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SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS
APPEAL FROM PICKENS COUNTY**

Court of Common Pleas

Daniel E. Hunt, Special Referee

Appellate Case No. 2025-002085

Lower Court Case No. 2020-CP-39-00480

Neal E. Pfeiffer and Paulette H. Pfeiffer, Plaintiffs,

v.

**Don Culff Homes, Inc., Donald Cluff a/k/a Don Culff, Christopher Pettross, Maria Pettross a/k/a
Maria Ferguson a/k/a Maria E. Ferguson, The M Ferguson Group LLC, 103 Woodland Circle
Partners, A South Carolina General Partnership, World Business Lenders, LLC, Dina Claire
Culff, and WBL SPO II, LLC, Defendants,**

**of which Christopher Pettross and Maria Ferguson are the Appellants, and World Business
Lenders, LLC, Neal Pfeiffer, Paulette Pfeiffer, and WBL SPO II, LLC are the Respondents.**

APPELLANTS' INITIAL BRIEF

Christopher Pettross and Maria Ferguson, Appellants, Pro Se

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TABLE OF CONTENTS AND AUTHORITIES

ISSUES PRESENTED	3
STATEMENT OF THE CASE	3
STANDARD OF REVIEW	3
ARGUMENT	3
I. WBL's express conflict representation and vacatur	3
II. Rule 60(b)(4) due-process issues	4
III. Scope of relief and remand	4
CONCLUSION	5
CERTIFICATE OF SERVICE	6

Belle Hall Plantation Homeowner's Ass'n, Inc. v. Murray, 419 S.C. 605, 799 S.E.2d 310 (Ct. App. 2017)

Universal Benefits, Inc. v. McKinney, 349 S.C. 179, 561 S.E.2d 659 (Ct. App. 2002)

In re Amendments to Canon 3, Code of Judicial Conduct, Rule 501, SCACR, Appellate Case No. 2026-001047 (S.C. Sup. Ct. Order June 4, 2026)

Rule 60(b), SCRCP; Rule 220(a), SCACR; Rule 501, SCACR, Canon 3(E) and 3(F)

ISSUES PRESENTED

1. Whether Hunt's February 25 and September 15, 2025 orders should be vacated where WBL represented that Hunt had a conflict and requested vacatur of both orders.
2. Whether preserved notice, service, representation-status, and opportunity-to-be-heard issues warrant Rule 60(b)(4) relief if the designated record establishes a denial of due process.
3. If remand is required, what scope should govern after vacatur of Hunt's orders.

STATEMENT OF THE CASE

This foreclosure action concerns 103 Woodland Circle. Hunt entered a Judgment of Foreclosure and Sale on February 25, 2025, and denied Appellants' stay and Rule 60(b) motion on September 15, 2025. Appellants served their Notice of Appeal on October 10, 2025.

Appellants raised Hunt's prior attorney-client relationship with Maria Ferguson as a disqualification issue. WBL later represented in its signed Joint Motion that Hunt "did have a conflict of interest" and requested vacatur of both Hunt orders. (Joint Motion at 2.)

On August 28, 2026, this Court denied Respondents' motion to dismiss without prejudice to arguments in their brief and directed Appellants to file their Initial Brief and Designation within thirty days.

STANDARD OF REVIEW

A Rule 60(b) ruling is generally reviewed for abuse of discretion. *Belle Hall Plantation Homeowner's Ass'n, Inc. v. Murray*, 419 S.C. 605, 617, 799 S.E.2d 310, 316 (Ct. App. 2017). Rule 60(b)(4) addresses judgments void for lack of due process or jurisdiction. *Universal Benefits, Inc. v. McKinney*, 349 S.C. 179, 183-84, 561 S.E.2d 659, 661-62 (Ct. App. 2002); *Belle Hall*, 419 S.C. at 617-18, 799 S.E.2d at 316.

ARGUMENT

I. WBL HAS EXPRESSLY REPRESENTED THAT HUNT HAD A CONFLICT AND HAS REQUESTED VACATUR OF BOTH HUNT ORDERS.

WBL's signed Joint Motion states Hunt "did have a conflict of interest" and asks this Court to vacate his February 25 Judgment and September 15 Rule 60(b) order. (Joint Motion at 2.) Thus, the dispute concerns the effect and scope of vacatur, not whether Hunt's challenged orders should remain intact.

Canon 3(E)(1), Rule 501, SCACR, requires disqualification when a judge's impartiality might reasonably be questioned; Canon 3(F) governs remittal and requires the agreement to be incorporated into the record. The Supreme Court's June 4, 2026 amendments emphasize compliance with those procedures. In re Amendments to Canon 3, App. Case No. 2026-001047.

Appellants therefore request vacatur of Hunt's February 25 and September 15, 2025 orders, the relief WBL itself requested.

II. THE COURT SHOULD ADDRESS THE PRESERVED RULE 60(b)(4) DUE-PROCESS ISSUES TO THE EXTENT NECESSARY TO DEFINE THE EFFECT OF VACATUR.

Rule 60(b)(4) is limited to fundamental jurisdictional or due-process defects. Universal Benefits; Belle Hall. The preserved questions are whether the designated record establishes legally sufficient notice, service, representation, and opportunity to be heard.

Appellants raised attorney-of-record, notice, service, and opportunity-to-be-heard issues. The October 18, 2024 Notice of Electronic Filing identifies Appellants and related parties as requiring traditional service; the designated service, withdrawal/substitution, hearing-notice, and transcript materials should determine whether due process was satisfied.

The Court can decide those preserved issues as necessary to review the September 15, 2025 order and determine what remains open after vacatur, without reopening unrelated historical disputes.

III. ANY REMAND SHOULD FOLLOW THE ACTUAL SCOPE OF VACATUR AND SHOULD NOT PREJUDGE THE REMAINING ISSUES.

WBL asks to vacate both Hunt orders while asserting that an earlier December 6, 2024 ruling remains controlling. Appellants dispute the consequences WBL draws from that ruling. Vacatur and the effect of earlier orders are distinct questions.

Rule 220(a), SCACR, permits the Court to affirm, reverse, modify, or remand all or any issues. If remand is necessary, Appellants request a mandate identifying what is vacated, directing further proceedings to a conflict-free judicial officer, and not prejudging issues beyond those decided on appeal.

CONCLUSION

Appellants request that this Court (1) vacate Hunt's February 25 and September 15, 2025 orders; (2) resolve preserved Rule 60(b)(4) issues necessary to determine the effect of vacatur; and (3) if remand is necessary, remand to a conflict-free judicial officer under a mandate that does not prejudice unresolved issues.

Respectfully submitted,

s/ Christopher Pettross

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s/ Maria E. Ferguson

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Date: September 29, 2026