

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
BEFORE THE MASTER-IN-EQUITY

Tess Singleton and Benquetta White,)
Plaintiffs,)
vs.)
The Blue Note Bistro, LLC;)
Henry D.Smalls; and)
Michael A. Brown, Sr.,)
Defendants.)
_____)

CASE NO.: 2022-CP-10-05305

REPLY AND MOTION TO RECONSIDER
AND TO RECALL BENCH WARRANT

COMES NOW DEFENDANT Michael A. Brown, Sr., through undersigned counsel, who hereby respectfully requests that this Honorable Court Reconsider its ruling and Order dated July 23, 2026 and/or Recall any Bench Warrant issued pursuant to that Order. In support of this Reply/Motion, the Defendant avers the following grounds before the Court:

In the time since the parties' last filings with the Court, Defendant was able to obtain statements from South Carolina Federal Credit Union that were missing from prior production. Defendant's personal bank statements from the date the account was opened with South Carolina Federal Credit Union to the present, and the Focus Outreach Ministries statements from 2021 to the present have now been produced to produced. The statements that were previously missing were produced to Plaintiff's counsel on July 24.

Defendant Brown was also able to obtain copies of the titles to the 2013 Audi and the 2010 Camaro that were not previously produced. As Defendant Brown testified, both cars are inoperable. He does not have possession of the Camaro, having given it away as a junk/parts vehicle. The titles were produced to Plaintiff's counsel on July 23.

Defendant Brown was finally able to obtain copies of his state and federal tax returns from 2021, 2022, and 2023. Defendant Brown did not file for the year 2020 and has not yet filed for the year 2025. The returns were produced to Plaintiff's counsel on July 23.

Defendant Brown is working to complete the "Accounting" ordered by the Court on July 23, 2026. A complete accounting as requested by Plaintiff's counsel and Ordered by the Court could not have been done until the bank statements listed above were obtained, and the process is awaiting completion of the work of third parties. The accounting is expected to be complete within a few days.

Plaintiff's counsel has confirmed receipt of the documents as they were described in the transmittals but has not had the opportunity to review them thoroughly for completeness or substance. The undersigned hopes to receive that confirmation soon. If not, Defendant Brown will file an Affidavit with the court swearing to the production.

For these reasons, Defendant Michael A. Brown, Sr. respectfully requests that this Honorable Court issue an Order modifying the July 23, 2026 Order issuing the Bench Warrant, or simply recall the bench warrant pending further order of the Court.

Respectfully submitted,

/s David B. Marvel
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July 27, 2026
Santa Barbara, California