No. _____

In the Supreme Court of the United States

JAMES C. MCNEIL AND MEAGHAN POYER,

Petitioners,

v.

COURT OF COMMON PLEAS OF SOUTH CAROLINA, NINTH JUDICIAL CIRCUIT, CHARLESTON COUNTY,

Respondent.

ON PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF SOUTH CAROLINA

PETITION FOR WRIT OF CERTIORARI

James C. McNeil
Meaghan Poyer

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Pro Se Petitioners

AUGUST MMXXVI

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QUESTION PRESENTED

Whether the Due Process and Equal Protection Clauses of the Fourteenth Amendment permit a court to reserve electronic access for licensed attorneys, forcing self-represented litigants to use a paper intake that degrades the integrity of evidentiary exhibits central to their claims.

PARTIES TO THE PROCEEDINGS

Petitioners are James C. McNeil and Meaghan Poyer, individuals residing in Charleston County, South Carolina. Petitioners appeared as petitioners in the original-jurisdiction proceeding below and appear here pro se.

Respondent is the Ninth Judicial Circuit Court of Common Pleas, Charleston County, South Carolina, the respondent in the original-jurisdiction proceeding below.

RELATED PROCEEDINGS

Court of Common Pleas of South Carolina (9th Jud. Cir., Charleston Cty.):

> *McNeil* v. *SAC 181, LLC*, No. 2025–CP–10–05095 (Aug. 3 and 14, 2026) (civil action filed Sept. 9, 2025; order of dismissal with prejudice entered Aug. 3, 2026; timely motion to alter or amend the judgment under Rule 59(e), SCRCP, filed Aug. 12, 2026 and denied Aug. 14, 2026; proceeding presents distinct questions of sanctions and pleading sufficiency, and the relief sought here lies outside its scope)

Supreme Court of South Carolina:

> *McNeil* v. *Ninth Judicial Circuit Court of Common Pleas, Charleston County*, No. 2026–000919 (May 21, 2026) (petition for writ of mandamus filed Apr. 14, 2026; order declining to entertain the petition entered May 21, 2026; judgment under review)

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PETITION FOR A WRIT OF CERTIORARI

James C. McNeil and Meaghan Poyer respectfully petition for a writ of certiorari to review the judgment of the Supreme Court of South Carolina in this case.

OPINIONS BELOW

The order of the Supreme Court of South Carolina denying mandamus is reproduced in the Appendix at App. 1–3. The August 3, 2026 order of the Court of Common Pleas of South Carolina, Charleston County is reproduced in the Appendix at App. 4–38.

JURISDICTION

The Supreme Court of South Carolina denied mandamus on May 21, 2026. This Court has jurisdiction under 28 U. S. C. § 1257(a).

CONSTITUTIONAL, STATUTORY, AND REGULATORY PROVISIONS INVOLVED

This case involves U. S. Const., Amdt. XIV, § 1; Title II of the Americans with Disabilities Act, 42 U. S. C. § 12132; 28 C. F. R. §§ 35.108, and 35.130(b)(7)(i).

The case also involves the State's electronic-filing access rule, stated in the SCE-File User Agreement: "Only licensed South Carolina attorneys who are properly registered with AIS may electronically file documents using SCE-File." Verbatim quotations of authorities are reproduced in the Appendix at App. 39–41, and the access rule is reproduced in the Appendix at App. 42.

STATEMENT OF THE CASE

I. The underlying action

On September 9, 2025, Petitioners commenced a civil action in the Charleston County Court of Common Pleas against their former landlord and its property managers, No. 2025–CP–10–05095, pleading claims under the South Carolina Residential Landlord and Tenant Act together with claims for fraudulent misrepresentation, breach of contract, retaliation, negligence, and invasion of privacy. Petitioners' pleadings alleged the publication of photographs of their occupied home, including a photograph depicting Poyer, across more than two dozen rental-listing platforms. Petitioners litigated the action without counsel throughout.

II. The filing architecture

South Carolina operates an electronic filing system for its circuit courts. The SCE-File User Agreement states the access rule in one sentence: "Only licensed South Carolina attorneys who are properly registered with AIS may electronically file documents using SCE-File." App. 42.

A represented party's filings therefore enter the court's file as native digital documents: in full color when the source is in color, text-searchable, and time-stamped along the margin with an electronic-filing legend adjacent to an identifying blue stripe.

A self-represented party in the same court hand-files paper. The Clerk of Court's intake scanner converts each submission to an image that becomes the official court file. On this record, that conversion produced two effects.

First, color photographic evidence entered the file as monochrome.

Second, the resulting file pages entered the record as images of text rather than as text, unsearchable by any reader of the electronic file, including the court.

The second effect affects both public visibility and the ability to copy and paste text. A represented party's submission arrives in the court's file as machine-readable text, which a reader can search, quote from, and copy directly.

A self-represented party's submission arrives as a picture of words, which supports none of those operations without further conversion, such as optical character recognition (OCR), which can introduce errors.

The classification therefore reaches beyond how each party's evidence looks in the record to the mechanical availability of each party's language to the person drafting the order or to anyone wishing to quote from the text. In a sense, whichever record is legible becomes the record that exists.

III. The demonstration placed on the record

On May 11, 2026, Petitioners filed in the circuit court a Notice whose Part C described the disparity and whose Exhibit E demonstrated it. App. 49–54, 59–60. App. 51–54, sets out the step-by-step comparison of counsel's e-filing path against the self-represented paper path. App. 53–56, presents four panels.

Panel 1 shows a page of Petitioners' hand-filed response as it appears in the court's file: gray streaking, a scan line down the left margin, artifacts through the caption block.

STATE OF SOUTH CAROLINA	)	
COUNTY OF CHARLESTON	)	**IN THE COURT OF COMMON**
	)	**PLEAS**
	)	**NINTH JUDICIAL CIRCUIT**
James C. ("Chris") McNeil and	)	
Meaghan Poyer,	)	**Civil Action No. 2025-CP-10-05095**
	)	
Plaintiffs,	)	**PLAINTIFFS' RESPONSE IN**
	)	**OPPOSITION TO SAC 181,**
v.	)	**LLC'S PARTIAL MOTION TO**
	)	**DISMISS AND MOTION**
SAC 181, LLC,	)	**FOR MORE DEFINITE**
Meridian Residential Group, LLC,	)	**STATEMENT,**
Adam W. Bayles, individually,	)	**AND**
Tara Bayles, individually, and MRG	)	**CROSS-MOTION TO GRANT**
MRG Investing Company LLC	)	**LEAVE TO FILE SECOND**
	)	**AMENDED COMPLAINT**
Defendants.	)	
	)	

2025 OCT 30 PM 10:11

TO THE HONORABLE COURT:

Plaintiffs James C. McNeil and Meaghan Poyer, appearing pro se, respectfully submit this Response in Opposition to SAC 181, LLC's Partial Motion to Dismiss and Motion for More Definite Statement filed October 29, 2025, and Cross-Motion requesting this Court grant Plaintiffs' pending Motion for Leave to File Second Amended Complaint filed October 29, 2025.

I. INTRODUCTION AND SUMMARY

SAC 181's Rule 12(b)(6)/12(e) motion is **premature**. Five days after Plaintiffs filed a comprehensive Motion for Leave to File Second Amended Complaint (filed Oct. 24, 2025; corrected today at the Clerk's request[1]) that specifically addresses SAC 181's conduct, SAC 181 asks the Court to brief the sufficiency of a **soon-to-be-superseded** complaint. (see **Rydde v. Morris**, 381 S.C. 643, 675 S.E.2d 431 (2009)) The efficient course is to **grant leave, deem the 2AC filed, and deny the Rule 12(e) request as**

[1] The corrections are limited to exhibit redactions/format and removal of a redundant working-draft timeline within Exhibit N; **no claims or requested relief changed**. See **Notice of Filing Corrected/Redacted Exhibits** (filed October 29, 2025).

Panel 2 shows a page of defense counsel's e-filed motion: crisp, with the marginal legend "ELECTRONICALLY FILED—2026 Apr 02 4:09 PM—CHARLESTON—COMMON PLEAS—CASE#2025CP1005095."

ELECTRONICALLY FILED - 2026 Apr 02 4:09 PM - CHARLESTON - COMMON PLEAS - CASE#2025CP1005095

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT
CASE NO. 2025CP1005095

JAMES C. ("CHRIS") MCNEIL AND MEAGHAN POYER

Plaintiffs

V.

SAC 181, LLC, MERIDIAN RESIDENTIAL GROUP, LLC, ADAM W. BAYLES, INDIVIDUALLY, TARA BAYLES, INDIVIDUALLY, AND MRG INVESTING COMPANY LLC

Defendants

MOTION TO RELIEVE JUSTINE TATE AS COUNSEL AND ALLOW FOR HER WITHDRAWAL AS COUNSEL

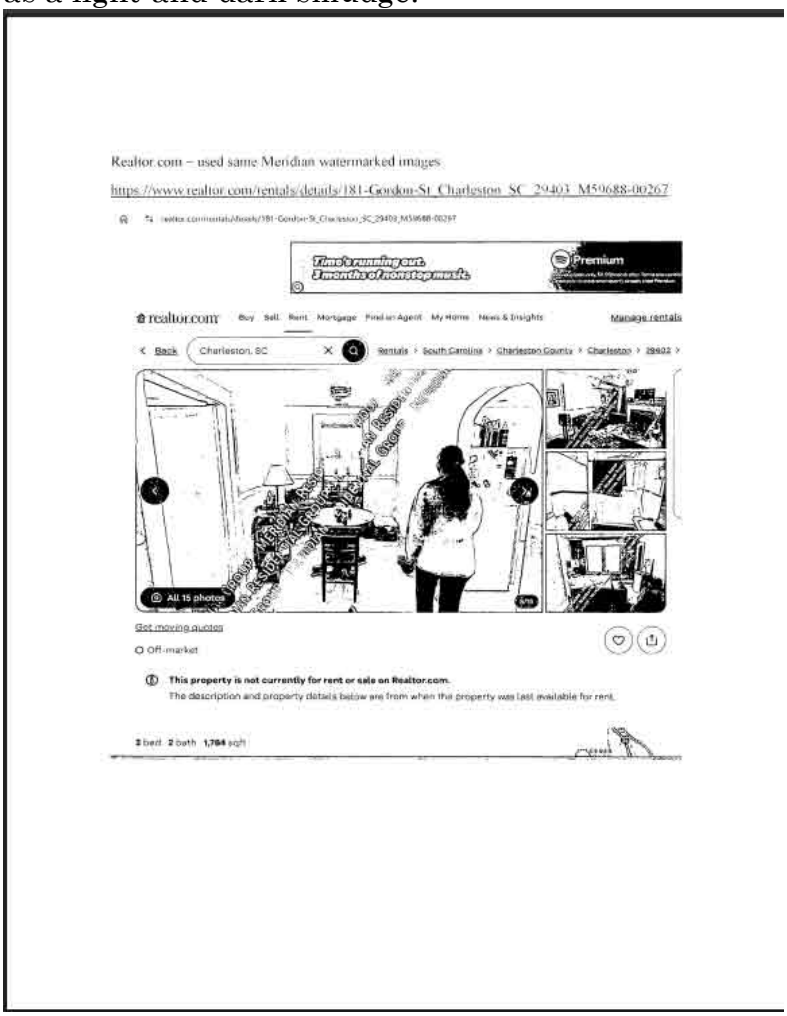
Kevin M. O'Brien, as pre-existing and remaining counsel for Defendant SAC 181, LLC (hereinafter referred to as "SAC 181"), hereby moves the Court to enter an Order relieving Justine M. Tate as counsel and allowing her withdraw as co-counsel for SAC 181 in this action, pursuant to South Carolina Rule of Professional Conduct 1.16(b)(1) and South Carolina Rule of Civil Procedure 11(b). In support of this Motion, the undersigned shows unto the Court:

1. Ms. Tate has accepted a position with another law firm and is no longer employed by Phelps Dunbar LLP. Therefore, Ms. Tate will no longer be retained to represent SAC 181 in this matter.

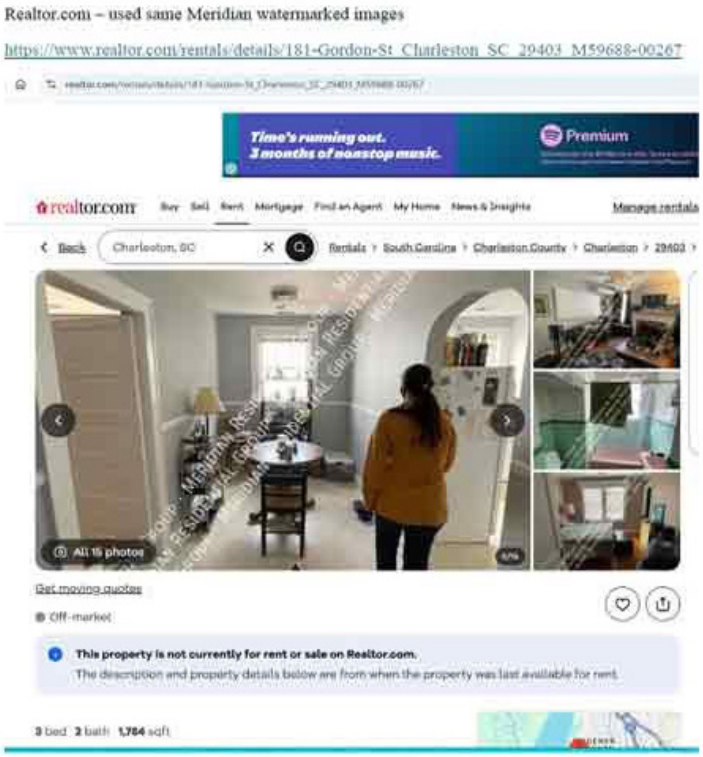
2. Attorney Kevin M. O'Brien of Phelps Dunbar LLP will continue to represent SAC 181 in this action and Ms. Tate's withdrawal will not prejudice or have any materially adverse effect on the interests of SAC 181. Attorney Kevin O'Brien is aware of and will comply with all pending deadlines.

PD.61342857.1

Panel 3 shows the photograph at the center of the invasion-of-privacy count as it entered the court's file through the scanner: streaky monochrome line-work in which the person at the center of the frame reads as a light-and-dark smudge.



Panel 4 shows the same photograph as published on Realtor.com: a full-color interior in which a person with dark hair, wearing a mustard-gold garment, stands at the center of the frame. The court's intake process reduced the photograph to one bit of information per point: black or white. Every shade between, the 256 levels of gray a consumer scanner preserves by default, was discarded at intake. App. 53–56.



The demonstration entered the docket on May 11, 2026, and was served on all parties. The circuit court held it for 84 days before entering the order described in Part G below. App. 4, 57.

IV. The motions and the comparator

Three filings frame the access record.

On October 24, 2025, Petitioners filed a Motion for Leave to File a Second Amended Complaint. The motion stood unopposed on the docket for 179 days. On April 21, 2026, a defendant served a memorandum in opposition. As of May 21, 2026, the motion had been pending 209 days without ruling, hearing, or scheduling order.

On January 30, 2026, Petitioner McNeil filed a Supplemental Motion for ADA Accommodations, supported by clinical documentation of disability. App. 69–72.

The motion requested two accommodations: electronic filing access and remote appearance. Both requests sought forms of electronic access that the SCE-File User Agreement reserves to licensed attorneys. The motion further proposed, as an alternative to full e-filing access, that filings sent by email to a designated Clerk of Court address be deemed filed upon receipt. App. 73–74.

As of May 21, 2026, the motion had been pending 111 days without ruling. The docket records its disposition on May 28, 2026, the day of the hearing, 118 days after filing.

On April 2, 2026, defense counsel filed a Motion to Relieve Justine Tate as Counsel. The circuit court granted it on April 7, 2026: five days from filing to disposition, in the same case, on the same docket, during the same period.

The same period supplies a second pairing. On March 23, 2026, defense counsel requested remote appearance at a hearing by email, citing schedule

restrictions, and the accommodation followed. Petitioners' motion for the same accommodation, filed January 30, awaited disposition until May 28.

V. The mandamus proceeding

On April 14, 2026, Petitioners filed in the Supreme Court of South Carolina, in that court's original jurisdiction, a petition for a writ of mandamus directed to the Ninth Judicial Circuit Court of Common Pleas, Charleston County. Appellate Case No. 2026–000919. The petition asked the court to compel rulings on the motions described above, to direct scheduling pursuant to normal procedures, and to preserve asset discovery and equitable relief.

The petition presented the federal questions directly. It grounded the accommodation claim in Title II of the Americans with Disabilities Act, 42 U. S. C. § 12132, and stated that the circuit court's inaction, "while granting defense counsel's identical informal request within hours, violates both the statutory mandate and Equal Protection principles."

It grounded the access claim in the Fourteenth Amendment: "The Due Process Clause of the Fourteenth Amendment and Article I, Section 3 of the South Carolina Constitution guarantee litigants meaningful access to the courts."

On April 28, 2026, the Supreme Court of South Carolina issued a letter to the Charleston County Clerk of Court requesting a return to the petition, and its Clerk's office transmitted that request to Petitioners by email the same day. App. 61. The court maintains an email channel for submissions in its proceedings; Petitioners submitted filings through it, and the court's Clerk's office corresponded with Petitioners

through it throughout the proceeding. App. 60. On May 8, 2026, the Clerk of Court filed a Return through counsel, stating that the Return was made only on the Clerk's behalf and that the relief sought consisted of judicial functions falling outside the Clerk's ministerial duties.

On May 11, 2026, Petitioners filed a Status Report Supplement in the mandamus proceeding. Its Section II carried the heading "The Fourteenth Amendment Significance of the Current Status Record" and presented the claim in three enumerated forms: (1) the accommodation motion remained unresolved 101 days after filing despite documented disability; (2) represented counsel received "prompt procedural access, including remote-appearance accommodation and proposed-order handling, while Petitioners continued to bear the unequal burdens of paper filing, access friction, and unanswered safety-related requests"; and (3) silence continued after the court's own April 28 return-request letter.

VI. The judgment under review

On May 21, 2026, the Supreme Court of South Carolina entered the order under review. App. 1–3. Five justices signed it. The order states its reasons in full:

First, the court declined on scheduling grounds:

Because the circuit court has scheduled a hearing on Petitioners' motions for May 28, 2026, we decline to entertain this matter in this Court's original jurisdiction. See Rule 245, SCACR, and *Key* v. *Currie*, 305 S. C. 115, 406 S. E. 2d 356 (1991).

Second, the court explained the delay:

[T]he circuit court requires time to review and consider individual motions and any accompanying materials prior to issuing a dispositive ruling. Furthermore, Charleston is a very large county, and Petitioners' case is one of many pending before that court. The very fact that the circuit court has scheduled a hearing on Petitioners' motions demonstrates that the circuit court is not ignoring Petitioners' filings. Accordingly, seeking a writ of mandamus before this Court was unnecessary.

Third, the court addressed Petitioners' filing volume:

Petitioners are further cautioned that their excessive filings likely contributed to any delays in the case. Our review of the underlying case in the Charleston County public index indicates that Petitioners have filed more than forty motions, notices, and other documents during the eight-month time frame that the case has been pending.

The order closed with a warning:

While Petitioners' filings in the underlying case may not yet rise to the level of abusive, Petitioners are warned that this Court and the circuit court have the power to establish filing restrictions in the event that either court determines a litigant is a prolific or abusive filer.

The order counted Petitioners' filings. It counted no unruled motion and no elapsed day. The circuit court's own filing inventory, later attached as Exhibit A to its August 3, 2026 order, lists 31 filings by Plaintiffs and 34 by the defense. App. 32–38.

VII. How the federal question was raised and passed on

The question presented entered the mandamus proceeding on April 14, 2026, in a petition that invoked the Due Process Clause of the Fourteenth Amendment by name, presented the day counts, and presented the five-day comparator.

It entered again through the May 11, 2026 Supplement, whose Section II heading placed the Fourteenth Amendment on the face of the filing and whose text identified "the unequal burdens of paper filing" borne by the self-represented parties against the procedural access afforded to counsel. The underlying demonstration, Part C and Exhibit E of the May 11, 2026 Notice, was on the circuit court's docket in the case the mandamus proceeding concerned. App. 49–54, 57, 59–61.

The court passed on the question by the May 21, 2026 order. It resolved the delay question on the merits of the record before it, attributing the elapsed time to the county's size, the volume of Petitioners' filings, and the ordinary requirements of judicial review, and it answered the access record with a caution addressed to the unrepresented litigants. The order disposed of the proceeding finally. App. 1–3.

VIII. Proceedings after the judgment under review

A machine at the courthouse took a woman out of a photograph. Then a judge ruled against pro se Plaintiffs based on her absence.

The August 3, 2026 order of the circuit court appears in this petition for one purpose: it is the ruling that acted on the degraded image. Denying leave to

amend, the order characterized the invasion-of-privacy claim: "allegations such as the Plaintiffs being depicted incidentally in a listing photograph, without being identified, do not rise to the level of a cognizable claim." App. 30.

On the court-file copy of the photograph, that reading is available: the scanner's output shows an interior with a smudge where a person stands. On the color original, a specific, identifiable person stands at the center of the frame of her own home. App. 53–56. The court-file page carries a typed caption directly above the photograph reading "Images of Meaghan." App. 56.

The chain on this record runs in four links, each documented: (1) a state filing rule reserved electronic filing to licensed attorneys, so Petitioners hand-filed paper; (2) the Clerk's intake scanner converted the color photograph to monochrome line-work and produced text-unsearchable pages; (3) the person at the center of the photograph became an artifact in the official record; (4) the court found the Plaintiffs "depicted incidentally" and "without being identified," and the claim was eliminated. The demonstration of the defect had been on the docket 84 days when the order issued.

Two further records from the mandamus proceeding complete the picture. The docket-visibility record shows South Carolina C-Track public searches, run with closed cases both included and excluded, in which Appellate Case No. 2026–000919 appears in no result set while Case No. 2026–000915, a pending extraordinary-writ matter filed the same day and involving a self-represented party, appears as pending. App. 62–65.

After Petitioners identified that inconsistency to the Clerk's office by email on May 15, 2026, citing Case No. 2026–000915 by name, the cited case disappeared from the public index between May 15 and May 19: direct queries for its number returned no records.

The correspondence record pairs the Clerk of Court's May 14, 2026 letter with Petitioners' contemporaneous account of a May 13, 2026 telephone call, presenting two mutually exclusive explanations of the docket status within 24 hours. App. 66–68.

Petitioners filed a timely motion under Rule 59(e), SCRCP, in the circuit court on August 12, 2026. On August 14, 2026, the circuit court denied it by an electronically filed Form 4 judgment stating that the court "is unable to discover any material fact or principle of law that has either been overlooked or disregarded."

The denial issued two days after the motion's filing. That ruling and any subsequent appeal concern the sanctions and pleading holdings of the August 3 order; the filing architecture presented here lies outside that track.

REASONS FOR GRANTING THE PETITION

This petition presents what Rule 10(c) describes: "an important question of federal law that has not been, but should be, settled by this Court." The question concerns the physical fidelity of the court record itself: whether a State may condition the accuracy with which a litigant's evidence enters the official file on whether a lawyer performed the act of filing it.

The State's own documents answer every factual predicate of that question and place the legal question before this Court free of factual dispute.

I. The record itself proves the question

This petition asks the Court to look at four documents.

The first is the State's filing rule. The SCE-File User Agreement states: "Only licensed South Carolina attorneys who are properly registered with AIS may electronically file documents using SCE-File." App. 42.

The second is the image comparison demonstration. Exhibit E to the May 11, 2026 Notice places the court-file rendering of Petitioners' photographic evidence beside the original: a monochrome page in which a smudge occupies the place where a person stands, and a color photograph in which the same person stands at the center of the frame. App. 53–56.

The degradation is apparent to a layperson in seconds. The same page documents the parallel loss: counsel's filing carries a machine-readable text layer, and Petitioners' filing carries an image of text. App. 60.

The third is the timing record. A motion for leave to amend sat 209 days without ruling. A federally grounded accommodation request sat 111 days without ruling. A represented party's motion to relieve counsel, filed in the same case during the same period, was granted in five days. Each figure is calculated from filing dates in the record.

The fourth is the judgment under review. Presented with that record in its original jurisdiction, the Supreme Court of South Carolina declined to act, explained the elapsed time by the county's size and the ordinary requirements of judicial review, counted "more than forty motions, notices, and other

documents" filed by the unrepresented parties, and closed with a warning about filing restrictions for "prolific or abusive filers." App. 1–2. The order counts Petitioners' filings and counts nothing on the other side of the ledger: no unruled motion, no elapsed day, no comparator.

The record documented in this petition shows the state system's denial of equal treatment, in sequence, ending in a merits ruling that only the degraded version of the evidence supports. The August 3, 2026 order found the Plaintiffs "depicted incidentally in a listing photograph, without being identified." App. 30. On the original, an identifiable person stands at the center of her own home. App. 54–55.

II. The question is open in this Court

This Court's access-to-courts decisions address money and process at the threshold. *Griffin* v. *Illinois*, 351 U. S. 12 (1956), reached transcripts priced beyond an indigent defendant's means. *Boddie* v. *Connecticut*, 401 U. S. 371 (1971), reached filing fees that closed the divorce courts to those who could not pay. *M. L. B.* v. *S. L. J.*, 519 U. S. 102 (1996), reached record-preparation fees that conditioned appeal of a parental-rights termination on wealth. *Lindsey* v. *Normet*, 405 U. S. 56 (1972), reviewed procedural terms a State attached to housing litigation specifically. Each case asked whether a State may price or structure the courthouse door.

Access to the courts, where it is guaranteed, must be "adequate, effective, and meaningful." *Bounds* v. *Smith*, 430 U. S. 817, 822 (1977). The question here begins after the door. Petitioners paid their fees, filed their papers, and litigated their case.

The constitutional defect operated on what the court received: the State's intake process delivered counsel's submissions to the decision-maker in full fidelity and delivered Petitioners' submissions in a form that erased the central fact on which their claim depended. A litigant whose evidence is degraded on intake has been denied the benefit of the forum while appearing to receive it.

That form of exclusion awaits this Court's review, because the form itself arrived only when courts split into electronic and paper tiers.

The classification also operates on the drafting of judicial decisions. Language that arrives as machine-readable text can be searched, quoted, and carried directly into an order. Language that arrives as a picture of words requires retyping or conversion before it can travel anywhere. A State that supplies one class of litigants with text and the other class with images has allocated, by rule and by machine, whose words can pass mechanically into the document that decides the case. Petitioners raise the allocation itself, which the appendix establishes, and leave to other proceedings any question about how it operated in any particular order.

The classification also differs in kind from a fee. A fee burdens equally and visibly; the litigant knows what was demanded and what was withheld. Intake degradation is invisible to its victim at the moment it matters. Petitioners learned what the scanner had done to their evidence only by comparing the court's file with their originals, and the file defines what a reviewing judge sees.

Federal review here protects the state court's own function: an appellate process reviewing a degraded

record cannot perform the truth-seeking function for which the State's courts exist.

The defect corrupts the record on which the merits are decided, which distinguishes it from the threshold burdens of fees and record costs that this Court has reviewed in the access cases above.

III. The same architecture governed the opportunity to be heard

The access architecture under review extends beyond the intake of paper. It governs who may participate in the court's work by electronic means, and on what terms. The record documents that dimension of the architecture, and it corroborates the question presented without requiring any separate holding.

The opportunity to be heard "must be granted at a meaningful time and in a meaningful manner." *Armstrong* v. *Manzo*, 380 U. S. 545, 552 (1965). Due process attaches to state procedures that control the life of a claim, *Logan* v. *Zimmerman Brush Co.*, 455 U. S. 422, 428–433 (1982), and the timing of process is measured by the interests at stake, *Mathews* v. *Eldridge*, 424 U. S. 319, 334–335 (1976). This Court held in *Tennessee* v. *Lane*, 541 U. S. 509, 533–534 (2004), that Title II of the Americans with Disabilities Act, as applied to the fundamental right of access to the courts, enforces the Fourteenth Amendment.

On January 30, 2026, Petitioner McNeil moved for two accommodations: electronic filing access and remote appearance. App. 69, 73–75. Both requests sought forms of electronic access that the State's filing rule reserves to licensed attorneys. The motion sat 111 days without ruling, and the docket records its

disposition on the day of the hearing it concerned, 118 days after filing.

In the same period, the circuit court granted a represented party's motion to relieve counsel in five days and honored a represented party's informal email request for remote appearance within four days. The record establishes when the court acted and for whom.

The same measure appears after the judgment under review. On August 12, 2026, Petitioners filed a 23-page motion to alter or amend under Rule 59(e), SCRCP, supported by record citations. The circuit court denied it on August 14, 2026, by form judgment, 48 hours after filing. App. 78. A court that disposes of that motion in two days had left a motion for leave to amend unresolved for 209 days and a federally grounded accommodation request unresolved for 111. Decision speed in this record tracks one variable: whose filing it was.

The judgment under review completes the corroboration. Presented with that record, the State's highest court responded that the circuit court "requires time," that "Charleston is a very large county," and that Petitioners' own filings "likely contributed to any delays." App. 1–2.

The same classification that governs the intake of evidence governed the allocation of the court's attention: representation status predicted the fidelity of what the court received and the speed of what the court returned. Petitioners present that convergence as record confirmation of the question presented, and seek no holding beyond it.

IV. The question is national in scope

Self-representation is the ordinary condition of American civil justice. The National Center for State Courts found that at least one party was self-represented, usually the defendant, in 76 percent of the civil cases in its landscape dataset. National Center for State Courts, *The Landscape of Civil Litigation in State Courts* iv (2015).

The same body of research records the representation asymmetry beneath that figure: in debt-collection cases, plaintiffs appeared with counsel in 98 percent of cases while defendants appeared with counsel in 16 percent. National Center for State Courts, *Trends: Close Up, Civil Litigation*, https://www.ncsc.org/__data/assets/pdf_file/0024/25773/civil-litigation.pdf.

The type of party most likely to stand in a state courthouse without a lawyer is the type of party the filing architecture at issue routes through the degrading intake tier.

The filing architecture that produced this record operates in 28 of the 52 jurisdictions the National Center for Access to Justice scores. The National Center for Access to Justice scores every jurisdiction on whether it makes "electronic filing accessible from any computer" for self-represented litigants. Measured by jurisdiction count in the 2024 Justice Index dataset, 24 of the 52 scored jurisdictions receive a "Yes" and 28 receive a "No," with South Carolina among the "No" jurisdictions. National Center for Access to Justice, *Justice Index Dataset* (Sept. 2024), *Self-Representation Index*, https://ncaj.org/state-rankings/justice-index.

The count runs by jurisdiction: in 28 of the 52 scored jurisdictions, whether a litigant's evidence reaches the court intact depends on whether a lawyer filed it. That geographic condition on a Fourteenth Amendment interest presents the kind of unsettled, recurring, structural question Rule 10(c) describes.

South Carolina presents the question in its most acute form. The State has the fewest lawyers per capita in the nation, 2.1 per 1,000 residents, roughly half the national figure. American Bar Association, *Profile of the Legal Profession* (2023), https://www.americanbar.org/news/abanews/aba-news-archives/2023/11/new-aba-profile-report-highlights-civil-legal-aid/.

South Carolina also holds the ninth-lowest score on the Justice Index, and it ranks last among the states in attorneys available to serve people living in poverty. Alicia M. Forehand, *Navigating Rough Waters: Charting a Path Toward Improved Access to Justice in South Carolina*, 74 S. C. L. REV. 863, 863–864 (2023), https://sc.edu/study/colleges_schools/law/student_life/journals/sclr/_documents/issues/vol74_4/forehand_navigating_rough_waters.pdf.

Where counsel is least available, self-representation is least likely to be a choice, and the burden of a representation-based filing classification falls on citizens with the fewest alternatives. The question presented asks whether a State may answer that scarcity by degrading the evidence of citizens whom that scarcity leaves to proceed without counsel.

The question also governs what comes next. The same dataset locates the transition midstream: 24 scored jurisdictions provide open electronic access to self-represented litigants and 28 have yet to do so.

Each jurisdiction completing the transition will either extend full-fidelity intake to all litigants or preserve an architecture in which an intake setting determines whose evidence survives intact; that setting is a choice invisible to the filer.

Resolution now would set the constitutional terms that govern the fairness of filing methods as jurisdictions complete that transition.

V. This case is a clean vehicle

The question presented reduces to a pure question of law. The facts that carry it are documents: a user agreement, a docket, a paired image, and four orders. The record arrives complete for review as filed; the paired exhibit performs the only comparison the case needs, and it sits in the appendix. App. 53–56.

The question was raised below and passed on. It entered the mandamus petition by name, with day counts and the five-day comparator. It entered the proceeding again through the May 11, 2026 Supplement, under a heading reading "The Fourteenth Amendment Significance of the Current Status Record," and through the demonstration on the underlying docket.

The May 21, 2026 order resolved the proceeding with stated reasons. App. 1–3. See pp. 9–11, *supra*.

The judgment stands final under 28 U. S. C. § 1257(a). The original-jurisdiction proceeding is complete. The pending state track reviews the trial court's sanctions and pleading rulings; the court system's filing architecture sits outside that review, and only this Court reaches it. See supra, Jurisdiction.

The respondent is the appropriate party. The classification under review belongs to the court system

itself. The private defendants in the underlying action hold no stake in the filing rule and are not parties here. The question arrives unentangled with any private dispute.

Finally, the record insulates the question from the discount ordinarily applied to self-represented filings. Every factual claim in the petition travels with a quoted record string or a reproduced document.

A reader inclined to discount the filing because of who filed it confronts, in the appendix, the precise mechanism by which such discounting becomes self-executing: the State's own intake process rendered these litigants' evidence less legible than their opponents' evidence before any human judgment reached it.

VI. The remedy is administrable

The relief a merits holding would require consists of a court-administration measure within powers that every state judiciary already exercises. The complete remedy on this record runs through access: extend electronic filing to self-represented parties, as 24 scored jurisdictions already do.

Fidelity-preserving paper intake would cure the evidentiary component alone; it would leave in place the labor of hand-filing each submission and the text-invisibility of scanned filings, which keeps a self-represented party's papers illegible to the search tools every other reader of the electronic docket enjoys.

Open access resolves the visible, the searchable, and the participatory disparities at once, and it leaves every substantive law, pleading standard, and legitimate gatekeeping function untouched.

Courts remain free to screen filings for compliance; the holding sought reaches only an intake architecture that consumes one class of litigants' evidence.

The record itself answers any suggestion that electronic submissions from self-represented parties present technical obstacles: the State's highest court maintains an email channel through which these self-represented Petitioners submitted filings in the proceeding below, and its Clerk's office corresponded with them through the same channel. App. 69.

The holding is equally narrow on the participation dimension. A court that resolves a represented party's routine motion in five days while leaving a motion for leave to amend and a federally grounded accommodation request unresolved for 209 and 111 days has, on those facts, denied the opportunity to be heard at a meaningful time. The holding operates on extremes and leaves ordinary docket management untouched.

CONCLUSION

The petition for a writ of certiorari should be granted.

James C. McNeil
Meaghan Poyer

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AUGUST 2026

Pro Se Petitioners

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Appendix A
[Filed: May 21, 2026]

The Supreme Court of South Carolina

James C. "Chris" McNeil and Meghan Poyer, Petitioners,

v.

Ninth Judicial Circuit Court of Common Pleas,
Charleston County, Respondent.

Appellate Case No. 2026–000919

ORDER

Petitioners have filed a *pro se* petition for a writ of mandamus asking this Court to direct the circuit court in Charleston to rule on (1) their motion to file a second amended complaint filed on October 24, 2025; (2) their motion for ADA accommodations filed on January 30, 2026; and (3) their "Omnibus" motion filed on February 24, 2026. Because the circuit court has scheduled a hearing on Petitioners' motions for May 28, 2026, we decline to entertain this matter in this Court's original jurisdiction. *See* Rule 245, SCACR, and *Key v. Currie*, 305 S. C. 115, 406 S. E. 2d 356 (1991).

However, we also take this opportunity to caution Petitioners that the circuit court requires time to review and consider individual motions and any accompanying materials prior to issuing a dispositive ruling. Furthermore, Charleston is a very large county, and Petitioners' case is one of many pending before

that court. The very fact that the circuit court has scheduled a hearing on Petitioners' motions demonstrates that the circuit court is not ignoring Petitioners' filings. Accordingly, seeking a writ of mandamus before this Court was unnecessary.

While we understand any litigants' concerns about the process, Petitioners are further cautioned that their excessive filings likely contributed to any delays in the case. Our review of the underlying case in the Charleston County public index indicates that Petitioners have filed more than forty motions, notices, and other documents during the eight-month time frame that the case has been pending.

While Petitioners' filings in the underlying case may not yet rise to the level of abusive, Petitioners are warned that this Court and the circuit court have the power to establish filing restrictions in the event that either court determines a litigant is a prolific or abusive filer.[1]

---

[1] In addition to the powers specifically granted to the Court in section article V, §5 of the Constitution, the Supreme Court has the "inherent power to control the order of its business to safeguard the rights of litigants." *Renaissance Enterprises, Inc. v. Summit Teleservices, Inc.*, 334 S. C. 649, 651, 515 S. E. 2d 257, 258 (1999). This power includes not only the regulation of the practice of law, but the power to punish by contempt and, when necessary to protect the orderly administration of justice and the rights of other litigants, to establish filing restrictions in the case of prolific, abusive filers.

/s/ John W. Kittredge C. J.
/s/ John Cannon Few J.
/s/ George C. James, Jr. J.
/s/ D. Garrison Hill J.
/s/ Letitia H. Verdin J.

Columbia, South Carolina
May 21, 2026

cc:
Holly Palmer Beeson
Edward L. Knisley, Jr.
Andrew LaRoche Hethington
Alicia Noel Bolyard
Christopher William Manning
James C. McNeil
Meaghan Poyer
Thomas J. Rode
Jennifer Blanchard McCoy
The Honorable Dale E. Van Slambrook

Appendix B
[Filed: Aug. 3, 2026]

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
COUNTY OF CHARLESTON	)	NINTH JUDICIAL CIRCUIT
James C. (Chris) McNeil and Meaghan Poyer,	)	C/A NO.: 2025–CP–10–05095
Plaintiffs,	)	
Vs.	)	**ORDER**
SAC 181, LLC, Meridian Residential Group, LLC, Adam W. Bayles, Individually, Tara Bayles, Individually, and MRG Investing Company, LLC	)	
Defendants.	)	

This matter came before the Court on May 28, 2026, for hearings on over thirty pending motions of the respective parties and non-parties.

Plaintiffs James C. ("Chris") McNeil and Meaghan Poyer were both present, *pro se*. The appearances of counsel for the respective defendants and interested non-parties were as follows: Kevin Michael O'Brien on

behalf of SAC 181, LLC; Alicia Noel Bolyard and Christopher Manning on behalf of Meridian Residential Group, LLC, Adam W. Bayles, individually, and Tara Bayles, individually; Jeffrey William Kuykendall on behalf of MRG Investing Company, LLC; Holly Palmer Beeson on behalf of the S. C. Department of Labor Licensing and Regulation; and Graham Smith Mitchell on behalf of Pinnacle Bank d/b/a Synovus Bank, as successor by merger with Synovus Bank.

For the reasons addressed fully and specifically herein, the ultimate disposition of this matter is that same shall be **DISMISSED FULLY, IN ITS ENTIRETY, WITH PREJUDICE.**

BACKGROUND

This litigation arises from a residential landlord/tenant relationship. The Plaintiffs leased residential property at 181 Gordon Street in Charleston, South Carolina that is owned by Defendant SAC 181 LLC and managed by Defendant Meridian Residential Group, LLC.

The landlord/tenant relationship began in approximately 2020. There was initially a written lease agreement that expired prior to 2025. At all times relevant to this lawsuit, the Plaintiffs were tenants on a month-to-month basis. On April 1, 2025, the Plaintiffs were provided renewal notice that was to expire on April 30, 2025, if not accepted. On May 23, 2025, the Plaintiffs acknowledged the lease renewal offer and raised inquiry as to professional cleaning of AC/Heating ducts, checking insulation for asbestos, and repairs of repairs of windows, screens, and blinds. On May 29, 2025, Plaintiffs were sent a Notice to Vacate, terminating the tenancy as of July 31, 2025.

The Plaintiffs voluntarily vacated the residence on or about August 1, 2025.

Plaintiffs' Summons and Complaint was filed on September 9, 2025. The initial Complaint asserted causes of action against SAC 181, LLC and Meridian Residential Group, LLC for: 1) Violation of S. C. Code Ann. §27-40-410 (Failure to Return Security Deposit), 2) Fraudulent Misrepresentation, 3) Breach of Contract, 4) Retaliatory Conduct, 5) Negligence and Breach of Duty to Provide Safe and Habitable Premises, and 6) Alter Ego/Piercing Corporate Veil. The Plaintiffs Amended Complaint was filed on September 15, 2025.

The respective Defendants filed timely responsive pleadings. This litigation has included voluminous motions, notices, responses, supporting memoranda and other documents filed by the parties. Attached to this Order as **Exhibit A** is numbered list of relevant filings as to the matters before this court that includes the filing party, nature and date of the filing. For the sake of clarity, this Order will refer to motions heard and ruled upon in this Order by number as identified on **Exhibit A**.

(Exhibit A, Motions 1, 3, 4, 5, 36, 38, 41, 44, 65)

At the hearing, Plaintiffs advised that their (1) Motion to Disqualify Counsel, (3) Emergency Motion for Redaction of Personal Identifiers, (4) Motion to Compel Insurance Disclosures and Sanctions, (5) Motion for Expedited Hearing on Motion to Disqualify had all been resolved or otherwise rendered moot. Accordingly, these motions are DISMISSED and/or DENIED.

The Court has considered Plaintiffs' Motion for

Emergency Protective Relief (36), Supplemental Motion for ADA Accommodations (38), and Emergency Motion for Continuance of May 28, 2026, Hearing (65). The Plaintiffs filings as to these three motions contain 152 pages of documents.

These motions arise from Mr. McNeil's assertions that he is entitled various forms of accommodation, continuances or other relief requested primarily pursuant to the Americans with Disabilities Act. The hearings held May 28, 2026, lasted approximately five hours during which time Mr. McNeil made extensive arguments. This Court did not observe that Mr. McNeil appeared to suffer from any visible impairment of mobility, communication or other skills.

Following the hearing, this Court reviewed and considered the Plaintiffs' extensive filings associated with these motions. The documents contain a litany of complaints and assertions as to matters unrelated to the issue of disability. In focusing on allegations or evidence relevant to accommodation pursuant to the ADA, Mr. McNeil reports that he "has attempted to document the impact of this pattern using validated self-report tools, including the PTSD Checklist for DSM-5 (PCL-5), on which he scored 76 out of 80 (severe range), and a structured gaslighting-severity instrument scoring 79 out of 80, reflecting an extreme level of coordinated psychological harm." (Plaintiff Supplemental Motion for ADA Accommodations filed 1/30/2026, p. 4, PP. 5). Even if a "self-test" would be appropriate to consider, there is no clear description of or documentation of such test or its results. Mr. McNeil alleges that he suffers from "Litigation Induced PTSD." No affidavit, record or documentation of any medical provider or professional reflects that

Mr. McNeil is diagnosed with physical or mental impairment that would qualify for accommodation under the ADA. I find no evidence that Mr. McNeil has an ADA disability. Plaintiffs Motion for Emergency Protective Relief (36); Supplemental Motion for ADA Accommodations (38), and Emergency Motion for Continuance of May 28, 2026, Hearing (65) are therefore DENIED.

Plaintiffs filed a "Case Clarity Brief and Omnibus Request for Relief following February 9, 2026, Status Conference" (41) on February 24, 2026. This document restates matters contained in other motions filed by Plaintiffs that have or will be ruled upon in this Order. Accordingly, to the extent this filing may be considered a Motion, any relief sought by Plaintiffs in this filing is hereby DENIED.

Plaintiffs' Motion to File exhibits A-1, A2 & A-3 Under Seal (44) is shown as having been filed March 20, 2026. No document appears in connection with the filing, and no reference was made to such request during the hearing. In the interest of disposing of all pending motions, this Motion is DENIED.

(Exhibit A, Motions 11, 13, 15, 17, 19)

The above-referenced motions relate to discovery, sanctions, and/or administrative matters. On or about October 3, 2025, Plaintiffs allege service of Requests for Production and Interrogatories on SAC 181, LLC. On November 7, 2025, Defendant SAC 181 LLC filed a Motion for Protective Order Including a Stay of Discovery (11) as to these requests. On November 10, 2025, Plaintiffs filed a Motion to Compel and Sanctions (13) based on failure to respond to Requests for Production and Interrogatories by SAC 181

LLC. In response, SAC 181 LLC filed a Motion for Sanctions (15) on November 19, 2025. On November 20, 2025, Plaintiffs filed a Motion for Protective and Conditions and Response to Defense Request for Continuance (17). On November 26, 2025, Plaintiffs filed a Response and Cross Motion for Sanctions and Memorandum in Opposition to Defendant SAC 181's Motion for Sanctions (19).

This Court has reviewed the filings associated with the motions described above. The motions all arise from disputes regarding response by SAC 181, LLC to Interrogatories and Requests for Production of Plaintiffs. These motions can be decided upon a determination of sufficiency of service of Plaintiffs' Interrogatories and Requests for Production upon SAC 181 LLC. This Court finds Plaintiffs did not effectively serve Interrogatories and Request for Production on SAC 181 LLC.

Attorney Eric Pettis accepted service of the initial pleadings on behalf of one or more defendants but did not file or enter an appearance on behalf of any defendant. Plaintiffs contend that the Interrogatories and Requests for Production were served upon SAC 181 LLC by email to Mr. Pettis on October 3, 2025. Counsel for SAC 181 LLC entered his appearance on or about October 15, 2025. Counsel for SAC 181 LLC consistently denied the sufficiency of service of Plaintiffs Interrogatories and Requests for Production and offered to accept service of these Interrogatories and Requests for Production on November 3, 2025. Plaintiffs declined this simple offer to cure the defective service, and this litany of motions, cross-motions and requests for sanctions followed.

Order 2022–05–06–04 of the South Carolina

Supreme Court is entitled Service by E-Mail in the Trial Courts and provides, in relevant part:

d) E-Mail Service By and On Self-Represented Litigants. A self-represented litigant who is not a lawyer admitted to practice in this state may consent in writing to be served by e-mail and designate a correct e-mail address for service. A lawyer may consent in writing to accept service by e-mail from a self-represented litigant. The Plaintiffs are self-represented litigants. After reviewing the entire available record of documents filed in these proceedings, this Court finds no evidence that Mr. Pettis consented to acceptance of service by e-mail from Plaintiffs. In the absence of such written consent, service and filing of pleadings is solely governed by Rule 5 of the South Carolina Rules of Civil Procedure. There is no evidence of effective service of Plaintiffs discovery requests on SAC 181 LLC pursuant to Rule 5. This Court finds and concludes that SAC 181 LLC was not, and has not been, properly served with Interrogatories or Requests for Production by Plaintiffs. Accordingly, Defendant SAC 181's Motion for Protective Order Including a Stay of Discovery (11) is GRANTED; Plaintiffs' Motion to Compel and Sanctions (13) is DENIED; SAC 181 LLC's Motion for Sanctions (15) is DENIED. Plaintiffs' Motion for Protective Order and Conditions and Response to Defense Request for Continuance (17) is DENIED; Plaintiffs' Response and Cross Motion for

Sanctions (19) is DENIED.[2]

(Exhibit A, Motions 24, 25, 33, 34, 37, 39, 46)

The following motions involve disputes related to subpoenas the Plaintiffs have served on parties and or non-parties. The Plaintiffs' motions variously seek to enforce and sanction refusal to respond to subpoenas. Respective Defendants and non-party recipients of these subpoenas have responsive motions for protection or to quash the respective subpoenas.

On January 14, 2026, Plaintiffs filed copies of subpoenas purportedly served on SCLLR, Showmojo LLC, Synovus Bank[3], Appfolio Inc., and Matterport, Inc. The parties acknowledge that other subpoenas have been directed by Plaintiffs to other parties or non-parties. The subpoenas resulted in the following motions: Motion to Quash of Meridian Residential Group, LLC filed January 8, 2026 (24); Motion to Quash Subpeona & Incorporated Memo of Law of SAC 181 LLC filed January 12, 2026 (25); Motion for

---

[2] This Court will address all issues raised as to sanctions together in this Order but does find that these motions were all necessitated by actions of the Plaintiffs that a simple reading of the rule makes clear that Plaintiffs position is unequivocally without merit. The Defendant notified Plaintiffs of the deficiency and offered to accept service and correct the issue. Plaintiffs label Defendant's communication an "intimidation tactic" and ultimately filed their fifty-five page motion to compel and for sanctions pursuant to SCRCP 11.

[3] Pinnacle Bank and Synovus Bank merged during the pendency of these proceedings as reflected in Notice of Joinder and Memorandum in Opposition to Plaintiffs' Motion to Compel filed by Pinnacle on May 21, 2026, and the proper designation of this entity at this time is Pinnacle Bank d/b/a Synovus Bank, as successor by merger with Synovus Bank.

Protective Order in re: Deposition of SAC 181, LLC of SAC 181, LLC filed January 26, 2026 (33); Motion to Quash Subpeona & Memorandum of Law of SAC 181 LLC filed January 27, 2026 (34); Motion to Quash Subpeona of SCLLR filed January 28, 2026 (37); Motion in Joinder to Quash Deposition of Meridian Residential Group, LLC filed January 30, 2026 (39); Motion to Compel Compliance with Subpeona Duces Tecum of James C. McNeil filed April 22, 2026 (46).

All subpoenas issued by Plaintiffs are signed by Mr. McNeil and Ms. Poyer and filed with the Charleston County Clerk of Court. The filing makes the subpoenas easy to examine, and it is therefore easily determined that none of the subpoenas were *issued* by the Charleston County Clerk of Court.

Rule 45(a)(3) of the South Carolina Rules of Civil Procedure is dispositive. "The clerk shall issue a subpoena, signed but otherwise in blank, to a party requesting it, who shall complete it before service. An attorney as officer of the court may also issue and sign a subpoena on behalf of a court in which the attorney is authorized to practice." While an attorney may issue and sign subpoenas on behalf of the court, the rule does not grant such authority to non-attorneys or self-represented litigants. Plaintiffs' subpoenas are not issued or signed by the Charleston County Clerk of Court. The subpoenas do not comply with Rule 45(a)(3), SCRCP and are defective, invalid and unenforceable.

Accordingly, this Court finds and concludes that the Motion to Quash of Meridian Residential Group, LLC filed January 8, 2026 (24) is GRANTED; Motion to Quash Subpeona & Incorporated Memo of Law of SAC 181 LLC filed January 12, 2026 (25) is GRANTED;

Motion for Protective Order in re: Deposition of SAC 181, LLC of SAC 181, LLC filed January 26, 2026 (33) is GRANTED; Motion to Quash Subpeona & Memorandum of Law of SAC 181 LLC filed January 27, 2026 is GRANTED (34); Motion to Quash Subpeona of SCLLR filed January 28, 2026 (37) is GRANTED; Motion in Joinder to Quash Deposition of Meridian Residential Group, LLC filed January 30, 2026 (39) is GRANTED; Motion to Compel Compliance with Subpeona Duces Tecum of James C. McNeil filed April 22, 2026 (46) is DENIED.[4]

(As to Exhibit A: 47 & 48)

The Plaintiffs filed a notice of Lis Pendens to property located at 181 Gordon Street owned by SAC 181 LLC on April 22, 2026. The Plaintiffs filed a notice of Lis Pendens to property located at 8310 Rivers Avenue, Unit B, North Charleston, South Carolina 29406 owned by Defendant MRG Investing Company LLC on April 22, 2026. Defendant SAC 181, LLC filed a Motion to Cancel Lis Pendens on April 29, 2026. Defendant MRG Investing Company LLC filed a Motion to Cancel Lis Pendens on May 14, 2026.

No cause of action of Plaintiffs affects title to property owned by any Defendant. No warrant of

[4] Requests for Sanctions will be addressed separately. However, this Court finds that Plaintiffs actions and filings required parties and non-parties to respond to clearly defective subpoenas. Plaintiffs were on notice of the defect as early as January of 2026. Rather than attempt to correct deficiencies, the Plaintiffs sought to compel compliance with the invalid subpoenas. For example, on April 22, 2026, the Plaintiffs signed and filed a Motion to Compel Compliance with Subpeona and sought sanctions against Synovus.

attachment has been issued. Plaintiffs Lis Pendens are not within the scope of S. C. Code Ann. §15-11-10 (1976, as amended). The court determined and ruled that both Lis Pendens were invalid and should be cancelled in open court on May 28, 2026. This Order confirms in writing that, pursuant to S. C. Code Ann. §15-11-40 (1976, as amended), the Motion to Cancel Lis Pendens of Defendant SAC 181, LLC filed April 29, 2026 (47) is GRANTED and the Motion to Cancel Lis Pendens of MRG Investing Company LLC filed May 14, 2026 (48) is GRANTED. Accordingly, each of the Lis Pendens filed by Plaintiffs should be and are hereby cancelled.

While I will address sanctions hereafter, I take this opportunity to make findings specific to the Lis Pendens filed by Plaintiffs. I do not find there is any reasonable or good faith basis to support the Plaintiffs filing of a Lis Pendens. I find each Plaintiff signed each of the Lis Pendens filed on April 22, 2026. Each Lis Pendens contains the following language: "The action asserts claims directly affecting title to, possession of, and equitable interests in the following real property located in Charleston County, South Carolina, including claims for constructive trust, equitable lien on proceeds…" Plaintiffs' Complaint, Amended Complaint, nor proposed Second Amended Complaint contains an assertion of any claim directly affecting title to, possession of, or equitable interest in any real property. I find that a willful misrepresentation by the Plaintiffs in the filing of their Lis Pendens.

This is not insignificant. The effect of a lis pendens is to encumber real property. Here, real property has been encumbered based on filings that contain willful misrepresentations. Our Supreme Court has

affirmed a jury verdict based upon abuse of process where a defendant willfully filed a lis pendens and lawsuit for specific performance with an ulterior purpose. Broadmoor Apartments of Charleston v. Horwitz, 306 S. C. 482, 413 S. E. 2d 9 (1991). I find that the Plaintiffs, in filing these lis pendens, engaged in misrepresentation, acted frivolously, in bad faith, and in an abusive manner.

(Exhibit A, Motions 7, 8, 10)

This court addresses the following motions: Plaintiffs' Emergency Motion for Rule 11 Sanctions and to Strike Answer filed October 29, 2025 (7), Defendant SAC 181, LLC's Partial Motion to Dismiss Amended Complaint filed October 29, 2025 (8), MRG Investing, LLC's Notice of Motion and Motion to Dismiss filed November 4, 2025 (10).

Plaintiffs Emergency Motion for Rule 11 Sanctions and to Strike Answer filed October 29, 2025 (7)

Plaintiffs' motion seeks to strike an answer and cross-claim filed by Defendant MRG on October 9, 2025. The motion caption states the relief is requested pursuant to SCRCP "11(b)(3) and 12(f)." There is no SCRCP 11(b)(3). This Court has reviewed the Answer and Cross-claim and finds nothing that violates the provisions of SCRCP 8(b) that would form the basis for striking any portion of the pleading pursuant to SCRCP 12(f).

Plaintiffs' motion contains a lengthy and confusing array of allegations not relevant to the motion as well as citation to case law that is not accurate. Plaintiffs' Emergency Motion for Rule 11 Sanctions and to Strike

Answer filed October 29, 2025 (7) is DENIED.

Defendant SAC 181, LLC's Partial Motion to Dismiss Amended Complaint filed October 29, 2025 (8); MRG Investing, LLC's Motion to Dismiss filed November 4, 2025 (10)

The Plaintiffs' Amended Complaint sets forth counts alleging the following causes of action:

I) Failure to Return Security Deposit in Violation of S. C. Code Ann. §27-40-410,
II) Fraudulent Misrepresentation,
III) Breach of Contract,
IV) Retaliatory Conduct,
V) Negligence and Breach of Duty to Provide Safe and Habitable Premises, and
VI) Alter Ego/Piercing Corporate Veil

The Defendants moved or joined in respective Partial Motions to Dismiss Plaintiffs' causes of action for II) Fraudulent Misrepresentation, IV) Retaliatory Conduct, and V) Negligence and Breach of Duty to Provide Safe and Habitable Premises.

STANDARD

Under South Carolina Rule of Civil Procedure 12(b)(6), a party may move to dismiss a complaint based on a failure to state facts sufficient to constitute a cause of action. Spence v. Spence, 368 S. C. 106, 116, 628 S. E. 2d 869, 874 (2006). In considering a motion to dismiss under Rule 12(b)(6), the court must base its ruling solely on the allegations set forth in the complaint. Doe v. Marion, 373 S. C. 390, 645 S. E. 2d 245 (2007). Such a motion may not be sustained if the facts alleged and the inferences reasonably deducible therefrom would entitle the plaintiff to any relief

on any theory of the case. Id. The question is whether, in the light most favorable to the plaintiff and with every doubt resolved in his behalf, the complaint states any valid claim for relief. Id.

As to the Defendants' Motions to Dismiss Causes of Action for II) Fraudulent Misrepresentation, IV) Retaliatory Conduct, and V) Negligence and Breach of Duty to Provide Safe and Habitable Premises, this Court considered allegations of the Amended Complaint and the inferences reasonably deducible therefrom, in the light most favorable to the plaintiffs and finds as follows:

II) Fraudulent Misrepresentation

A complaint alleging fraudulent misrepresentation is fatally defective if it fails to allege all nine elements of fraud. Inman v. Ken Hyatt Chrysler Plymouth, Inc.,294 S. C. 240, 363 S. E. 2d 691 (1988). Rule 9(b) of the South Carolina Rules of Civil Procedure states that "[i]n all averments of fraud or mistake, the circumstances constituting fraud or mistake shall be stated with particularity."

Plaintiffs' Amended Complaint asserts that Defendants "knowingly and falsely represented this documentation as a valid postmark, intending that Plaintiffs would rely on it as evidence of statutory compliance" (See Pls. Amend. Compl. ¶ 40) and that this "directly related to Defendant's statutory obligations under S. C. Code Ann. §27-40-910" (See Id. at ¶ 43).

I do not find that the Plaintiffs allege a representation, fraudulent or otherwise, that meets the required elements of fraud under South Carolina law. Allegations of knowledge, falsity or intent to deceive are alleged in a presumptive or conclusory manner and are

unsupported by any specific factual allegation. Moreover, Plaintiffs do not allege that they relied, justifiably or otherwise, on any representation made by any defendant. Plaintiffs also fail to state any cognizable damages arising from any alleged misrepresentation. Accordingly, the Plaintiffs' Cause of Action for Fraudulent Misrepresentation is DISMISSED for failure to state a cause of action.

IV) Retaliatory Conduct

South Carolina Code §27-40-910 provides, in relevant part:

a) Except as provided in this section, a landlord shall not retaliate by increasing rent to an amount in excess of fair-market value or decreasing essential services or by bringing an action for possession after:

(1) the tenant has complained to a governmental agency charged with responsibility for enforcement of a building or housing code of a violation applicable to the premises materially affecting health and safety; or

(2) the tenant has complained to the landlord of a violation of this chapter.

Plaintiffs' Amended Complaint asserts that "adverse action was taken in direct retaliation for Plaintiffs' lawful assertion of tenant rights under the South Carolina Residential Landlord and Tenant Act, in violation of S. C. Code Ann. §27-40-910." (See Pls. Amend. Compl. ¶ 62). However, Plaintiffs' own allegations demonstrate that the decision and notice of non-renewal of lease occurred before, not after, any purported complaint. (See Pls. Amend. Compl. ¶¶ 59–61). Plaintiffs were presented with a lease

renewal offer on or about April 1, 2026, with an expiration date of April 30, 2026. (See Pls. Amend. Compl. ¶59). Plaintiffs did not respond to this offer within the prescribed time and thus it expired, along with the lease. Plaintiffs, in their Amended Complaint, state that they did not make their "demands" until May 23, 2026, after expiration of the lease renewal options presented to them. (See Pls. Amend. Compl. ¶59). Plaintiffs' tenancy ended because they refused the previously offered renewal options. The statute prohibits actions taken after a protected complaint. However, Plaintiffs' pleadings confirm the lease ended prior to any issues they raised on May 23, 2026.

Plaintiffs claim for retaliatory conduct under S. C. Code Ann. §27-40-910 fails as a matter of law. There is no allegation that the Defendant took any prohibited action (increasing rent to an amount in excess of fair-market value, decreasing essential services, or bringing an action for possession) after any complaint was made.

Plaintiffs' complaint further fails because they do not allege a complaint as any matter that constitutes a violation of Chapter 40. The issues Plaintiffs identify in Paragraph 59 are as follows: "Property safety improvements, including ensuring safe ventilation through operable windows and screens; Deferred maintenance items, including replacing broken blinds and repairing unsafe conditions; Previously discussed improvements such as fence installation options; Health and safety measures including cleaning HVAC ducts."

Chapter 40 incorporates landlord's obligations set forth in S. C. Code Ann. §27-40-440. Those

obligations are specific and are directed, generally to matters materially affecting health and safety, fitness and habitable condition. Viewed in a light most favorable to the Plaintiffs, the matters alleged in Paragraph 59 of the Plaintiffs' Amended Complaint do not set forth a violation of a duty imposed by SC Code Ann. §27-40-440. I find this additional failure to be independently fatal to Plaintiffs claim for Retaliatory Conduct and a separate basis for dismissal of this cause of action pursuant to SCRCP 12(b)(6).

V) Negligence and Breach of Duty to Provide Safe and Habitable Premises

Plaintiffs state in their Amended Complaint that "Defendants failed to maintain the property in a safe and habitable condition." (See Pls. Amend. Compl. ¶ 69). Specifically, Plaintiffs allege Defendants failures were: "Leaving the attic stair in a broken and unsafe condition; Leaving most windows painted shut and unusable; Failing to install screens in any windows, thereby rendering them unsafe and impractical to use once unsealed, as birds, insects, and other pests could freely enter the dwelling; and Failing to timely remedy other health and safety concerns raised by Plaintiffs." Plaintiffs allege that the unsafe and uninhabitable conditions materially interfered with Plaintiffs' use and enjoyment of the premises and placed their health and safety at risk. The Plaintiffs allege that "the lack of window screens prevented safe ventilation, exposing Plaintiffs to health risks in Charleston's hot and humid climate."

In the absence of a contract or agreement that imposes some additional duty, which is not alleged, Defendants duty to provide a safe and habitable

premises is imposed and defined by SC Code Ann. §27-40-440 (1976, as amended).

As previously discussed, Plaintiffs have not identified any actions or conduct on behalf of Defendants that give rise to a cause of action for negligence or any breach of duty or warranty. I do not find that the alleged defects previously discussed or those alleged in Paragraphs 69 through 71 of the Amended Complaint fall within the duties set forth by SC Code Ann. §27-40-440.

Moreover, Section 27-40-610 of the Residential Landlord Tenant Act expressly contemplates that when there is "material noncompliance" with the rental agreement or "noncompliance with SECTION 27-40-440 materially affecting health and safety or the physical condition of the property," the tenant "may deliver a written notice to the landlord specifying the acts and omissions constituting the breach" and providing that the rental agreement will terminate on a date "not less than fourteen days after receipt of the notice" if not remedied within fourteen days. See SC Code Ann. §27-40-610 (2025). South Carolina courts have treated this notice concept as integral to a tenant's ability to pursue statutory liability for failure to maintain premises. The Plaintiffs have not alleged that they ever provided the Defendants with notice or an opportunity to correct such defects during the tenancy. The only allegation as a request made of Defendants to repair anything was provided after the expiration of the tenancy.

Viewing the Amended Complaint in the light most favorable to the Plaintiffs, I find the Amended Complaint does not set forth any facts that could give rise to a claim against Defendants for negligence or breach

of duty or warranty. Accordingly, I find and conclude that this claim is DISMISSED pursuant to SCRCP 12(b)(6).

DISPOSITION OF REMAINING MOTIONS AND SANCTIONS

This Court has considered and ruled on all outstanding motions save: 1) The various Motions for Sanctions filed or joined in by the respective parties and, 2) Plaintiffs two Motions for Leave to file a Second Amended Complaint, one filed October 24, 2025, and a second filed October 30, 2025. I will address these motions collectively here.

Having granted Defendants' partial motion to dismiss pursuant to SCRCP 12(b)(6), Plaintiffs' have the following remaining causes of action:

I) Failure to Return Security Deposit in Violation of S. C. Code Ann. §27-40-410,
II) Breach of Contract,
III) Alter Ego/Piercing Corporate Veil

The Plaintiffs' Motion(s) for Leave to file a Second Amended Complaint includes a proposed Second Amended Complaint that would add causes of action for: 1)Negligence/ Statutory Negligence (Habitability, Care, and Listing/Privacy Safeguards); 2) Declaratory Judgment: Single Business Enterprise, Alter-Ego (Veil-Piercing) and, in the alternative, Joint Venture/Agency; 3) South Carolina Unfair Trade Practices Act (SCUTPA), S. C. Code Ann. §39-5-10 et seq.; 4) Invasion of Privacy (Common-Law): (A) Appropriation of Likeness; (B) Public Disclosure of Private Facts; (C) Intrusion upon Seclusion; 5) Negligent Hiring, Retention, and Supervision (Against Charles S. Altman Individually); and, 6) Equitable & Injunctive

Remedies.

The Plaintiffs filed excessive motions, documents and requests during the pendency of this litigation. On or about April 14, 2026, the Plaintiffs filed a Petition for a Writ of Mandamus in the Supreme Court of South Carolina in Appellate Case No. 2026–000919. The Petition asked, "to direct the circuit court in Charleston to rule on (1) their Motion to File a Second Amended Complaint filed October 24, 2025; (2) their Motion for ADA Accommodations filed on January 30, 2026; and (3) their "Omnibus" motion filed on February 24, 2026." By Order dated May 21, 2026, the Court declined to entertain the petition in the Court's original jurisdiction. The Order stated, "While Petitioners' filings in the underlying case may not yet rise to the level of abusive, Petitioners are warned that this Court and the circuit court have the power to establish filing restrictions in the event that either court determines a litigant is a prolific or abusive filer."

In addressing the pending motions for sanctions, and in considering whether, and to what extent, the Plaintiffs actions and filings constitute abusive or otherwise sanctionable conduct, I make the following:

FINDINGS OF FACT AS TO SANCTIONS

1. This Court reviewed voluminous documents, motions, memoranda and heard arguments regarding motions 24, 25, 33, 34, 37, 39, 46 related to subpoenas issued by Plaintiffs to parties and non-parties. As determined previously, Plaintiffs subpoenas were clearly invalid and unenforceable. The rule as it applies here is simple. The defect should have been clear to Plaintiffs, and the Plaintiffs were notified of the deficiency.

Nonetheless, Plaintiffs persisted in pursuing compliance with the subpoenas. Plaintiffs classified good faith efforts to notify them of defects as "bullying" and maintained that they were entitled to sanctions pursuant to SCRCP 11. Defendants and non-parties were compelled to seek counsel to protect their interests and incurred needless expense. I find that Plaintiffs actions regarding these subpoenas were frivolous and abusive.

2. This Court reviewed voluminous documents, motions, memoranda and heard arguments regarding motions 11,13,15, 17,19 related to Interrogatories and Requests for Production that the Plaintiffs did not properly serve. Like the defective subpoenas the error here should have been clear to Plaintiffs. The Defendant notified Plaintiffs of the deficiency. Defendants offered to accept service and correct the issue. Plaintiffs refused the offer and considered Defendant's communication an "intimidation tactic." Plaintiffs filed a fifty-five-page Motion to Compel and sought sanctions pursuant to SCRCP 11. As to these matters, I find Plaintiffs' actions were frivolous and abusive.
3. I find the Plaintiffs' Lis Pendens, both filed April 22, 2026, as to properties owned by SAC 181 LLC and MRG Investing Company LLC each constitute particularly egregious and abusive violations of SCRCP 11. I further find the filings contained willful misrepresentations. The filings, signed by both plaintiffs, stated: "The action asserts claims directly affecting title to, possession of, and equitable interests in the following real

property located in Charleston County, South Carolina, including claims for constructive trust, equitable lien on proceeds…" This is an absolute misrepresentation. No cause of action asserted, or that Plaintiffs sought to assert, includes a claim directly affecting title to or possession of the real property owned by any Defendant. No claims for constructive trust or equitable lien on proceeds were asserted, and no warrant of attachment had been issued. I find that the filing by the Plaintiffs of these Lis Pendens is an egregious act. Such an act is more than frivolous. The filing is based on a misrepresentation, and it is patently abusive, as the lis pendens have encumbered Defendants' real property since their filing.

4. I find Plaintiffs have filed multiple requests for "Emergency" or "Expedited" relief without any good ground to support the existence of an emergency or true necessity for expedited relief. I further find that Plaintiffs' Motions to Disqualify Opposing Counsel lacked any good ground for support in law or fact. I therefore find these filings violate the provisions SCRCP 11.

5. Plaintiffs Petition for Writ of Mandamus asked the Supreme Court direct the circuit court to rule on (1) their Motion to File a Second Amended Complaint filed on October 24, 2025;

(2) their Motion for ADA Accommodations filed on January 30, 2026; and (3) their "Omnibus" Motion filed on February 24, 2026. The Supreme Court Order dated May 21, 2026, provided, in part, "Because the circuit court has scheduled a hearing on Petitioner's motions for May 28, 2026, we decline to entertain this matter in this Court's

original jurisdiction."

6. With the very disposition Plaintiffs had sought scheduled, Plaintiffs filed an "Emergency Motion for Continuance of May 28, 2026, Hearing" on May 26, 2026. This 99-page filing is void of factual support or any good faith basis. This filing largely consists of regurgitation of unsupported claims to relief pursuant to the ADA. It appears all parties were notified of the hearings scheduled for May 28, 2026, on or about April 30, 2026. I find that Plaintiffs' filing the voluminous motion for continuance, lacking good ground for support, two days prior to the hearing constitutes abusive conduct, made willfully and with gross indifference to the rights of other litigants.
7. I find that the Plaintiffs have made repeated citations to cases, statutes or rules of civil procedure that are erroneous, misleading or fabricated. As examples, this Court notes Plaintiffs reference to the non-existent SCRCP 11(b)(3) in their Motion to Strike, Plaintiffs incorrect citation of SCRCP 45(d)(2)(B) and *Ex parte Smith* 407 S. C. 422 (2014) in their "Case Clarity Brief and Omnibus Request for Relief" dated February 24, 2026 and their "Brief in Aid of Safety Risk Mitigation and Judicial Clarity dated March 20, 2026." This court further incorporates by reference additional instances as set forth in Defendant SAC 181's Supplemental Memorandum in Support of Sanctions filed May 22, 2026.
8. This court notes Defendants arguments as to sanctions against Plaintiffs, based in part, upon use of AI and erroneous and fabricated positions of law and notes the supplemental authority

referenced in their Supplemental Memorandum in Support of Sanctions filed May 22, 2026. Issues in identifying the use and/or abuse of AI assisted filings and consequences thereof are clearly emerging rapidly. While I find the Defendants' arguments have merit, this Court is reluctant to make this finding a basis for sanctions. Though this Court finds Plaintiffs have repeatedly submitted erroneous, misleading or fabricated citations of law in violation of Rule 11, this finding is not relied on as a basis for sanctions but is included to allow the issue to be considered or addressed upon appellate review if the opportunity is presented.

ANALYSIS

I find the circumstances set forth in the findings of fact set forth above demonstrate a pattern of prolific, vexatious, serial and abusive filings by the Plaintiffs. The volume, repetition and willfulness of the Plaintiffs' conduct is in complete disregard to the rights of other litigants and the efficient and orderly administration of justice. The Plaintiffs are pro se and may have been ignorant of the consequences of some of their actions. This Court attempts to extend leniency to pro se litigants when this will not prejudice an opposing party. Upon having the opportunity to review the full history of filings in this matter, these Plaintiffs have simply exhausted any available leniency. Regardless of knowledge, intellect, or motive, the law is clear that pro se litigant who knowingly elects to represent himself assumes full responsibility for complying with substantive and procedural requirements of the law. State v. Burton, 356 S. C.

259, 589 S. E. 2d 6 (2003).

During the hearing, this Court was advised of a website Plaintiffs operate that is primarily focused on this lawsuit. The Plaintiffs are free to express their opinions. This Court is troubled, however, that there is at least the suggestion or appearance the Plaintiffs' are marketing an "asset" to law firms which Plaintiffs possess from participation in this pro se litigation.[5] While this Court finds this troubling, this information is not considered as a basis for sanctions.

This court recognizes that striking a pleading is harsh medicine that should not be administered lightly. Karppi v. Greenville Terrazo Co., 327 S. C. 538, 489 S. E. 2d 679 (Ct. App. 1997). A court imposing sanctions under Rule 11 should, in its order, describe the conduct determined to constitute a violation of the rule and explain the basis for the sanction imposed. Runyon v. Wright, 322 S. C. 15, 19, 471 S. E. 2d 160, 162 (1996). The decision to impose sanctions is one in equity, and thus the appellate court reviews the circuit court's factual findings de novo.

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[5] https://rocketsfight.org/to-the-firm-that-sees

To first go through the Conflicts, Check, fill out the form below to confirm you are a member of an interested law firm, and you will instantly be taken to a page and sent an autoreply email you can respond to — both include a list of defendants and proposed defendants to check for conflicts. Next stage instructions are provided for those with no conflicts.

Engagement Structure

This opportunity reflects the fact that you would be acquiring a largely built asset and positioning your firm as a ready force multiplier.

- Stage One – Retainer for Readiness and Asset Acquisition

  We will ask the selected firm to pay a focused retainer that serves two functions:

Pee Dee Health Care, P.A. v. Est. of Thompson, 424 S. C. 520, 538 n.11, 818 S. E. 2d 758, 768 n.11 (2018). If the appellate court agrees with the factual findings of the circuit court, the appellate court determines whether the circuit court acted within its discretion when imposing sanctions. Id.

I find that this Court's Finds of Fact numbered One through Six above warrant imposition of severe and dispositive sanctions. As to Plaintiffs' remaining Causes of Action for Failure to Return Security Deposit in Violation of S. C. Code Ann. §27-40-410, Breach of Contract, and Alter Ego/Piercing Corporate Veil, during the hearings of May 28, 2026, Plaintiffs admitted they received and negotiated checks in the amount of $2,285.00, representing all but $310.00 of the $2,595.00 security deposit. Under the circumstances, the value of a $310.00 claim of Plaintiffs for Failure to Return Security Deposit is negligible compared to the time, effort and expense required by the multitude of sanctionable conduct detailed above. As to the claim for Breach of Contract, it is undisputed that the Plaintiff's were tenants under a month-to-month lease in April of 2025. The Defendants had the right to terminate such tenancy at any time upon thirty-day notice, and this appears to be what the Defendants did. With no independent causes of action, there is no stand-alone basis for a cause of action for Alter Ego or Piercing Corporate Veil liability.

I do not find that any of Plaintiffs remaining claims have significant value or merit. In considering the equity associated with the imposition of dismissal as a sanction, I find that the potential value of these claims is far outweighed by the harm, expense and time incurred in response to plaintiffs prolific, abusive

and frivolous filings. I therefore find and conclude that the three remaining causes of action asserted in Plaintiffs Amended Summons and Complaint should be DISMISSED WITH PREJUDICE as a sanction pursuant to SCRCP 11.

As an additional sanction, I find and conclude that Plaintiffs Motions for Leave to File Second Amended Complaint are DENIED. In considering the equity of imposing this sanction, I have considered the allegations of the Proposed Second Amended Complaint. I find that, even in the absence of sanctionable conduct, the proposed amendment would likely be futile.

The proposed claim for Negligence/ Statutory Negligence (Habitability, Care) fails based on the same analysis considered viewing the allegations of the Amended Complaint. The Plaintiffs seek to allege "Negligent "Listing/Privacy Safeguards" and, separately, "Invasion of Privacy. South Carolina recognizes three separate and distinct causes of action for invasion of privacy: 1) wrongful appropriation of personality; 2) wrongful publicizing of private affairs; and 3) wrongful intrusion into private affairs. Swinton Creek Nursery v. Edisto Farm Credit, 334 S. C. 469, 514 S. E. 2d 126 (1999). Based upon the allegations of the Proposed Second Amended Complaint, allegations such as the Plaintiffs being depicted incidentally in a listing photograph, without being identified, do not rise to the level of a cognizable claim.

The Proposed Second Amended Complaint would seek relief based upon "Declaratory Judgment: Single Business Enterprise, Alter-Ego (Veil-Piercing) and, in the alternative, Joint Venture/Agency." Without valid independent causes of action, these causes of action would be futile. Likewise, without a stand-alone

cause of action for negligence, there is no cognizable claim for "Negligent Hiring, Retention, and Supervision (Against Charles S. Altman Individually)." This Court likewise finds no valid cause of action has been asserted for the proposed "Equitable & Injunctive Remedies" or violation of the South Carolina Unfair Trade Practices Act (SCUTPA).

This Court has not considered these proposed claims in the light of a 12(b)(6) analysis. Rather, I have considered them to determine if there is presented any real, legitimate or viable claim presented. Again, even if some semblance of a claim exists under any existing or proposed cause of action, this Court ultimately finds the merit and value of any such claim to be far outweighed by the abusive conduct, frivolous action, expense and harm caused by the Plaintiffs in the manner they have conducted this litigation. This Court determines that the interests of justice, order of the court and rights of the litigants are best served by bringing this litigation to an end, fully and finally, as a sanction. I find that this result is more likely to deter such conduct in the future and find that additional time, expense and resources necessary to determine and assess appropriate attorneys' fees, which ultimately may not be recovered, result in the greater benefit and orderly administration of justice being the full conclusion of this matter.

Accordingly, based on the foregoing, this action is **DISMISSED FULLY, IN ITS ENTIRETY, WITH PREJUDICE.**

IT IS SO ORDERED!

[EXHIBIT A ON THE FOLLOWING PAGE]

EXHIBIT A

FILING LIST, MCNEIL & POYNER V. SAC 181, LLC ET AL

Filed by:	***Nature of filing:***	***Date:***
1.) James C. McNeil	**Motion to Disqualify Counsel**	**09/19/2025**
2.) James C. McNeil	**Affidavit (Exhibits A & B — SEALED)**	**09/24/2025**
3.) James C. McNeil	**Emergency Motion/Redaction of Personal Identifiers**	**09/24/2025**
4.) Meaghan Poyer	**Motion/Compel Insurance Disclosure & F/Sanctions**	**09/30/2025**
5.) Meaghan Poyer	**Motion/Expedited Hearing on Motion/Disqualify**	**09/30/2025**
6.) James C. McNeil	**Motion/Leave to Amend Second Amended Complaint**	**10/24/2025**
7.) James C. McNeil	**Emergency Motion/Rule 11 Sanctions & Strike Answer**	**10/29/2025**
8.) SAC 181 LLC	**Partial Motion/Dismiss Amended Complaint**	**10/29/2025**
9.) James C. McNeil	**Motion/Leave to File 2nd Amend Cmplnt & Response**	**10/30/2025**
10.) MRG Investing Company, LLC	**Notice of & Motion/Dismiss**	**11/04/2025**

Filed by:	***Nature of filing:***	***Date:***
11.) SAC 181 LLC	**Motion/Protective Order/Stay of Discovery**	**11/07/2025**
12.) SAC 181 LLC	**Motion/Case Management Order Re: Use of AI;**	**11/10/2025**
13.) James C. McNeil	**Motion/Compel Discovery Responses & Sanctions**	**1/10/2025**
14.) James C. McNeil	**Response in Oppposition to Defnt Motion to Dismiss**	**11/18/2025**
15.) SAC 181 LLC	**Motion/Sanctions**	**11/19/2025**
16.) SAC 181 LLC	**Memo in Response/Pltff Motion to Compel & f/Sanctions**	**11/19/2025**
17.) James C. McNeil	**Motion/Protective Conditions & Response Defense Request**	**11/20/2025**
18.) James C. McNeil	**Notice of Correction to Citation Errors in Motion to Compel**	**11/26/2025**
19.) James C. McNeil	**Response & Cross Motion/Sanctions in Opp to Motion/Sanctions**	**11/26/2025**
20.) James C. McNeil	**Notice of Moot Motions**	**12/03/2025**

Filed by:	***Nature of filing:***	***Date:***
21.) James C. McNeil	**Memo Regarding Probate Records, Etc.**	**12/03/2025**
22.) James C. McNeil	**Supplemental Memo in Support of Ptlff Opp. to Deft Mot**	**12/11/2025**
23.) James C. McNeil	**Motion to Sufficiency of Answers of Request F/Admission**	**12/23/2025**
24.) Meridian Residential Group Llc	**Motion/Quash**	**01/08/2026**
25.) SAC 181 LLC	**Motion/Quash Subpoena & Incorp Memo of Law**	**01/12/2026**
26.) James C. McNeil	**Subpeona Duces Tecum to SCLLR**	**01/14/2026**
27.) James C. McNeil	**Subpeona Ducues Tecum to Showmojo LLC**	**01/14/2026**
28.) James C. McNeil	**Subpeona Duces Tecum to Synovus Bank**	**01/14/2026**
29.) James C. McNeil	**Subpeona Duces Tecumto Appfolio Inc.**	**01/14/2026**
30.) James C. McNeil	**Subpeona Duces Tecum to Matterport Inc.**	**01/14/2026**

Filed by:	***Nature of filing:***	***Date:***
31.) James C. McNeil	**Memo in Opposition to Motion/Quash Subpoena/Mot Disqual**	**01/14/2026**
32.) MRG Investing Company LLC	**Notice of & Motion/Stay Discovery Deadlines**	**01/20/2026**
33.) SAC 181 LLC	**Motion/Protective Order in re: Deposition of Sac 181**	**01/26/2026**
34.) SAC 181 LLC	**Motion/Quash Subpoena & Memo of Law**	**01/27/2026**
35.) Meridian Residential Group Llc	**Motion of Joinder for Motion/Stay**	**01/27/2026**
36.) James C. McNeil	**Emergency Motion/Protective Relief**	**01/28/2026**
37.) SCLLR	**Motion/Quash Deposition**	**01/28/2026**
38.) James C. McNeil	**Supplemental Motion/ADA Accommodations**	**01/30/2026**
39.) Meridian Residential Group Llc	**Motion in Joinder/Quash Deposition**	**01/30/2026**
40.) SAC 181 LLC	**Supplement to Mot/Sanctions & Notice to the Court**	**02/09/2026**

Filed by:	***Nature of filing:***	***Date:***
41.) James C. McNeil	**Pltff Case Clarity Brief & Ombinus Request f/Relief**	**02/24/2026**
42.) James C. McNeil	**Systems Analysis Brief in Aid of Judicial Efficiency**	**03/06/2026**
43.) James C. McNeil	**Brief in aid of safety risk mitigation & judicial clarity**	**03/20/2026**
44.) James C. McNeil	**Motion to file exhibits A-1, A-2, A-3 under seal**	**03/20/2026**
45.) SAC 181 LLC	**Memo in Opposition to plantiffs motion to amend complaint**	**04/21/2026**
46.) James C. McNeil	**Motion/Compel Compliance W/Subpoena Duces Tecum**	**04/22/2026**
47.) SAC 181 LLC	**Motion to Cancel Lis Pendens**	**04/29/2026**
48.) MRG Investing Company LLC	**Motion to Cancel Lis Pendens**	**05/14/2026**
49.) Pinnacle Bank	**Notice of Joinder Of Co-Defendants Motions**	**05/21/2026**
50.) Pinnacle Bank	**Memo in Opposition of Motion to Compel**	**05/21/2026**
51.) Meridian Residential Group Llc	**Motion/Sanctions (No Hearing Requested)**	**05/22/2026**

Filed by:	***Nature of filing:***	***Date:***
52.) SAC 181 LLC	**Memo in Opp Motion/Compel Insurance Disclosure & Sanctions**	**05/22/2026**
53.) SAC 181 LLC	**Memo in Opp to Pltff Opp & Cross-Motion/Disqualify Counsel**	**05/22/2026**
54.) SAC 181 LLC	**Memo in Support Motion/Protective Order**	**05/22/2026**
55.) SAC 181 LLC	**Memo in Opp Mot/Sufficiency of Answers/Requests f/Admission**	**05/22/2026**
56.) SAC 181 LLC	**2nd Supplemental Addendum to Motion/Sanctions**	**05/22/2026**
57.) SAC 181 LLC	**Memo in Support Partial Motion/Dismiss**	**05/22/2026**
58.) Meridian Res. Group Llc	**Memo in Opposition of Motion to Sufficiency of Answers**	**05/22/2026**
59.) Meridian Res. Group Llc;	**Memo Opposing Motion for Sanctions and to Strike Answer**	**05/22/2026**
60.) Meridian Res. Group Llc;	**Memo in Opp. Motion/Compel & Default**	**05/22/2026**

Filed by:	***Nature of filing:***	***Date:***
61.) Meridian Res. Group Llc	**Memo in Opp. Motion/Leave to File 2nd Amended Complaint**	**05/22/2026**
62.) Meridian Res. Group Llc;	**Memo in Opp. to Motion to Compel**	**05/22/2026**
63.) Meridian Res. Group Llc;	**Memo in Opp. of Emergency Motion for Redaction**	**05/22/2026**
64.) Meridian Res. Group Llc;	**Motion/Sanctions**	**05/22/2026**
65.) James C. McNeil	**Emergency Motion/Continuance of May 28, 2026 Hearing**	**05/26/2026**

Charleston Common Pleas

Case Caption: James C Mcneil , plaintiff, et al VS SAC 181 Llc , defendant, et al
Case Number: 2025CP1005095
Type: Order/Other

So Ordered

William W. Wheeler, III

Electronically signed on 2026-08-03 14:25:46
[page range omitted]

Appendix C

Constitutional, Statutory, and Regulatory Provisions Involved

U. S. Const., Amdt. XIV, §1

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

42 U. S. C. §12132

Subject to the provisions of this subchapter, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.

28 C. F. R. §35.130(b)(7)(i)

A public entity shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

28 C. F. R. § 35.108(a)(2)(i)

The definition of "disability" shall be construed broadly in favor of expansive coverage, to the maximum extent permitted by the terms of the ADA. The primary object of attention in cases brought under title II of the ADA should be whether a public entity has complied with its obligations and whether discrimination has occurred, not the extent to which an individual's impairment substantially limits a major life activity.

28 C. F. R. § 35.108(d)(1)(i)

The term "substantially limits" shall be construed broadly in favor of expansive coverage, to the maximum extent permitted by the terms of the ADA. "Substantially limits" is not meant to be a demanding standard.

28 C. F. R. § 35.108(d)(1)(vii)

The comparison of an individual's performance of a major life activity to the performance of the same major life activity by most people in the general population usually will not require scientific, medical, or statistical evidence. Nothing in this paragraph (d)(1)(vii) is intended, however, to prohibit or limit the presentation of scientific, medical, or statistical evidence in making such a comparison where appropriate.

28 C. F. R. § 35.108(d)(2)(iii)(K)

[A]pplying the principles set forth in paragraphs (d)(1)(i) through (viii) of this section, it should easily be concluded that the following types of impairments will, at a minimum, substantially limit the major life

activities indicated … (K) major depressive disorder, bipolar disorder, post-traumatic stress disorder, traumatic brain injury, obsessive compulsive disorder, and schizophrenia substantially limit brain function.

Appendix D

	South Carolina Courts Filer / Interface	E-Filing

Terms of Use

<u>South Carolina Courts' Electronic Filing System (SCE-File) User Agreement</u>

This User Agreement serves as your agreement with the South Carolina Judicial Department for the purpose of electronically filing court documents. For licensed South Carolina attorneys, the User Agreement will remain in effect as long as you are properly registered with the South Carolina Attorney Information System (AIS).

NOTE: Pro Hac Vice attorneys are prohibited from registering to use SCE-File. Only licensed South Carolina attorneys who are properly registered with AIS may electronically file documents using SCE-File.

A. E-Filing User Terms and Conditions:

An E-Filing User accepts and agrees to comply with the following terms and conditions:

- Each E-Filing User of the SCE-File system agrees to comply with the Administrative Order(s), South Carolina Rules of Civil Procedure, and the Policies and Guidelines governing e-filing that are in effect on the date of the filing of the pleadings or documents. (insert link)
- Provide accurate, timely, and complete information to AIS as required by the South Carolina Judicial Department.
- Be responsible for the security and use of the E-Filing User's ID and password. Any e-filing or other interaction with the SCE-File system using an E-Filing User ID and password shall be deemed to be made by that E-Filing User or with that E-Filing User's express authorization.
- Immediately notify the E-Filing Helpdesk (insert link) if there has been any breach of user security, including any use of an E-Filing User ID and password by an individual not expressly authorized to do so by the E-Filing User.
- Your registration and acceptance of the terms of the User Agreement constitutes your request for, and consent to, receive electronic service. By accepting the User Agreement, you consent to e-service of notice of filing of all pleadings, papers, or other documents filed by

other parties except service of a Summons and Complaint pursuant to Rule 4, SCRCP, and entry of orders or judgments by the clerk of court. You agree that receiving electronic notice of electronically filed documents has the same legal force and effect as if it was received via paper or in writing.

- You consent to the use of a digital signature or s/ [typed name] on all e-filed documents.
- **Public Access:** All documents submitted by e-filing and information provided to the SCE-File system by the E-Filing User are public record and may only be designated as sealed, confidential, or otherwise protected from public disclosure by following the appropriate procedures outlined in Rules 41.1 and 41.2, SCRCP, or other South Carolina statutes, court rules, or administrative orders.
- **Redaction:** You agree to omit, delete, or redact all personal identifying information from e-filed documents as required by Rule 41.2, SCRCP, S. C. Code Ann. Â§30-2-330, and by Order of the Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings," Appellate Case No. 2013–002681.

B. Technical Requirements:

An E-Filing User accepts and agrees to the following provisions related to technical requirements:

- The SC Judicial Department may deploy updates or modifications to the SCE-File system at any time, with or without prior notice. The E-Filing User's continued use of the SCE-File system to file documents electronically with the court constitutes acceptance of the system as updated or modified.
- The SC Judicial Department may delay, limit, or deny access to the SCE-File system due to system outages, scheduled maintenance or backups, or unforeseen events that may occur.
- The SC Judicial Department will make reasonable efforts to provide prompt notice of any denial of access and the anticipated duration of such denial of access, but failure of the SC Judicial Department to give such notice shall not constitute a waiver of any part of the User Agreement or justification for E-Filing User's failure to comply with the South Carolina Rules of Civil Procedure, the Rules of Professional Conduct, the Policies and Guidelines, or other South Carolina statutes, appellate court rules, administrative orders.
- Unavailability of the SCE-File system shall neither constitute a basis for an extension of time in which to file any matter with the court nor in any way affect any applicable statute of limitations or other legal time requirement, except as provided by law. In the event the SCE-File system is unavailable, the E-Filing User agrees to comply with the provisions of the Policies and Guidelines dealing with Technical Difficulties.

C. Miscellaneous Provisions:

An E-Filing User accepts and agrees to the following Miscellaneous Provisions related to SCE-File system use:

- By use of the SCE-File system, an E-Filing User acquires no ownership or intellectual property interest in the system, its content or related materials, including but not limited to Filing User ID or password; user profile information; user interface design, format or content; titles or terminology; logos or other artwork; or training materials and documentation. An E-Filing User agrees that all such intellectual property is the sole property of the SC Judicial Department, and that no such content may be reproduced without permission.
- An E-Filing User agrees to make every attempt not to upload documents that contain viruses or other malware.
- Each authorized E-Filing User understands and agrees that in the event the user submits inappropriate, harmful, or obscene content that is not relevant to the case, the user's privilege to participate in SCE-File and the user's access to the system may be terminated. Each authorized E-Filing user also understands that the inappropriate, harmful, or obscene content may be removed from the public index.

- The SC Judicial Department reserves the right to suspend service to any account if there is any misuse or abuse of the account. Service will be suspended if any information provided during the account registration process is fraudulent.
- Understand that misuse, abuse, or fraud may also result in termination of your e-filing privilege, civil liability, criminal prosecution, sanctions, and/or a grievance being filed with the Office of Disciplinary Counsel (ODC).
- You agree to cooperate with the SC Judicial Department and law enforcement during investigations into misuse, abuse, or fraud related to the use of your SCE-File account.
- The E-Filing User assumes all risk and waives any claim for damages against the South Carolina Judicial Department resulting from use of SCE-File.
- Any challenge or dispute regarding the User Agreement, whether sounding in contract or tort, relating to its validity, construction, interpretation and enforcement shall be determined, governed, and construed in accordance with the laws of the state of South Carolina.
- If any section of the User Agreement shall, for any reason, be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and shall not affect the validity of the remaining portions of the User Agreement.

South Carolina Courts' Electronic Filing System (SCE-File) User Agreement

In order to use SCE-File, you must accept the terms of the User Agreement as explained below. Failure to accept these terms will take you back to the South Carolina Judicial Department homepage. I have read, understand, and accept the terms of the User Agreement and the applicable Administrative Order(s), court rules, policies, and guidelines that govern electronic filing in South Carolina. I agree to redact all personal identifying information from e-filed documents as required by Rule 41.2, SCRCP, S. C. Code Ann. Â§30-2-330, and court order.

Appendix E

Materials Demonstrating Structural Obstruction to Justice for Self-Represented Parties in the Court of Common Pleas of South Carolina, Charleston County

Systemic Friction to Justice for Self-Represented Parties in the Court of Common Pleas of South Carolina, Charleston County

Step	**Counsel (e-filing enabled)**	**Pro Se (paper filing required)**
Initial filing	One click; instant docket entry; preserves color/graphics	Drive to downtown Charleston, find parking ($), walk to Clerk's office, hand-file, scanner produces streaky black-and-white output
Service on opposing counsel	Automated via NEF email	Manual: print, mail or hand-deliver, retain proof

Step	Counsel (e-filing enabled)	Pro Se (paper filing required)
Filing proof of service	Same NEF system; one click	Separate trip back to Clerk's office; second wait; second filing fee for some categories
Visual presentation	E-filing watermark in vertical blue ("ELECTRONICALLY FILED") on every page; preserves all colors, graphics, embedded screenshots	Streaky black-and-white scan; degraded graphics; visual signal of "lower tier" filing
Document tracking	Real-time docket access; instant confirmation of receipt	Days-long lag between hand-filing and docket appearance; no automatic confirmation
Subpoena issuance	Electronic	

A sample of image of a *pro se* scanned-in filing. No identifying e-filing blue stamp.

STATE OF SOUTH CAROLINA	)	
COUNTY OF CHARLESTON	)	**IN THE COURT OF COMMON**
	)	**PLEAS**
	)	**NINTH JUDICIAL CIRCUIT**
James C. ("Chris") McNeil and	)	
Meaghan Poyer,	)	**Civil Action No. 2025-CP-10-05095**
	)	
Plaintiffs,	)	**PLAINTIFFS' RESPONSE IN**
	)	**OPPOSITION TO SAC 181,**
v.	)	**LLC'S PARTIAL MOTION TO**
	)	**DISMISS AND MOTION**
SAC 181, LLC,	)	**FOR MORE DEFINITE**
Meridian Residential Group, LLC,	)	**STATEMENT,**
Adam W. Bayles, individually,	)	**AND**
Tara Bayles, individually, and MRG	)	**CROSS-MOTION TO GRANT**
MRG Investing Company LLC	)	**LEAVE TO FILE SECOND**
	)	**AMENDED COMPLAINT**
Defendants.	)	
	)	

2025 OCT 30 AM 10:1

TO THE HONORABLE COURT:

Plaintiffs James C. McNeil and Meaghan Poyer, appearing pro se, respectfully submit this Response in Opposition to SAC 181, LLC's Partial Motion to Dismiss and Motion for More Definite Statement filed October 29, 2025, and Cross-Motion requesting this Court grant Plaintiffs' pending Motion for Leave to File Second Amended Complaint filed October 29, 2025.

I. INTRODUCTION AND SUMMARY

SAC 181's Rule 12(b)(6)/12(e) motion is **premature**. Five days after Plaintiffs filed a comprehensive Motion for Leave to File Second Amended Complaint (filed Oct. 24, 2025; corrected today at the Clerk's request[1]) that specifically addresses SAC 181's conduct, SAC 181 asks the Court to brief the sufficiency of a **soon-to-be-superseded** complaint. (see **Rydde v. Morris**, 381 S.C. 643, 675 S.E.2d 431 (2009)) The efficient course is to **grant leave, deem the 2AC filed, and deny the Rule 12(e) request as**

[1] The corrections are limited to exhibit redactions/format and removal of a redundant working-draft timeline within Exhibit N; **no claims or requested relief changed**. See **Notice of Filing Corrected/Redacted Exhibits** (filed October 29, 2025).

A sample of image of an attorney e-filed filing. In high resolution and bearing blue e-filing stamp.

ELECTRONICALLY FILED - 2026 Apr 02 4:09 PM - CHARLESTON - COMMON PLEAS - CASE#2025CP1005095

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT
CASE NO. 2025CP1005095

JAMES C. ("CHRIS") MCNEIL AND MEAGHAN POYER

Plaintiffs

V.

SAC 181, LLC, MERIDIAN RESIDENTIAL GROUP, LLC, ADAM W. BAYLES, INDIVIDUALLY, TARA BAYLES, INDIVIDUALLY, AND MRG INVESTING COMPANY LLC

Defendants

MOTION TO RELIEVE JUSTINE TATE AS COUNSEL AND ALLOW FOR HER WITHDRAWAL AS COUNSEL

Kevin M. O'Brien, as pre-existing and remaining counsel for Defendant SAC 181, LLC (hereinafter referred to as "SAC 181"), hereby moves the Court to enter an Order relieving Justine M. Tate as counsel and allowing her withdraw as co-counsel for SAC 181 in this action, pursuant to South Carolina Rule of Professional Conduct 1.16(b)(1) and South Carolina Rule of Civil Procedure 11(b). In support of this Motion, the undersigned shows unto the Court:

1. Ms. Tate has accepted a position with another law firm and is no longer employed by Phelps Dunbar LLP. Therefore, Ms. Tate will no longer be retained to represent SAC 181 in this matter.

2. Attorney Kevin M. O'Brien of Phelps Dunbar LLP will continue to represent SAC 181 in this action and Ms. Tate's withdrawal will not prejudice or have any materially adverse effect on the interests of SAC 181. Attorney Kevin O'Brien is aware of and will comply with all pending deadlines.

PD.61342857.1

Realtor.com – used same Meridian watermarked images

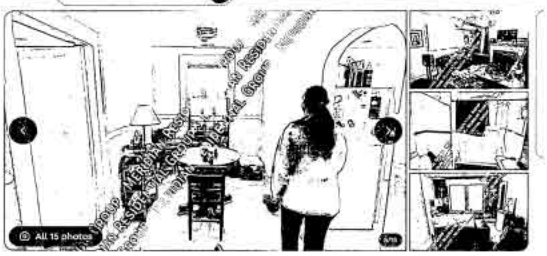
https://www.realtor.com/rentals/details/181-Gordon-St_Charleston_SC_29403_M59688-00267

realtor.com/rentals/details/181-Gordon-St_Charleston_SC_29403_M59688-00267

Time's running out.
3 months of nonstop music.
Premium

realtor.com Buy Sell Rent Mortgage Find an Agent My Home News & Insights Manage rentals

Back Charleston, SC Rentals > South Carolina > Charleston County > Charleston > 29403 >



Get moving quotes

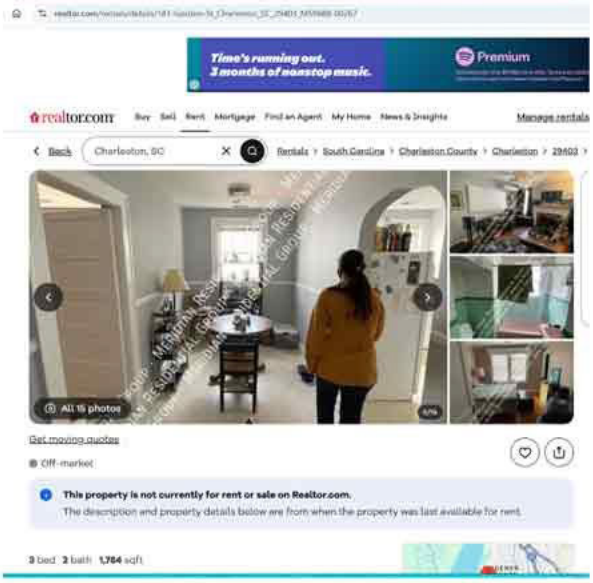
Off-market

This property is not currently for rent or sale on Realtor.com.
The description and property details below are from when the property was last available for rent.

2 bed 2 bath 1,784 sqft

Realtor.com – used same Meridian watermarked images

https://www.realtor.com/rentals/details/181-Gordon-St_Charleston_SC_29403_M59688-00267



Appendix F

Original Filing and Filed Record Discrepancy Demonstration

Production Note

The two plates on the preceding pages were produced from a single source document, the petitioners' color original of page 3 of Exhibit E to their Notice filed May 11, 2026 in the Charleston County Court of Common Pleas, Case No. 2025–CP–10–05095. Panels 3 and 4 of that page were extracted at their native resolution of 579 by 744 pixels and 579 by 737 pixels respectively and placed at identical dimensions, with the same scale factor, the same placement, and the same orientation applied to both. No tonal adjustment, contrast adjustment, sharpening, resampling, or color correction was applied to either plate. Both plates were printed using laser method capable of printing resolution 1200 dots per inch by 2400 dots per inch from files supplied by the petitioners.

Source Note

The facing plates reproduce panels 3 and 4 of the four-panel demonstration appearing at page 3 of Exhibit E to Plaintiffs' Notice of Pre-Hearing Safety and Case Management Matters, filed May 11, 2026 in the Court of Common Pleas, Ninth Judicial Circuit, Charleston County, South Carolina, Case No. 2025–CP–10–05095. Exhibit E is reproduced in this appendix at App. 49–54. The demonstration entered the court's docket on May 11, 2026 and remained on the docket for 84 days before the order of August 3, 2026 issued.

Panel 3, at left (App. 55), shows the photograph as it appears in the official court file after processing through the Clerk's intake scanner. Panel 4, at right (App. 56), shows the same page in its original color as submitted by the petitioners.

Appendix G

[Filed: May 11, 2026]

STATE OF SOUTH CAROLINA COUNTY OF CHARLESTON	)	**IN THE COURT OF COMMON PLEAS NINTH JUDICIAL CIRCUIT**
James C. ("Chris") McNeil and Meaghan Poyer, Plaintiffs,	)	**Civil Action No. 2025–CP–10–05095**
v.	)	**PLAINTIFFS' NOTICE OF PRE-HEARING SAFETY AND CASE-MANAGEMENT MATTERS, REQUEST FOR TEMPORARY RESTRAINING ORDER AND COURT-ORDERED FORENSIC AUDIT OF ALTMAN-CONTROLLED ENTITIES, AND PROPOSED ROSTER REORGANIZATION FOR MAY 28, 2026 HEARING**
SAC 181, LLC, Meridian Residential Group, LLC, Adam W. Bayles, individually, Tara Bayles, individually, and MRG Investing Company LLC Defendants.	)	

[Page 1 of 86 of Original Filing Reproduced.]

Plaintiffs James C. ("Chris") McNeil and Meaghan Poyer respectfully submit this Notice and Request in advance of the May 28, 2026 hearing before the

Honorable Will Wheeler. This filing presents a narrow set of actions that can restore functional order to a case whose underlying record now reaches beyond a private landlord-tenant dispute and into a broader convergence of judicial, administrative, policy, and narrative-system failures already visible on the public record.

The urgency here arises from a specific structural condition already documented in this case: a minimizing false narrative of events has been preserved through friction, delay, selective process movement, and narrative minimization across multiple reinforcing lanes at once. Plaintiffs' record describes executive and administrative

[Pages 9–11 of 86 of Original Filing Reproduced.]

and which do not. [EXHIBIT F Plaintiff's Motion for Recusal of the Honorable Jennifer McCoy]

B. Court Collusion With the Defense's "Didn't Happen" False Frame. The defense's primary litigation strategy has been to gaslight the docket: to litigate as if the falsified federal postmark, the 21-platform image syndication, the LLR obstruction, and seven of the eight original harms simply did not occur. That strategy could not survive a court that ruled on the evidence already filed. The local court's pattern of open-ended continuances—including the December 1, 2025 Order of Continuance and the March 26, 2026 displacement of the April 3, 2026 hearings—has functioned, regardless of subjective intent, to provide the procedural cover that strategy requires. The Supreme Court is now watching because the local administration was not doing its job.

C. Structural Pro Se Discrimination Baked Into the System Design. Beyond the documented conduct of specific judicial officers and staff, the Charleston Common Pleas system architecture itself creates a constitutionally suspect two-tier access regime. *Pro se* litigants are excluded from electronic filing—a privilege reserved exclusively for attorneys in South Carolina—and are instead required to hand-file paper documents at the Clerk's office in tourism-congested downtown Charleston. The practical consequences are severe and visible:

- **Visual degradation.** The Clerk's scanner converts color screenshots and evidentiary photographs into streaky black-and-white line drawings, destroying forensic detail critical to Plaintiffs' privacy-invasion and image-syndication claims. Defense e-filings arrive in full color with an "ELECTRONICALLY FILED" watermark that signals institutional legitimacy. *Pro se* filings arrive looking like photocopies of photocopies. [EXHIBIT E : Structural Obstruction to Justice for Self-Represented Parties in Charleston SC Court of Common Pleas]
- **Filing friction.** Each filing requires driving into downtown Charleston, finding scarce and expensive parking, walking through congested streets and courthouse security, waiting for documents to be stamped, and repeating the entire process for proof-of-service documents that must be filed on a separate trip. A single filing-and-service cycle consumes a minimum of two hours. For counsel, the identical process is one click. [EXHIBIT E : Structural Obstruction to Justice for

Self-Represented Parties in Charleston SC Court of Common Pleas]

Text searchability. E-filed documents are natively text-searchable. Hand-filed scans are image files—meaning a judge or clerk searching the docket electronically for key terms will find only counsel's filings, rendering *pro se* filings functionally invisible to keyword-based review. [EXHIBIT E : Structural Obstruction to Justice for Self-Represented Parties in Charleston SC Court of Common Pleas]

The Supreme Court's own practice refutes the stated justification. South Carolina excludes *pro se* filers from e-filing on the stated premise that lay persons lack technical sophistication. Yet the South Carolina Supreme Court itself provided Plaintiffs with an email address for filing, accepted electronic submissions promptly, was courteous and helpful by phone, and docketed Plaintiffs' Petition for Writ of Mandamus—then acted on it within 14 days. The technical-sophistication rationale is a fiction that operates as structural discrimination.

This two-tier architecture does more than inconvenience *pro se* litigants. It marks their filings as visually inferior at a glance, degrades evidentiary quality, increases physical and time burden by orders of magnitude, and creates a system in which institutional actors can more easily ignore or deprioritize *pro se* work product. It is the physical infrastructure of the "Justice Requires Status" false frame identified in the Venn Diagram. [EXHIBIT B: Whistleblower Revelations Report; EXHIBIT E : Structural Obstruction to

Justice for Self-Represented Parties in Charleston SC Court of Common Pleas]

D. The Reason Judge Wheeler Is Here. Plaintiffs understand that Judge Wheeler has been brought into this matter precisely because the structural neutrality of the Ninth Circuit administration in this case has been called into question at the state level. Plaintiffs ask that this Court recognize the litigation environment that triggered the SC Supreme Court Return Request and refuse to return Plaintiffs to it. The evidence supporting every claim in this Notice is already on the docket—much of it placed there by Plaintiffs' March 6, 2026 Systems Analysis Brief in Aid of Judicial Efficiency, and its accompanying exhibits, specifically to bypass the local docket's selective gating that has held up granting leave for the Second Amended Complaint, which is "freely given when justice so requires" per SC law, for 199 days at the time of filing this, and unopposed for 179 of those days.

The remainder of this Notice describes Plaintiffs' posture, identifies the three false frames sustaining the defense's position, and offers Judge Wheeler a clear, precedent-supported path to and through the May 28 hearing.

III. IMMEDIATE ADA RULING AND IN-PERSON PARTICIPATION ELECTION

Appendix H

Select C-Track Public Docket Search Results

Court	Appellate Case No.	Short Title	Group	Type	Subtype	Filed Date	Status
Supreme Court	2026–000915	Rodney Ajiara Hicks v. South Carolina Department of Social Services, et al.	Orig. Jur. and Writs	Extraordinary Writ	Public Access	04/14/2026	Pending
Supreme Court	2026–000383	Christopher E. Mills; Spero Law LLC v. Acting Circuit Judge Jean H. Toal, etc.	Orig. Jur. and Writs	Extraordinary Writ	Public Access	02/20/2026	Ended
Supreme Court	2026–000096	Robert Vance, et al. v. Greenville Community Healthcare, et al.	Orig. Jur. and Writs	Extraordinary Writ	Public Access	01/15/2026	Ended
Supreme Court	2025–002187	Stephen Corey Bryant v. Joel Anderson, Acting Director	Orig. Jur. and Writs	Extraordinary Writ	Death Penalty	10/29/2025	Ended

Court	Appel-late Case No.	Short Title	Group	Type	Sub-type	Filed Date	Status
Supreme Court	2025–002174	Citizens Alliance for Government Integrity v. York County, et al.	Orig. Jur. and Writs	Extraordinary Writ	Public Access	10/28/2025	Ended
Supreme Court	2025–002133	Andrew T. Gerken, et al. v. Avon Products, Inc., et al.	Orig. Jur. and Writs	Extraordinary Writ	Public Access	10/21/2025	Ended
Supreme Court	2025–002120	John A. Tibbs, et al. v. 3M Company, et al. (Altrad)	Orig. Jur. and Writs	Extraordinary Writ	Public Access	10/20/2025	Held in Abeyance
Supreme Court	2025–002121	John A. Tibbs, et al. v. 3M Company, et al. (Charter)	Orig. Jur. and Writs	Extraordinary Writ	Public Access	10/20/2025	Held in Abeyance

Court	Appellate Case No.	Short Title	Group	Type	Sub-type	Filed Date	Status
Supreme Court	2025–001898	Friends of Coastal South Carolina v. South Carolina Department of Environmental Services, et al.	Orig. Jur. and Writs	Extraordinary Writ	Public Access	09/17/2025	Ended
Supreme Court	2025–001670	State of South Carolina v. Michael Wilson Pearson	Orig. Jur. and Writs	Extraordinary Writ	Public Access	08/21/2025	Ended
Supreme Court	2025–001111	David Climer, et al. v. Curtis M. Loftis, Jr., et al.	Orig. Jur. and Writs	Extraordinary Writ	Public Access	06/06/2025	Ended
Supreme Court	2025–000524	Mikal D. Mahdi v. Bryan P. Stirling, Director, etc.	Orig. Jur. and Writs	Extraordinary Writ	Death Penalty	03/18/2025	Ended

Court	Appellate Case No.	Short Title	Group	Type	Subtype	Filed Date	Status
Supreme Court	2025–000309	Brad Keith Sigmon v. Bryan P. Stirling, Director, et al.	Orig. Jur. and Writs	Extraordinary Writ	Death Penalty	02/20/2025	Ended
Supreme Court	2024–002113	Marion Bowman, Jr. v. State of South Carolina	Orig. Jur. and Writs	Extraordinary Writ	Death Penalty	12/16/2024	Ended
Supreme Court	2024–001499	John A. Tibbs v. Asbestos Corporation Limited (2)	Orig. Jur. and Writs	Extraordinary Writ	Public Access	09/11/2024	Held in Abeyance
Supreme Court	2024–001423	John A. Tibbs v. Asbestos Corporation Limited (5)	Orig. Jur. and Writs	Extraordinary Writ	Public Access	08/30/2024	Held in Abeyance

Appendix I

The Supreme Court of South Carolina

PATRICIA A. HOWARD
CLERK OF COURT

BRENDA F. SHEALY
CHIEF DEPUTY CLERK

BLAIRE CANN
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330
COLUMBIA, SOUTH CAROLINA 29211

1231 GERVAIS STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1080
FAX: (803) 734-1499
www.sccourts.org

May 14, 2026

James C. McNeil
PO Box 30386
Charleston SC 29417

Re: James C. "Chris" McNeil, et al. v. Ninth Judicial Circuit Court of Common Pleas, et al.
Appellate Case No. 2026–000919

Dear Mr. McNeil,

This responds to your request that the above-referenced case be displayed on C-Track Public Access.

Please be advised that absent extraordinary circumstances, only certain case types are available on the public access site, including:

1. Appeals from the Court of Common Pleas.
2. Appeals from the Court of General Sessions.
3. Appeals from Administrative Tribunals such as the Administrative Law Court and the Workers' Compensation Commission.
4. Certiorari proceedings relating to the decisions of the Board of State Canvassers.
5. Certiorari proceedings to review decisions of the South Carolina Court of Appeals (excluding Family Court cases).
6. Certiorari proceedings in Post-Conviction Relief Cases (excluding Family Court Cases).
7. Certification of Questions of Law by a federal court or state appellate court.
8. Original Actions filed in the Supreme Court.

Extraordinary writs filed with the Supreme Court, including petitions for a writ of mandamus, are not available on C-Track Public Access. One of the reasons this classification is not currently available is because many filings in such cases contain personal identifying information (such as social security numbers, and banking information), and the appellate courts do not have sufficient staff to ensure that all personal identifying information is redacted. Accordingly, your request will not be granted at this time. Over time, however, the South Carolina Judicial Branch intends to increase the types of cases that are available. The ultimate goal is to provide web-based access which will approach the level of access available to the public at the courthouse.

Sincerely,
/s/ Patricia A. Howard
CLERK

cc:
Holly Palmer Beeson
Edward L. Knisley, Jr.
Andrew LaRoche Hethington
Alicia Noel Bolyard
Christopher William Manning
Meaghan Poyer
The Honorable Thomas J. Rode
The Honorable Jennifer Blanchard McCoy
The Honorable Dale E. Van Slambrook

Appendix J
[Filed: Jan. 30, 2026]

STATE OF SOUTH CAROLINA COUNTY OF CHARLESTON	)	**IN THE COURT OF COMMON PLEAS NINTH JUDICIAL CIRCUIT**
James C. ("Chris") McNeil and Meaghan Poyer,	)	**Civil Action No. 2025–CP–10–05095**
Plaintiffs,	)	**PLAINTIFFS' SUPPLEMENTAL MOTION FOR ADA ACCOMMODATION (REMOTE FILING AND APPEARANCES)**
v.	)	
SAC 181, LLC, Meridian Residential Group, LLC, Adam W. Bayles, individually, Tara Bayles, individually, and MRG Investing Company LLC	)	
Defendants.	)	

INTRODUCTION

Plaintiffs James C. ("Chris") McNeil and Meaghan Poyer respectfully submit this limited supplemental motion to request reasonable accommodations under Title II of the Americans with Disabilities Act ("ADA") in connection with filing and appearances, in light of the documented PTSD crisis and functional limitations described in Plaintiffs' Emergency Motion for

Short Health-Based Protective Relief and to Maintain Assignment with Judge Rode, filed January 28, 2026.

As set forth in that Emergency Motion, Mr. McNeil currently tests in the severe range on a validated PTSD self-report instrument (PCL-5 score 76/80), with contemporaneously documented collapse in sleep, work, physical safety, and related functioning that correlates with defense-driven gaslighting and mischaracterization of his conduct in this litigation. This is correlated by the Affidavit of Meaghan Poyer [Exhibit E]

In an email to court staff on January 27, 2026, Plaintiffs advised that, "because pro se litigants in Charleston County cannot e-file, and given my current medical vulnerability … I am not able to safely reach the courthouse before closing today," and that Plaintiffs intended to hand-file the Emergency Motion when co-Plaintiff Poyer could physically do so.

That barrier persists. Unlike represented parties, who may file virtually and instantaneously, Plaintiffs as pro se litigants must physically drive, park, and hand-file downtown to preserve their rights—something Mr. McNeil is not medically safe to do at present, and that Ms. Poyer can only sporadically accomplish around her own work obligations.

Title II of the ADA and its implementing regulations require courts, as public entities, to make reasonable modifications to policies, practices, and procedures when necessary to avoid discrimination on the basis of disability, unless doing so would fundamentally alter the nature of the service, program, or activity.

Clarification of "gaslighting" as used in this motion

When Plaintiffs use the term "gaslighting" in connection with this case, they are not using it as a casual insult or political buzzword. Rather, they are using it in the sense described in contemporary trauma and institutional-betrayal literature: a sustained pattern of denying, minimizing, or distorting documented traumatic events by those in positions of power over the victim, in ways that predictably compound post-traumatic stress and undermine the victim's ability to trust their own perceptions.

In Mr. McNeil's situation, this includes repeated litigation conduct and communications that proceed as if undisputed events (such as the publication and syndication of interior images of Plaintiffs' home and the existence of a falsified "postmark" document) simply never occurred, coupled with reframing his safety-motivated complaints and preservation notices as "threats," despite contemporaneous documentation and a pending criminal and regulatory investigation.

This pattern has continued in the January 27–28, 2026 email chain with court staff, where defense counsel denied and inverted my safety-motivated report as "threats" and positioned themselves as the primary victims in front of the Court (a classic DARVO—deny, attack, reverse victim and offender—response pattern), even after being expressly informed of my severe PTSD and gaslighting-severity scores. [Exhibit D: Misrepresentation to court staff emails.]

Mr. McNeil has attempted to document the impact of this pattern using validated self-report tools, including the PTSD Checklist for DSM-5 (PCL-5), on

which he scored 76 out of 80 (severe range), and a structured gaslighting-severity instrument scoring 79 out of 80, reflecting an extreme level of coordinated psychological harm.

In this motion, therefore, **"gaslighting" refers to a clinically significant, compounded trauma pattern that substantially limits major life activities (including sleep, concentration, working, and interacting with others) and materially drives the need for ADA accommodations,** not merely to sharp language or ordinary litigation disagreement.

REQUESTED ADA ACCOMMODATIONS

In light of the severe PTSD-related symptoms and functional limitations described above—which substantially limit Mr. McNeil's major life activities, including sleep, concentration, safe driving, and his ability to manage in-person court obligations, and which are currently documented through validated self-report instruments (including a PCL-5 score of 76/80 in the severe range) and contemporaneous written records—Plaintiffs respectfully request the following reasonable modifications to court procedures under Title II of the ADA, so that Mr. McNeil can meaningfully access and participate in this litigation while he seeks formal medical evaluation.

e-filing access

Co-Plaintiff Meaghan Poyer is not disabled, but as a full-time employee she is only intermittently able to leave work during courthouse business hours, and cannot reliably serve as the sole physical conduit for

preserving both Plaintiffs' rights through hand-filings.

1. Electronic Filing Access for Disabled Plaintiff (and Joint Use by Co-Plaintiff). That, as a reasonable modification of current procedures under Title II of the ADA, the Court authorize Plaintiff James C. McNeil, as a pro se litigant experiencing severe PTSD-related limitations that he reasonably believes qualify as a disability under the ADA, to register for and use the Court's existing electronic filing system in this case, so that he can file pleadings, motions, and exhibits, and receive notices and orders electronically. Because Mr. McNeil and Ms. Poyer are joint pro se plaintiffs who ordinarily file and sign pleadings together, Plaintiffs further request that these electronic-filing credentials be available for use in connection with filings made in both Plaintiffs' names, rather than requiring separate, repeated physical trips by Ms. Poyer solely to compensate for Mr. McNeil's disability-related limitations.
2. Alternative Only If Full E-Filing Access Is Denied (Email Treated as Filed Upon Receipt). If, and only if, the Court determines that granting full electronic-filing credentials to a pro se litigant is not feasible in this forum, Plaintiffs request, as a functionally equivalent accommodation, an order providing that:

PDFs of signed pleadings, motions, and exhibits sent from Mr. McNeil's email address to a designated Clerk of Court email address in this case will be

deemed filed as of the timestamp of receipt shown on the Clerk's server; and

The Clerk will promptly docket those filings in the case management system and return a clock-stamped PDF confirmation to Plaintiffs by email.

Remote Appearance Option for Non-Evidentiary Hearings.

That, for status conferences and motion hearings that do not involve live witness testimony:

1. Plaintiffs may appear by Zoom or comparable remote video platform if they give at least 24 hours' notice of their intent to do so; and
2. No party shall object to remote appearance solely on the ground that Plaintiffs are pro se or that in-person attendance is customary, where Plaintiffs have documented a PTSD-related functional limitation on in-person confrontation.

Plaintiffs recognize that, under ordinary circumstances, remote appearances are often arranged by stipulation. In this case, however, prior attempts to secure even modest procedural stipulations have been met with hostility.

For example, when Plaintiffs requested a simple stipulation to treat email service as timely if received within 30 days rather than 35, consistent with the Supreme Court's five-day extension for mail, defense counsel refused and insisted on the maximum delay.

[Exhibit A: email from Kevin O'Brien to Court Staff; Exhibit B: Email from Plaintiff McNeil supplying email O'Brien referenced and clarifying no physical threats were made; Exhibit C: January 28 email from Alicia Bolyard joining in "the sentiments and

requests from Counsel for SAC 181 and reiterating the "threats.]

Given

a) that pattern of opposition to reasonable, efficiency-oriented accommodations, and
b) the time-sensitive nature of the pending LLR PMIC investigation into property manager Tara Bayles (Investigation No. 2025–566) and the February 9, 2026 LLR investigator deposition, which must proceed in advance of the LLR's February 20 statutory deadline,

Plaintiffs reasonably concluded that conditioning remote appearance on defense consent would be both futile and prejudicial to their ability to obtain critical regulatory testimony.

Plaintiffs therefore ask the Court to authorize remote participation for them in non-evidentiary hearings as an ADA accommodation and case-management measure, with any party remaining free to appear in person if they wish, and with any objections by defendants required to be raised by motion showing specific, case-specific good cause rather than by withholding consent.

These modest accommodations would eliminate the most immediate ADA-related barriers—unsafe driving and manual filing requirements—without altering deadlines, vacating already-scheduled depositions, or prejudicing any party. Represented litigants already enjoy these accommodations or their functional equivalents via e-filing and remote conferencing; extending analogous options to disabled pro se litigants is a reasonable, narrowly tailored modification.

Plaintiffs remain committed to moving this case forward and will, as noted in their Emergency Motion,

promptly notify the Court after Mr. McNeil's urgent medical assessment whether his condition has stabilized or further accommodations or co-counsel association will be required.

Respectfully submitted this 30th day of January, 2026.

/s/ James C. ("Chris") McNeil
James C. ("Chris") McNeil, Pro Se
P.O. Box 30386, Charleston, SC 29417
chris@thaudio

/s/ Meaghan Poyer
Meaghan Poyer, Pro Se
P.O. Box 30386, Charleston, SC 29417
mcneilandpoyer@gmail.com

STATE OF SOUTH CAROLINA
COUNTY OF Charleston
IN THE COURT OF COMMON PLEAS

FORM 4

JUDGMENT IN A CIVIL CASE

CASE NO. 2025CP1005095

James C Mcneil et al
PLAINTIFF(S)

SAC 181 Llc et al
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.

☒ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

☐ **ACTION DISMISSED** *(CHECK REASON):* ☐ Rule 12(b), SCRCP; ☐ Rule 41(a), SCRCP (Vol. Nonsuit); ☐ Rule 43(k), SCRCP (Settled); ☐ Other

☐ **ACTION STRICKEN** *(CHECK REASON):* ☐ Rule 40(j), SCRCP; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other

☐ **STAYED DUE TO BANKRUPTCY**

☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT** *(CHECK APPLICABLE BOX):* ☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR

ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☐ See attached order (formal order to follow) ☒ Statement of Judgment by the Court:

This matter is before the Court on Plaintiff's Motion for Reconsideration pursuant to Rule 59(e) SCRCP, which was timely filed on August 12, 2026. The Motion asks this Court to alter, amend, or reconsider its ORDER, entered August 3, 2026.
After reviewing the applicable law and considering arguments raised in the Motion, the court is unable to discover any material fact or principle of law that has either been overlooked or disregarded and further finds no error of law or fact not appropriately considered. Therefore, the Motion to Alter, Amend, or Reconsider is respectfully DENIED.

ORDER INFORMATION

This order ☒ ends ☐ does not end the case. ☐ See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 08/14/2026 .

Meridian Residential Properties Llc
Meaghan Poyer for Meaghan Poyer
James C Chris Mcneil for James C Chris Mcneil
Chris Mcneil for Chris Mcneil
Meaghan Poyer for Meaghan Poyer

James C Chris Mcneil for James C Chris Mcneil
Synovus Bank
Chris Mcneil for Chris Mcneil
James C Mcneil for James C Mcneil
James C Mcneil for James C Mcneil

NAMES OF ADDITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

Charleston Common Pleas

Case Caption: James C Mcneil , plaintiff, et al VS SAC 181 Llc , defendant, et al

Case Number: 2025CP1005095

Type: Order/Electronic Form 4

So Ordered

William W. Wheeler, III