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Sep 25 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

The Honorable Eugene C. Griffith, Jr.
The Honorable Jessica A. Salvini

Appellate Case No. 2026-001818

Case No. 2024-CP-23-03730

Jennifer L. Browning and
Browning Geriatric Consulting, LLC Respondents,
v.

Paul Hulsey, Cherie Durand, Kimberly Thomason,
Devon Puriefoy, Desa Ballard, Mayra Miniard, and
John and Jane Does 1-14, & Stacey Grist Defendants,

Of whom, Stacey Grist is the Appellant.

MOTION FOR REMAND

Pursuant to Rule 240, SCACR, Stacey Grist (“Grist”) hereby moves that this matter be remanded to the circuit court in order for Grist to move for relief from judgment pursuant to Rule 60(b), SCRCRCP. If the motion for remand is granted, Grist will promptly file a motion for relief from the default judgment entered against her.

Grist asks that all deadlines in this matter, including any deadlines applicable to Respondents, be stayed pending the resolution of this motion.

BACKGROUND

This appeal arises out of a series of lawsuits, including a federal civil action under the Racketeer Influenced and Corrupt Organizations Act concerning probate matters in South Carolina state courts captioned *Grist et al. v. Browning et al.*, with the civil action number, 6:24-cv-03853-BHH (the “RICO Action”). Defendants Thomason, Puriefoy, Ballard, Hulsey, and Durand (collectively, the “Lawyer Defendants”) represented Grist in the RICO Action as plaintiff’s counsel. At the same time, the Lawyer Defendants represented a number of other clients with similar RICO claims against persons involved in the South Carolina probate system. Prior to filing any RICO action, the Lawyer Defendants drafted and circulated the demand letters at the center of this case (the “Letters”). Grist did not draft the Letters, did not select the recipients, and did not publish any of the Letters.

After the Lawyer Defendants drafted, signed, and published the Letters, Respondents filed a defamation lawsuit naming the Lawyer Defendants and Grist as co-defendants. Truluck Thomason, LLC, the law firm of Defendants Thomason, and Puriefoy, sought to have one its attorneys, who is the daughter of Defendant Thomason, represent Defendants Thomason and Puriefoy along with their co-defendant, Grist, in Respondent’s action. This constituted a blatant violation of Rules 1.7 and 1.10 of the Rules of Professional Conduct and resulted in Grist’s abandonment by her attorneys.

This is the rare case in which the party against whom default was entered was, in a very real sense, betrayed by the lawyers she trusted to protect her. Without fully advising Grist of the nature of the conflict and Truluck Thomason, LLC’s own divergent interests, the firm deprived her of an independent, zealous advocate resulting in default judgment being entered against Grist, without ever being afforded the opportunity to present her defenses against Respondents and from

bringing plainly meritorious crossclaims against the Lawyer Defendants. Moreover, after the default judgment was granted, Truluck Thomason, LLC, failed to advise Grist that her best chance to avoid the consequences of the entry of a default judgment was to make a Rule 60(b) motion outlining the errors, omissions, and fraudulent acts perpetrated by her own attorneys.

REQUEST FOR REMAND

The purpose of this motion is to provide Grist with the opportunity to file a motion for relief, which would have, and should have, been filed on Grist's behalf, but was not as a result of unconscionable attorney conduct, such that all issues may be presented to the Court in one appeal. Grist is simply seeking the opportunity to have her interests represented by an independent attorney and to raise all the meritorious defenses, crossclaims, and arguments permitted by law, rather than being forced to wait to seek relief until after this appeal has been decided.

For the foregoing reasons, Grist respectfully requests that the Court remand this matter for the purposes of filing a Rule 60 motion such that these concerns may be raised before the circuit court in the first instance.

Respectfully submitted,

HAYNSWORTH SINKLER BOYD, P.A.

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Attorney for Appellant Stacey Grist

September 25, 2026
Greenville, South Carolina

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

The Honorable Eugene C. Griffith, Jr.
The Honorable Jessica A. Salvini

Appellate Case No. 2026-001818
C.A. No. 2024-CP-23-03730

Jennifer L. BrowningRespondent,

v.

Paul Hulsey, Cherie Durand, Kimberly Thomason,
Devon Puriefoy, Desa Ballard, Mayra Miniard, and
John and Jane Does 1-14, & Stacey Grist..... Defendants

Of whom, Stacey Grist is theAppellant.

PROOF OF SERVICE OF MOTION FOR REMAND

I certify that I have served the Motion for Remand of Appellant Stacy Grist on the above-referenced parties by email in accordance with the South Carolina Supreme Court's Order re: Methods of Electronic Filing and Service under Rule 262 of the South Carolina Appellate Court Rules (As Amended April 24, 2024) (Appellate Case No. 2020-000447), on September 16, 2026, addressed to their attorneys of record:

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Respectfully submitted,

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s/Christopher B. Major

September 25, 2026

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September 25, 2026

VIA EMAIL

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
1220 Senate Street
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Re: *Jennifer L. Browning and Browning Geriatric Consulting, LLC v. Paul Hulseay, Cherie Durand, Kimberly Thomason, Devon Puriefoy, Desa Ballard, Mayra Miniard, and John and Jane Does 1-14, & Stacey Grist*
Case No.: 2024-CP-23-03730
Appellate Case No.: 2026-001818
HSB No. 45890.0002

Dear Ms. Kitchings:

This firm represents the Appellant Stacey Grist in the above matter. Enclosed for filing, please find a *Rule 240 SCARC Motion to Remand* and our *Proof of Service* for the same. The filing fee of \$50.00 will be mailed to your office under separate cover.

If you have any questions, please give me a call. Thank you for your assistance in this matter.

Sincerely yours,

HAYNSWORTH SINKLER BOYD, P.A.



Christopher B. Major

CBM:
Enclosures

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The Honorable Jenny Abbott Kitchings

September 25, 2026

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