

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM BEAUFORT COUNTY

Court of Common Pleas

James J. Wegmann, Master-in-Equity

Lower Court Case No. 2018-CP-07-00793

Appellate Case No. 2026-000660

Benny Hudson Seafood Corp., Respondent,

v.

Geraldine White and Craig White, Defendants,

of whom Geraldine White is the Appellant.

**APPELLANT'S RETURN TO RESPONDENT'S MOTION TO STRIKE THE RECORD
ON APPEAL AND REQUEST FOR LEAVE TO CORRECT THE RECORD**

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RECEIVED

Oct 09 2026

SC Court of Appeals

**APPELLANT’S RETURN TO RESPONDENT’S MOTION TO STRIKE THE RECORD
ON APPEAL AND REQUEST FOR LEAVE TO CORRECT THE RECORD**

Appellant Geraldine White, appearing pro se, submits this return under Rule 240(e), SCACR, to Respondent’s motion dated October 1, 2026. Appellant requests permission to serve and file a corrected Record on Appeal within thirty days of the Court’s order and an express order suspending and resetting final-brief deadlines. Appellant does not oppose correction of demonstrated defects. She requests that the Court permit replacement of the record without dismissal of the appeal or a determination of its merits.

Response to the asserted deficiencies

1. Corrected cover pages. Appellant acknowledges that the cover pages were incorrectly labeled and requests leave to substitute corrected covers. The proper caption identifies Benny Hudson Seafood Corp. as Respondent; Geraldine White and Craig White as Defendants, of whom Geraldine White is Appellant; Appellate Case No. 2026-000660; and Lower Court Case No. 2018-CP-07-00793. John R.C. Bowen and Kori Brett McKeithan should not be named as Respondents in this appeal.

2. Pages 156–189. Appellant acknowledges the omission of record pages 156–189 and has now located the complete 34-page segment bearing those handwritten record numbers, identified as “ROA 00660 PAGES 156-189.pdf.” She requests leave to restore it in the corrected record. References below to R. pp. 156–189 identify the numbering on the pages proposed for restoration; they do not represent that the omitted pages were included in the September 23, 2026 filed or served record. The verified contents are identified below. Appellant requests an opportunity to cure this compilation defect and reconcile the index.

3. Index items 17, 18, and 19. Appellant does not agree that the referenced documents are wholly absent from her compilation. Their locations are identified in paragraphs 6–8 below. Appellant

also directs the Court to Index item 5, R. pp. 13–24, for Judge Wegmann’s order. That order is distinct from the motions listed under items 17–19. Appellant requests leave to reconcile the index against the actual contents and restore the omitted pages rather than treating an index entry alone as proof that every referenced page was included.

4. October 30, 2018 declaration. Appellant identifies her Declaration in Support of Motion to Set Aside Entry of Default, filed October 30, 2018, within Index item 12, R. pp. 40–66. Appellant disputes Respondent’s assertion that this declaration is missing and requests that this cited portion be examined. If the filed or served copy is incomplete, Appellant requests leave to provide the complete designated declaration.

5. Alleged jump from page 155 to page 190. Appellant understands this allegation to concern the same omitted pages 156–189 addressed above and is uncertain whether Respondent asserts any additional pagination defect. Appellant requests leave to compare the filed and served copies, restore that page range, and make the page sequence and index consistent. Renumbering alone will not cure missing content.

6. Motion to Reinstate Appeal (2019). Appellant identifies Index item 17 as R. pp. 116–162. The recovered concluding segment contains the Court of Appeals’ March 21, 2019 correspondence and caption notice (R. pp. 156–157); counsel’s request for an extension of time to order a transcript (R. pp. 158–159); its proof of service (R. p. 160); counsel’s March 30, 2019 transmittal letter (R. p. 161); and an envelope (R. p. 162). These documents identify the recovered contents of that indexed range; they are not themselves the body of a motion to reinstate. Appellant requests leave to restore these pages and verify the complete item against R. pp. 116–155 and the underlying filing.

7. December 3, 2025 motion. The recovered pages contain Appellant's Motion to Set Aside or Vacate Default Judgment at R. pp. 163–166, including the signature page dated December 3, 2025 at R. p. 166. The certificate of service follows at R. p. 167, and an unsigned proposed order appears at R. pp. 168–169. This confirms the contents identified under Index item 18, R. pp. 163–169. The proposed order is not an entered order granting relief. Appellant requests leave to restore this material and make the index accurately distinguish the motion, service document, and proposed order.

8. December 8, 2025 amended motion. The recovered pages contain the five-page Amended Motion to Set Aside or Vacate Default Judgment for Fraud Upon the Court at R. pp. 170–174. Its first page bears a December 8, 2025 filing stamp, and its signature page is dated December 8, 2025. The motion's factual and procedural allegations appear at R. pp. 171–172, its arguments at R. pp. 172–173, and its requested relief at R. p. 174. The January 2026 motion roster independently lists the December 3 and December 8, 2025 filing dates for these motions. (R. p. 179.) Restoring these pages will permit both parties to cite what the amended motion actually states, without resolving preservation or the merits through this return. The recovered segment also contains materials at R. pp. 175–189, including the August 22, 2018 judgment and Form 4 at R. pp. 182–188. Page 189 is the divider identifying Exhibit #2 as the complaint; it is not the complaint itself. Appellant will reconcile Index item 19, presently identified as R. pp. 170–214, with the pages following this recovered segment.

9. Respondent's opposition materials. Appellant identifies opposition materials under Index item 16, R. pp. 107–115, and Index item 20, R. pp. 215–221. Appellant is uncertain what additional opposition materials Respondent contends are absent beyond those specifically identified in its motion. Appellant will compare the January 12, 2026 memorandum with the version filed below

and address its designated Exhibits 1–13 to the extent omitted. The presence of the memorandum itself does not resolve whether all of its attachments are included.

10. Motion to dismiss or for summary judgment. Appellant states that such a motion is not listed in her record and believes Respondent may be referring to a filing in another case. Appellant requests identification of the particular motion by case number and filing date, with reference to the public index. Appellant does not concede that a motion from another case belongs in this appeal merely because Respondent refers to it; its designation and presentation to the lower court in this matter must be considered under Rule 210(c), SCACR.

11. Judge Mullen’s November 24, 2025 order. Appellant states that this order is located in the other appeal. Respondent identifies it as an order in Case No. 2025-CP-07-00718. Its presence in another appeal does not itself establish inclusion in this record. Appellant requests that any requirement to include it here be determined by its designation and presentation to the lower court in this matter, and requests leave to supply it if required.

12. Judge Wegmann’s order. Appellant states that Judge Wegmann’s order on appeal in this case is included under Index item 5, R. pp. 13–24. Respondent also identifies a December 3, 2025 Order on Pending Motions in Case No. 2018-CP-07-00804. Appellant’s citation to the order under review should not be treated as a representation that it is the same as that separately identified order. Any additional designated order properly belonging in this record will be addressed in the correction process.

13. Hearing transcripts. The recovered papers require clarification of the transcript history. Counsel’s 2019 extension request states that a Form 4 noted no court reporter and that counsel mistakenly believed no transcript order was necessary, overlooking an earlier hearing. It then states that counsel had ordered a transcript on March 30, 2019. (R. pp. 158–159.) Counsel’s

transmittal letter lists a transcript-request letter, reporter correspondence, and a transcript request form as enclosures. (R. p. 161.) The extension request refers to an August 22, 2018 hearing, while the judgment identifies the hearing date as August 21, 2018. (R. pp. 159, 182.) The prior transcript request must therefore be matched to the correct proceeding. The January 2026 courtmail notices and hearing notice also state that hearings are recorded through the Sealed Virtual Courtroom. (R. pp. 176–177, 180.) Appellant will inquire about that recording as well as any reporter-prepared transcript. These papers document an earlier request, but do not establish that a transcript was completed or is included in the present record. Appellant requests time to verify the prior request, obtain any existing transcript, and make any further required written arrangements for the August 2018, January 14, 2019, and January 20, 2026 hearings. An index notation of “Not available” does not establish actual unavailability. If a transcript cannot be obtained within the correction period, Appellant requests leave to submit supporting correspondence and seek further directions.

14. August 21, 2018 default-damages hearing exhibits. Appellant identifies these exhibits under Index item 32, R. pp. 200–201, and states that no other exhibits were entered into the court record at that hearing. Appellant disputes the assertion that all hearing exhibits were omitted. Appellant will reconcile this citation with the page range stated for Index item 19 and address any specifically identified, designated damages material presented below that is not included.

15. Remaining designated materials and scope. The restored segment contains the August 22, 2018 Order of Judgment (R. pp. 182–185), Form 4 (R. pp. 186–187), and electronic signature page (R. p. 188). The Form 4 includes a section for judgment-index information identifying the parties and \$201,723.27. (R. p. 186.) Appellant identifies that document for completeness; this return does not ask the Court to determine whether it establishes actual indexing or a lien. The

correction review will also address the November 21, 2019 court letter; any other designated judgment-roll and indexing materials¹ for the judgment and appellate cost order; and the designated docket sheets and case-action records for the three cases identified by Respondent. Appellant requests directions for disputed or unobtainable items. Restoring this 34-page segment does not establish that all separately designated materials, opposition exhibits, or transcripts have been supplied. Materials from related cases must satisfy the requirements for inclusion in this appeal. Appellant does not seek to introduce new merits evidence through this correction process.

Memorandum supporting corrective relief

Rule 210(c), SCACR, requires designated matter, consecutive page numbering beginning with the index, and complete orders and pleadings subject to the rule's stated exceptions. It excludes matters not presented below. Rule 210(e) requires an index, and Rule 210(g) makes filing a certification of the record's contents. These requirements support a complete comparison and replacement of any defective compilation. Appellant acknowledges her responsibility to prepare a compliant record and does not seek an exemption because she appears pro se.

Rule 207(a)(1), SCACR, governs written transcript arrangements, including payment arrangements. The proposed correction process must resolve the transcript issue as well as the document omissions. If a transcript remains outstanding, Appellant requests leave to submit documented status information and seek appropriate further directions before the correction deadline expires.

Respondent identifies difficulty converting its initial-brief citations to record citations. A corrected record and a revised briefing schedule would address that stated difficulty. Under Rule 211(b), SCACR, final briefs must remain identical to the initial briefs except for revised record

¹ Does not exist. It was never entered into the abstract book of judgment and indexed properly.

references and correction of obvious typographical errors and misspellings. Appellant requests permission for both parties to make those permitted corrections after the record is corrected, including replacement of any final brief already filed.

Rule 240(b), SCACR, generally leaves existing deadlines in place unless the rules or a court order provide otherwise. Appellant therefore requests an express order suspending the final-brief deadlines while the record is corrected and setting the final briefs due twenty days after service of the corrected record, or on another date fixed by the Court. Appellant does not contend that this return itself stays any deadline. However, if respondent would have read the index and the content, respondent would have noticed that most of documents he claims is missing are located in record on appeal as cited on the index.

Requested relief

Appellant respectfully requests that the Court allow thirty days from its order to serve and file a corrected Record on Appeal; permit the corrected record to supersede the September 23, 2026 compilation; and suspend and reset final-brief deadlines as requested above. If the Court strikes the existing record, Appellant requests that the order expressly permit its replacement within that period and preserve the pending appeal. Appellant seeks no ruling on issue preservation, the validity of the judgment, or any other merits question through this return.

Respectfully submitted,

s/Geraldine White
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October 9, 2026

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PROOF OF SERVICE

Appellate Case No. 2026-000660

I certify that on October 7, 2026, or shortly thereafter, I served a true copy of the foregoing Appellant's Return to Respondent's Motion to Strike the Record on Appeal and Request for Leave to Correct the Record on counsel for Respondent by depositing copies in the United States Mail, postage prepaid and/or via email addressed as follows:

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s/Geraldine White
Geraldine White, Appellant, Pro Se

October 9, 2026