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' MOTION FOR RECUSAL OF THE HONORABLE JENNIFER B. MCCOY**
v.	)	
SAC 181, LLC, Meridian Residential Group, LLC, Adam W. Bayles, individually, Tara Bayles, individually, and MRG Investing Company LLC	)	
Defendants.	)	

Plaintiffs James C. McNeil and Meaghan Poyer respectfully move for the formal recusal of the Honorable Jennifer B. McCoy from all further hearing, administrative, scheduling, or order-signing involvement in this matter.

Pursuant to Canon 3(E) of the South Carolina Code of Judicial Conduct, a judge shall disqualify herself in a proceeding in which her impartiality might reasonably be questioned. This motion rests on documentary evidence showing procedural treatment that differs materially depending on whether proposed orders and motions originate from represented defense counsel or pro se Plaintiffs. The record creates an objective appearance issue under the Canon 3(E) standard, sufficient to warrant recusal regardless of subjective intent.

I. PROCEDURAL ASYMMETRY: THE OCTOBER 7, 2025 RETURNED-ORDERS DIRECTIVE AND DIFFERENTIAL TREATMENT OF PROPOSED ORDERS

On October 7, 2025, the Office of Chief Administrative Judge Jennifer B. McCoy returned Plaintiffs' Motion to Compel Insurance Disclosure and two proposed orders - one for redaction of personal identifiers, one compelling insurance disclosure - with a checked box and handwritten instruction that read:

"motions to be set for hearing. Do not need orders unless judge requests one."

Staff initials: BS.

The return memo established the procedural path Plaintiffs were directed to follow in this case: file motions, wait for hearings, do not submit proposed orders unless the judge requests them. Plaintiffs followed that instruction. The Motion to Compel Insurance Disclosure remained unresolved after the October 7 return, and the growing inventory of pending matters later prompted the South Carolina Supreme Court’s April 28, 2026 return-request letter in Appellate Case No. 2026-000919.

In contrast, on April 2, 2026 - six months after the October 7 directive to Plaintiffs - defense counsel Kevin M. O'Brien filed a Motion to Relieve Justine Tate as Counsel. The motion's final sentence states:

"A proposed order for the Court's consideration is submitted herewith."

The proposed order was signed and entered within five business days.

The Appearance Issue Under Canon 3(E)

A reasonable observer reviewing these events in sequence could conclude that the practice governing proposed orders operates differently depending on the party. In at least one documented instance in this case, defense counsel submitted a proposed order with a motion and received a prompt signed order 5 days later. *Pro se* Plaintiffs were explicitly instructed not to submit proposed orders unless requested, and their motions - submitted in compliance with that instruction - remained unscheduled for over six months.

This is a documented procedural asymmetry that a neutral observer might reasonably interpret as differential administrative treatment based on party representation status. Canon 3(E) disqualifies a judge when "her impartiality might reasonably be questioned." The October 7 return, paired with the defense withdrawal order signed in April, meets that standard.

Why This Matters for Canon 3(E)

The October 7 instruction is not inherently problematic. The defense withdrawal order is not inherently problematic. The continuances, viewed in isolation, are within judicial discretion. But the pattern, taken together, creates the reasonable appearance that court administration operates one way for represented defense counsel and another way for pro se Plaintiffs, and that Plaintiffs' procedural compliance with the October 7 directive resulted in six months of unscheduled motions while defense motions with attached proposed orders moved through chambers efficiently.

Canon 3(E) does not require proof of actual partiality. It requires only that a reasonable person, aware of all the facts, might question the judge's impartiality. The documentary record establishes that threshold.

II. THE DENNIS CLERKSHIP AND THE APPEARANCE OF IMPARTIALITY

The record identifies an adverse historical intersection between Plaintiff McNeil and the Honorable R. Markley Dennis, Jr., in whose chambers Judge McCoy previously served. This prior experience involved Plaintiff McNeil advocating for victims of a targeted family matter, resulting in admonishment from the bench while the offending party avoided further disposition. The Canon 3(E) standard measures the perception of the reasonable observer. The proximity of Judge McCoy's legal foundation to a chambers with a documented adversarial history with the Plaintiff establishes the baseline condition for recusal.

III. THE CONTINUANCE SEQUENCE AND THE AMPLIFICATION OF DOCUMENTED HARM

The chronological record shows a pattern of administrative delays extending the exact conditions under which Plaintiffs endure documented trauma. The December 1, 2025 Order of Continuance extended the environment where Plaintiff McNeil sustained clinical-severity harm, culminating in a severe PCL-5 PTSD score of 76/80. Subsequently, the March 26, 2026 administrative correspondence displaced the April 3, 2026 hearings. These actions function within a systemic framework that perpetually stalls Plaintiffs' protective relief while preserving the Defendants' operating platform.

IV. ASYMMETRIC ADMINISTRATIVE GATEKEEPING

The April 29, 2026 communications record documents chambers staff selectively filtering docket access based on party identity. Court administration openly advanced informal, remote-appearance requests from defense counsel while aggressively intercepting Plaintiffs' critical safety filings under misapplied "ex parte" classifications. This asymmetric information-control architecture protects the defense from facing the full scope of their liability exposure while actively blocking the judicial visibility of Plaintiffs' safety risks. A reasonable observer evaluates this administrative disparity as evidence of a compromised tribunal environment.

V. EXPIRATION OF THE VOLUNTARY RECUSAL WINDOW

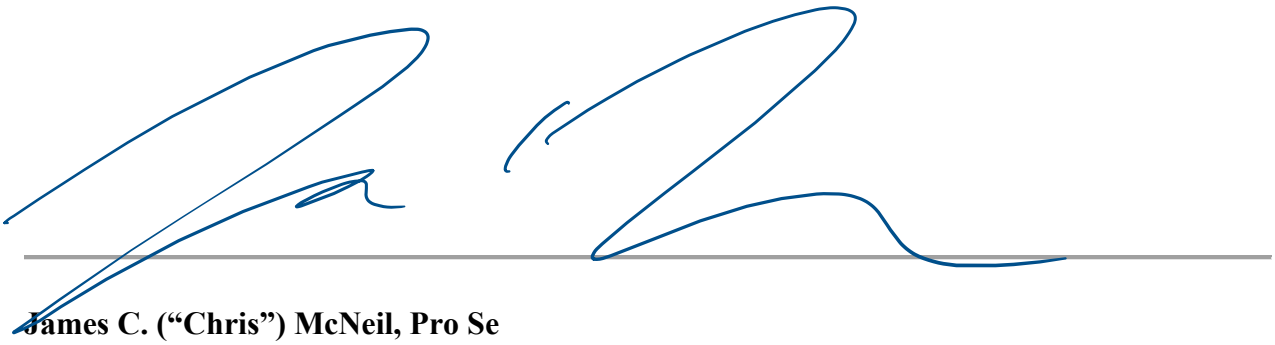
On April 29, 2026, Plaintiffs delivered a formal letter to Judge McCoy offering the professional courtesy of voluntary withdrawal, requesting confirmation of her exit from the case by May 1, 2026. The expiration of this deadline establishes the necessity for this formal motion.

VI. CONCLUSION

The intersection of local political gravity, Altman family asset exposure, and asymmetric court administration requires decisive state-level intervention. Plaintiffs submit this motion to complete the local record, establishing that the Ninth Circuit environment currently lacks the structural neutrality required to adjudicate this dispute.

Plaintiffs request the immediate entry of an Order of Recusal, transferring all remaining administrative and substantive authority to the designated presiding authority, currently operating under the oversight of the South Carolina Supreme Court.

Respectfully submitted this 11th day of May, 2026.



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