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S.C. SUPREME COURT

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SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE SUPREME COURT

APPEAL FROM NEWBERRY COUNTY

Enid A. Garcia, Respondent,

v.

Reggie Jones, Petitioner.

Supreme Court Case No. 2026-002265

Court of Appeals Case No. 2026-000716

Circuit Court Case No. 2025-CP-36-00238

PETITIONER'S REPLY TO RESPONDENT'S RETURN TO PETITION FOR WRIT OF CERTIORARI

Petitioner Reggie Jones, proceeding pro se, submits this reply under Rule 242(g), SCACR, to the October 16, 2026 Return filed on behalf of Respondent Enid A. Garcia. Petitioner requests review of the September 14, 2026 order denying reinstatement of his appeal. This reply addresses the arguments in the Return; it does not request that this Court decide the merits of the foreclosure in the first instance.

I. THE AUGUST 3 MOTION IDENTIFIED CIRCUMSTANCES RELEVANT TO GOOD CAUSE

Respondent correctly observes that the initial brief and designation of matter were not timely filed, even after the July 8, 2026 cure directive. Petitioner does not dispute the missed deadline or contend that pro se status excuses compliance with appellate rules. The question is whether the Court of Appeals should have granted reinstatement under Rule 260(a), SCACR, in light of the circumstances brought to its attention.

In the motion received by the Court of Appeals on August 3, 2026—five days after the July 29 dismissal—Petitioner expressly stated that he suffered a stroke in 2019, continued to have cognitive issues, was filing his first appeal, and required assistance from a neighbor and friend who held his power of attorney. See Motion/Petition for Hearing to Reinstate Appeal (received Aug. 3, 2026), at 1. Thus, the motion did not rely merely on unfamiliarity with the law; it identified specific functional limitations and dependence on assistance. Petitioner respectfully asks the Court to consider whether the denial of reinstatement adequately accounted for these circumstances and the prompt effort to seek reinstatement.

Petitioner further explains that his regular assistant was temporarily out of town when the filing directive arrived, contributing to the failure to respond in time. The August 3 motion did not

expressly identify the assistant's absence; this explanation is provided here only as context. To the extent it constitutes a fact outside the record considered by the Court of Appeals, Petitioner does not ask this Court to treat it as established record evidence and requests such procedural direction as may be appropriate.

II. THE EXISTING HEARING RECORD CONTRADICTS THE ACCUSATION OF CALCULATED DELAY

Respondent repeatedly describes Petitioner's filings as deliberate delay designed to permit continued occupancy without payment. That characterization is disputed. At the February 27, 2026 hearing before Special Referee Samuel M. Price Jr., Petitioner's side stated that, if the foreclosure were set aside, a new hearing could be scheduled "for two weeks from now." Hearing Tr. 8 (Feb. 27, 2026). The same transcript reflects the stated intention to contest the adverse ruling. Id. at 7, 11. An expressed willingness to proceed to a prompt merits hearing is relevant to assessing the allegation that Petitioner sought indefinite delay.

The hearing transcript also records the assistant explaining that she helped Petitioner because he was unfamiliar with legal terminology and procedures and that a power of attorney had been provided to the court and opposing counsel. Id. at 2. This supports the longstanding nature of his reliance on assistance. Petitioner recognizes that the transcript does not erase missed deadlines, but submits that a charge of bad faith should not be inferred solely from the timing of filings without considering the contrary record.

III. THE UNDERLYING NOTICE ISSUE EXPLAINS WHY REVIEW MATTERS; IT IS NOT A REQUEST TO BYPASS APPELLATE PROCEDURE

Respondent argues that the merits of service by publication were never decided by the Court of Appeals and therefore are not directly before this Court. Petitioner recognizes that review of the reinstatement decision is the immediate question. His discussion of the service issue explains the substantial interest at stake and why he sought appellate review; it is not a request for an initial Supreme Court determination of disputed foreclosure facts.

At the hearing, Petitioner disputed an affidavit suggesting no one lived at the residence and argued that he remained there and had been located for service in another matter. See Hearing Tr. 3, 5–6. He maintains that he was deprived of a meaningful opportunity to contest the underlying foreclosure and disputes Respondent's allegations of default and breach. These underlying issues would be addressed in the appropriate court if appellate review is restored. They provide context for the request for review, not an automatic exception to filing requirements.

IV. THE PROPOSED INITIAL BRIEF WAS NOT OFFERED AS AN AUTOMATIC CURE

Petitioner does not contend that tendering a proposed initial brief on October 13, 2026, after dismissal and denial of reinstatement, automatically revived the appeal. Rather, it reflects his readiness to proceed with briefing if the appellate court grants leave or reinstatement. Petitioner seeks a court-authorized opportunity to complete the appeal on a schedule set by the court.

V. REQUEST FOR RELIEF

Petitioner respectfully requests that the Court grant certiorari to review the September 14, 2026 order; determine whether the Court of Appeals properly evaluated good cause under Rule 260(a) in the circumstances presented; reverse or vacate that order and remand for further consideration or reinstatement as the Court deems appropriate; decline Respondent's request for immediate remittitur while this petition is pending as provided by applicable appellate rules; and grant any further appropriate relief.

Respectfully submitted,

/s/Reggie Jones
Reggie Jones, Petitioner, pro se
403 Floyd Street
Newberry, SC 29108
Telephone: (803) 537-1012
Date: October 21 2026

Reggie Jones 10/21/2026

CERTIFICATE OF SERVICE

I certify that on October 21, 2026, I served a true and correct copy of this Petitioner's Reply to Respondent's Return to Petition for Writ of Certiorari on Robert C. Lake IV, counsel for Respondent, by the following method (electronic service via email: Robert@lakeandlake.com and Hand Delivery to 1325 Main Street, Newberry SC 29108).

/s/ Reggie Jones
Reggie Jones, Petitioner, pro se

Reggie Jones 10/21/2026

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