

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF CHARLESTON)	CASE NO: 2023-CP-10-01336
)	
GARRISON KEPLEY,)	
)	
Plaintiffs,)	PLAINTIFF'S MOTION TO UNSEAL
)	FAMILY COURT CASE 2020DR10-02591
-vs-)	
)	
ELLA BAINE MARCEY, TIMOTHY)	
SHANE MAHONEY, LUCAS SNEED,)	
MATTHEW BROWN, JOHN DOES AND)	
JANES DOES,)	
)	
Defendants.)	
)	

Plaintiff, by and through his undersigned counsel, hereby moves this Court for an Order unsealing the divorce proceedings of Robert Brunson and Kathleen Kirkland Brunson. Both Robert Brunson and Kathleen Brunson were named Defendants in this action. Pursuant to a non-confidential settlement agreement, Plaintiff has resolved his claims against the Brunsons. Notwithstanding, the Brunson family members remain critical witnesses in this case and will likely be called to testify at trial.

Robert Brunson is not only the father of Ella Marcey's ex-boyfriend, Dana Brunson, but is also defending Defendant Lucas Sneed in this matter. Robert Brunson is a witness who was present immediately following the planned parking lot assault against Plaintiff Kepley. As such, Robert Brunson was deposed in this matter and testified as follows under oath:

(Page 36, Lines 19-25, continued to Page 37, Lines 1-15)

Page 36

- 19 Q Did you speak with anyone about the
20 parking lot incident later that same evening?
21 A You mean — what do you mean, that
22 evening?
23 Q That Sunday evening of March 21st, 2021,
24 once you left the parking lot. Did you have
25 conversations with anyone after leaving the parking

Page 37

- 1 lot about what had occurred in the parking lot, or
2 what had occurred leading up to the boys going to
3 the parking lot?
4 A The only person I remember having a
5 conversation with was Stephanie McDonald.
6 Q When did your romantic relationship with
7 her begin?
8 A I don't remember exactly.
9 Q Okay. And as we sit here today, are you
10 engaged to Stephanie McDonald?
11 A I am.
12 Q And she is a judge in South Carolina,
13 correct?
14 A She is a judge in the South Carolina
15 Court of Appeals, yes.

Upon information and belief, a motivating factor for Ella Marcey in dreading disclosure of her indiscretion to her then-boyfriend Dana Brunson (who broke up with her approximately 24 hours after the Mt. Pleasant Police Investigation) was that she knew that Dana Brunson was suffering from mental anguish due to his parents' extremely contentious divorce proceedings at the time of the events of March 2021. Upon information and belief, a point of contention in those divorce proceedings was alleged infidelity.

Upon information and belief, the divorce case was disposed of on April 16, 2021 - just less than one month after the incidents giving rise to this lawsuit. Relatively shortly after the divorce between Robert and Kathleen Brunson was finalized, Robert Brunson and Court of Appeals Justice Stephanie Myrick Pendarvis McDonald became engaged to be married. Based on Robert Brunson's own testimony, he either could not or would not confirm whether he was romantically involved with Judge Stephanie McDonald at the time that his son, Dana Brunson, assaulted Garrison Kepley in the Kohl's parking lot. Robert Brunson did admit to having a conversation with Stephanie McDonald on the date of the parking lot assault that his son was involved in about what allegedly transpired.

Plaintiff is entitled to obtain the timeline of the relationship between Robert Brunson and Stephanie McDonald in discovery in order to fully develop his theory as to why Ella Marcey has such strong desires to conceal her infidelity from Dana Brunson and why she would be motivated to develop such a horrific lie about her sexual encounter with Garrison Kepley. The filings may also reveal why Robert Brunson would choose to speak with Stephanie McDonald about going to pick his son up from a parking lot after his son had orchestrated a set-up to confront and harm Garrison Kepley.

CONCLUSION

Plaintiff is entitled to the files which would normally be available by public record. This discovery request is reasonably calculated to lead to the discovery of admissible evidence. The Court has sealed Robert Brunson's and Kathleen Brunson's divorce filings so that they are protected from being accessed by the public. The filings contain information that is relevant and could persuade a jury that it was more probable than not that Ella Marcey deliberately falsified

her narrative of her sexual encounter in order to conceal the fact that she cheated on her then-boyfriend. Plaintiff hereby requests a Court order directing the Charleston County Family Court to unseal Case No. 2020DR-10-02591 *Kathleen Kirkland Brunson v. Robert Brunson* or alternatively, to allow Plaintiff to obtain a complete copy of the filings.

s/Victoria N. Smith
Victoria N. Smith, Esq.
(SC BAR 101864)
Victoria Smith Law Firm, LLC
520 Folly Road, Suite 25 PMB 334
Charleston, SC 29412
Phone: 843-800-0365

August 25, 2025
Charleston, South Carolina