

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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Jan 15 2021

SC Court of Appeals

APPEAL FROM DORCHESTER COUNTY  
Deadra L. Jefferson, Circuit Court Judge  
Edgar W. Dickson, Circuit Court Judge  
Maite Murphy, Circuit Court Judge

Case No.: 2016-CP-18-01706  
Appellate Case No.: 2018-002185

Molly M. Morphew, ..... Appellant

v.

Stephen Dudek, Doreen Cross, David Collins,  
Allison Williams, First Federal, Michael Scarafilo,  
Susan Nicholson, Carolina One Real Estate,  
Carrie Boyer, and Woody Law Firm, ..... Respondents

**RESPONDENTS ALLISON WILLIAMS AND FIRST FEDERAL RETURN TO  
APPELLANT’S MOTION FOR EXTENSION AND AMENDMENT OF RESPONDENTS  
DESIGNATION OF MATTER**

Pursuant to South Carolina Appellate Court Rule 240, Respondents Allison Williams and First Federal<sup>1</sup> (the “Bank Respondents”) file this Return to Appellant’s Motion for Extension of Time to file the Record on Appeal and to Order Respondents to Amend their Designation of Matter (the “Motion”). For the reasons stated herein, Appellant’s Motion should be denied.

<sup>1</sup> Properly identified as South State Bank, National Association, formerly known as CenterState Bank, N.A., as successor in interest by merger to South State Bank, formerly known as SCBT formerly known as SCBT, successor in interest to First Federal

## ARGUMENT

Appellant's Motion is another glaring example of why the underlying case, and this appeal thereof, is just another doomed extension of her numerous, flawed, and collateral attacks on a decade-old real estate transaction and a judicial order of nearly that same age. The fact that Appellant cannot even identify which Summons and Complaint is on appeal would be amusing if it were not costing the Bank Respondents, the other respondents in this matter, and the Court time, energy and money.

This appeal was initiated December, 2018. Since that time, Appellant has engaged in what can only be described as a coordinated effort to delay the resolution of this matter by filing non-compliant briefs, several and repeated motions for extension of time or for enlargement of page limits, or by ignoring the rules or this Court's orders altogether. In this instance, Bank Respondents' Designation of Matter was filed June 25, 2020 yet, Appellant elected to wait nearly seven months before raising a challenge to the same. Appellant should not be permitted to drag this case out any longer.

As to the specifics of Appellant's Motion as it relates to the Bank Respondents, Appellant complains of both the specificity of the Bank Respondents' designation and the relevance and size of the entire designation. Both complaints are equally unavailing.

Every document Bank Respondents have identified in their designation is (1) filed in this case and available on the court's public index, (2) a transcript of hearings occurring in this matter and related to the orders on appeal, or (3) the transcript of the Appellant's deposition. Stated differently, the Bank Respondents' have merely designated (1) Pleadings in this case, (2) the Motions, Memoranda, Transcripts or Orders related to the Motions to Dismiss – the decisions on which Appellant has appealed, (3) the Motions, Memoranda, Transcripts or Orders related to the

Motions for Summary Judgment – the decisions on which Appellant has appealed, or (4) the Appellant’s deposition transcript. The Bank Respondents have identified each document either by the title of the document or the name appearing on the public index. The Bank Respondents are unsure how Appellant wishes respondents identify the documents. The fact that Appellant believes the designated documents may originate from the several cases she has initiated along the way is additional evidence that this appeal is more about those cases than this one. Further and ironically, Appellant complains that respondents have identified the entirety of her deposition transcript when she has herself identified the transcript, in full, herself. (See, Appellant Designation, No. 16 “Morphew Deposition, January 16, 2018”).

Appellant elected to sue the ten parties to this lawsuit and Appellant elected to appeal multiple decision made in that lawsuit. The South Carolina Appellate Court Rules places the burden to produce the Record on Appeal on Appellant and Appellant has not asserted any arguments to reverse that burden. The Bank Respondents’ designation is appropriately specific and relevant. Appellant’s allegations to the contrary are unfounded.

### **CONCLUSION**

For all of these reasons, the Respondents respectfully request that the Court deny Appellant’s Motion.

*(Signatures on next page)*

GALLIVAN, WHITE & BOYD, P.A.

*/s/ Jordan M. Crapps*

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