sup>th</sup>, 2025. The basis for this Motion to Strike the Initial Brief is there is no authority in S.C. Code Ann. § 18-7-140, the South Carolina Appellate Court Rules, or the South Carolina Rules of Civil Procedure, for a Respondent to not file Initial Briefs within the required time pursuant to Rule 208 (a)(2) of the South Carolina Appellate Court Rules (SCACR), without the courts permission by motion or stay time limits or move contrary of requirement of filing pursuant Rule 208.

Further, the Respondent's Brief are contested assertions verbatim of Respondent's prepared written order Hr'g Tr. P. 13-14 In.s 25&1, increasing bias inequality positioning a redundant, immaterial, impertinent and advantageous position of contested facts and claimed arguments of prejudicial facts not in evidence.

A complaint is a pleading and not evidence and the contested facts asserted in the written Order and Brief of Respondent is bias abuse of discretion with the asserted inflated exaggerated references from the hearing transcripts of the Respondent's summary of argument in the Motion to Compel hearing.

Respondent's Brief does not conform to the requirements of Rule 208(b)(1)(c), SCACR, because the Statement of the Case is almost exclusively a statement of facts, many of which are contested by Appellant. Rule 208(b)(1)(C) SCACR. Respondents' Statement of the Case reads more like a statement of the facts. A Statement of the Case should provide the Appellate Court with the procedural context for the matter of fact.

Instead, Respondent's statement of the case reads more like an argumentative recitation of facts. Appellate contest many of the facts contained in the statement of the case, particularly regarding punitive damages, the allegations in complaint and counter complaint surrounding the mediation, sanctions, contract performance, damage of property upon work performance and the statements and actions of Respondents thereafter. Respondent's violation of this standard of briefing is prejudicial to Appellant and is grounds for striking Respondent's brief in its entirety. Opinions based on facts not in evidence must be disregarded *Summer v. Pruitt*, 281 S.C. 63, 314 S.E.2d 150 (Ct.App. 1984) and clear abuse and prejudicial Hr'g Tr. P. 13, ln.s 15-17.

The Respondent's Brief is an extension of the complaints, of matters and or claims that have not been presented to a mediator, Jury, or Judge and the facts are premature before this court, in the matter of Appellant's challenge of Abuse of Discretion. Abuse is manifest of denying adjudication of meritorious claims and dismissed for discovery challenges.

The South Carolina Rules of Civil Procedure, by definition, are intended to govern the procedure followed by all South Carolina courts in all civil actions, whether legal or equitable. Discretion not to consider Appellate's position in the scope and conduct of discovery, ordering discovery Rule 37(a)((2)SCACR verses striking Appellant's counterclaims and answers. Respondent argues the theory of contract challenges and awards that are inappropriate before the court and prejudicial as to the "Abuse of Discretion" challenge, while citing inapplicable case law in the context application.

The Appellate would admit the framework of the pleadings are unsupported by intensive arguable articulated record references but the record reflects and support the issues presented for review providing contested reference of limited legal understanding. Recently, South Carolina Supreme Court, Chief Justice Beatty, South Carolina Access to Justice Commission, with panel,

recognized the gap in South Carolina of “Access to Justice”. In civil cases, high discovery costs and legal fees render legal assistance beyond the financial reach of ninety percent of the nation<sup>1</sup>.

South Carolina that should be leader, lacks significant safeguards for their citizens unlike other states and circuits. While most pros applications of law are prose prisoners, although the same rights apply to the citizen who seek redress for claims that would be lesser in value that that of hiring attorney, that without court procedural protections, impedes justice and constitutional rights. Prose litigants as well as those represented by counsel, are entitled to meaningful access to the courts. See *Bounds v. Smith*, 430 U.S. 817, 828 (1977); *Wolff v. McDonnell*, 418 U.S. 539, 579 (1974); *Ross v. Moffitt*, 417 U.S. 600, 612-15 (1974); *Johnson v. Avery*, 393 U.S. 483, 485 (1969); Pro se pleadings generally are held to less stringent standards than those applied to members of the Bar. See *Hughes v. Rowe*, 449 U.S. 5, 9-10 (1980) (per curiam); *Haines v. Kerner*, 404 U.S. 519, 520-21 (1972) (per curiam), Although a pro se litigant should not obtain any advantages in a lawsuit from his self-representation, he should not incur any disabilities from his lack of legal training that easily could be averted by judicial solicitude for his claim. *Gordon v. Leeke*, 574 F.2d 1147, 1152-53 (4th Cir.)

In this light, Appellate implores this court review of the bias discretionary action beyond a mild disagreement based on error and or factual conclusions without evidentiary support, manifested to prejudice of the right of Appellant. Hr’g Tr. P. 12-13 ln.s 25, 1-25. Procedural steps of discovery were performed and request responses challenged that were provided, Respondent was in the right to move to compel but the scope and conduct of discovery was an abuse of discretion, and dismissal of meritorious claims dismissed without reasonable factual support demonstrated bias to the Appellant as a prose litigant. Hr’g Tr. P13, ln.s 7-14. *Hughes v. Rowe*, 449 U.S. 5, 9-10 (1980) (per curiam).

---

<sup>1</sup> A. Strick, *Injustice for All* 103 (1977); see also Flannery & Robbins, *supra* note 38, at 773.



A reasonable attorney without experience in the same circumstances would believe his claim or defense was not frivolous, interposed for delay, or brought for any purpose other than securing properly to discovery, joinder of parties, or adjudication of the claim or defense upon which the proceedings are based<sup>2</sup>.

**Respondent's Initial Brief Was Not Timely Served Pursuant to Rule 262(a)(2)**

The Respondent did not meet these obligations or comply with the time for serving and filing Initial Briefs (Rule 208 (a)(2)), on or before May 8, 2025, thirty (30) day requirement.

Instead, May 28, 2025, Respondent claimed<sup>3</sup> of not receiving documents until May 27, 2025, upon receipt were damp causing delay of responding, that a process had to be performed by the postal service before delivery, contrary to Rule 263(a)(b). Insomuch, Respondent with knowledge was served with official stamped copy by the Court on the same **filing notice** as the Appellate on April 7 and 8, 2025. attached hereto **Exhibit A**.

In addition, the copy of the same filings Respondent alleged being delayed by the U.S. Mail, was provided to Respondent's Attorney from the Court from Appellate's filing notice to meet the computation time requirements and or the notice for proper response. Respondent did not notify the Court from Appellate's initial brief filing within the required time or provide the declaration from the United States Post Office notice of the special process for consideration.

With light most favorable to these extraordinary claims of filing reasoning or any regard to the measure of excuse presented, the Appellate was notified by letter April 23, 2025, from the Honorable Catherine Harrison, Chief Deputy Clerk, of the requirement of providing a Designation of Matter with the Initial Brief. The Respondent's Attorney was provided a copy of same. Notice is attached hereto as **Exhibit B**.

---

<sup>2</sup> South Carolina Frivolous Civil Proceedings Sanctions Act Section 15-36-10(A)(d)

<sup>3</sup> Respondent's Motion to Dismiss Appeal Letter Inquiry Exhibit C, Page 5 2<sup>nd</sup> paragraph



Respondent demonstrated a practice of contacting the Appellate at any time, yet in this instance made no attempt to communicate accordingly. It was not until the strategic attempt to have Appellate's appeal dismissed was the Court notified and then in the pleadings only provided a picture of the outside of Appellate's mailed envelope of Respondent's **Exhibit C**, indicating receipt of hardbound copy of the Appellate's "Initial Brief" postmarked April 8, 2025.

Secondly, in Respondent's attempt to counter the filing deadline misstated dates and convoluted facts of Appellate's process according to the Rules that were within the permissions of time allowance and within the confines of the Rules and granted by the Court.

Respondent's Motion to Dismiss Appeal with Sanctions was denied by this Honorable Court without elaboration.

Throughout the pleadings for whatever reasons surprising to my conscience of that of an officer of the court' would attest to or attempt to mislead the court by claims not factual and can be and is disputed in the Court filings.

The Respondent further inflates bias in their pleadings surmising egotistical verbiage to the Court in letters in attempt to induce a negative outlook upon the Appellate in this procedural complexity<sup>4</sup>.

The Respondent filed unilaterally a Motion to Dismiss Appeal prematurely and or outside of the character of the rules or allowable process or permission by Motion from the Court. The Appellant served the Respondent contrary to the representations asserted in their Dismissal Motions by court filings and copied the to the Respondent's Attorney by the Honorable Court.

---

<sup>4</sup> Letter of Respondent Jun 19, 2025, I am preparing to travel out-of-state for 2 weeks to attend... "If, as has been his habit, Appellant files a response out of time or posits an excuse for being tardy, please accept this response to same".

## **Respondent's Initial Brief Delay Was Not Properly Served Pursuant to Rule 240 To Stay The Time Limit Of Filing Initial Brief**

If such actions by the Respondent is applicable in the scope of the rules or case law Appellate is unaware, then additionally, the Appellate was not properly served<sup>5</sup> with Motion to Dismiss or with the Respondent's Follow-up letter to the Court of the Respondent's Motion to Dismiss undated but filed Jun 19, 2025.

Service upon the Appellate, a non-lawyer without a certificate or affidavit of service (Rule 240(c)(1), SCACR) is first a violation of the Rule and then its not allowable by Order of the South Carolina Supreme Court. The Appellate discovered Respondent's filings from the receipt of Order filed July 24<sup>th</sup>, 2025, received by U.S. Mail, postage prepaid, from this Court. At that time, it was discovered the same submitted by email of which is not closely monitored and not used in any practice of correspondence in a routine of practice.

Further, in support of Respondent's failure to properly serve the Appellate, the Honorable Catherine Harrison, Clerk of Court, July 10, 2024, upon reviewing Appellant's Motions for extension of Time, instructed Appellate proper service to Respondent by U.S. mail in accordance with the Supreme Court order dated May 6, 2022, Attached hereto as **Exhibit D** "*only lawyers admitted in practice can serve other lawyers by email in the AIS system*". Attached hereto as **Exhibit E** Respondent's Exhibit B in their Motion To Dismiss displaying the improper service by email demonstrates violation of this Rule and Order and improper service with knowledge.

The Appellant without aid of counsel due monetary factors of retaining legal guidance or ability to avail such opportunity is forced fight for redress prose in this civil matter in a consumer dispute of claims of merit. Appellate not skilled in the law or the complexity of the process has

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<sup>5</sup> Methods of electronic filing and service pursuant Rule 262(c)(3) SCACR, S.C. Sup. Ct. Order dated May 6, 2022, lawyers serving other lawyers only in the AIS by email

encountered numerous process challenges but corrected after receiving gracious directives from the Honorable Clerk. Appellate filed Initial Brief following an extension from permission from the Court April 8<sup>th</sup>, 2025. Appellant at the direction of the Court cured a deficiency of the required Designation of Matter to be Included on Appeal, filing April 29, 2025.

The Appellant notified the court's case manager on January 24, 2025, concerning a delay receiving the Court's Order late afternoon by U.S. mail January 23, 2025, with a filing date requirement of the initial brief due January 24, 2025.

The Appellant had previously submitted service notice correction of non-attorney electronic filing requirements on December 24, 2024, by the direction of the court concerning previous motion for extension of time.

The Clerk's order was dated July 10, 2024, couple weeks before due date of the 25<sup>th</sup> of January. Other than this order by the court, the Appellant had not received an order of the previous motion for extension of time. The Appellate received the extension of time and the waiver of second filing fee.

The basis for this Motion is the Respondent's Attorney, an officer of the Court, with vast experience as he alluded to in his affidavit for sanctions for attorney fees against the Appellant, unilaterally filed a Motion to Dismiss May 28<sup>th</sup>, 2025, instead of required Initial Brief. to distract from the requirement of the time to file the required Initial Brief.

Respondent filed in form of letters alluding to allegations of bolstering innuendos immaterial unsubstantiated inflated slanderous claims with offensive bullying of threats of sanctions while leading a diversion to the Court of the Motion to Compel challenge. Submitting numerous letters stipulating to the Appellant, errors that need to be corrected and or matter not included or ruled on by the lower tribunal.



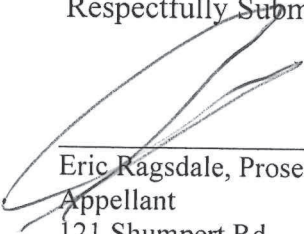
Appellant would submit and prayerfully request all documents presented in the Designation of Matters to be included on Appeal April 29, 2025, refutes the concerning spurious claims by Respondent and was submitted to the lower court October 23, 2023, responded to by the Respondent November 1<sup>st</sup>, 2023, and again, submitted to the Honorable Judge Price by email the night before the Motion to Compel hearing in the form of a Motion labeled as *Emergency Notice of Motion and Motion to Quash Plaintiff's Motion to Compel or in the Alternative to Stay Plaintiff's Motion to Compel Discovery to File Appropriate Objections*. (Attached hereto as **Exhibit F** (Email To The Court)). At its core, the appeal asks whether the trial court abused its discretion in foreclosure of the merits of the case not construing liberally the Appellate's pleadings, denying justice for procedural ignorance.

#### CONCLUSION

For the reasons set forth above, Appellate respectfully request that:

- (1) the Respondent's, Initial Brief be stricken,
- (2) Appellate's mediation sanction raised in lower court not adjudicated be preserved,
- (3) all documents in Designation of Matters be included in appeal objected to by Respondent,
- (4) any deficiency in Appellant's brief not adhering to the court's requirement be allowed to be cured or the Honorable Court review liberally to preserve the merits of the Appeal and safeguard the rights of the Appellant.

Respectfully Submitted,



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Eric Ragsdale, Prose

Appellant

121 Shumpert Rd

West Columbia S.C. 29172

[Ericragsdale60@gmail.com](mailto:Ericragsdale60@gmail.com)

803 309-0539

September 8<sup>th</sup>, 2025



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Sep 28 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

Bentley D. Price, Circuit Court Judge

Appellate Case No. 2024-000420

Crescent Roofing & Remodeling, LLC, ..... Respondent,

v.

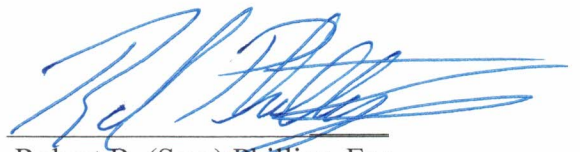
Eric Ragsdale, ..... Appellant.

**CERTIFICATE OF SERVICE**

**Documents Hereby Served of the Appellant:**

- 1) **RESPONDENT'S MOTION TO DISMISS THIS APPEAL**
- 2) **13 EXHIBITS TO THE MOTION TO DISMISS**
- 3) **PROOF OF SERVICE.**

On behalf of **Respondent Crescent Roofing & Remodeling LLC**, Respondent in the above-captioned matter, I hereby certify that I have served a copy of the aforementioned documents upon **Appellant Eric Ragsdale** by emailing him the aforementioned documents to email address [ericragsdale60@gmail.com](mailto:ericragsdale60@gmail.com) and depositing copies of same into the United States Postal Service in an envelope address to Eric Ragsdale, 121 Shumpert Road, West Columbia, SC 29172 with sufficient postage attached on this **28<sup>TH</sup> day of September, 2026.**

  
Robert B. (Sam) Phillips, Esq.

Columbia, South Carolina