

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
(In The Supreme Court)

RECEIVED
JAN 18 2022
SC Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas
Letitia H. Verdin, SC Judge 2162

Case No. 2021-CP-23-03689
Court of Appeals Case No. 2021-001504

Jayne LaForge Stovall

Appellant

V.

Paulette B Stovall and
William S. Stovall
(Paulette B. Stovall, Respondent)

Defendants

INITIAL BRIEF OF APPELLANT

Jayne LaForge Stovall
3197 Golden Oak Ct.
Dallas, Texas 75234
972-406-9028
Pro Se Appellant

TABLE OF CONTENTS – APPEAL IN THE STATE OF SOUTH CAROLINA
COURT OF APPEALS CASE NO:2021-001504

1. INTRODUCTION
2. MEMORANDUM
3. CONCLUSION
4. AUTHORITIES

TABLE OF CONTENTS

1. INTRODUCTION
2. MEMORANDUM OF POINTS AND AUTHORITIES
3. CONCLUSION
4. AUTHORITIES

AUTHORITIES

1. SCPC Article 7, part 10, Sections 62-710-01 through 62-710-09.
2. SCPC 62-2-607 Order Restraining PR pertaining to Trustee, PR or Executor de son tort: wrongfully interfering with distribution of a deceased person's estate, or de son tort.
3. S. Carolina Code of Laws, Section 16910 (a) (1) Perjury under oath.
4. Canon 3 – A, sections 1,2,3, and 4 , Code of Conduct in its entirety of the United States Rules for Judicial Conduct
5. Medical Report from W. Travis Wilson, M.D., dated August 16, 2010, Neurology Centers of the Carolinas, PA, confirming 8 prescription medications and 4 OTC's.
6. Medical Report from Roger C. Peace Outpatient Occupational Therapy dated 7-1-2011 describing patient's condition,
7. Photograph of note and card dated 12/2008 written by decedent, envelope addressed by Respondent.
8. Order in the Greenville Family Court dated April 26, 1973 by Judge James Roper containing William's testimony.
9. Social Services Admission Report to the Woodlands dated 9/26/18, pages 7 and 10 of 11.
10. Daniel Casillas pictures and description of real estate still held by the Trusts in 2021 but never disclosed by Respondent.

11. Correspondence from George W. Lohr to and from Truluck firm 11/12/21 regarding "time-share" involved in Respondent's handling of Estate matters. Written via E-Mail to Truluck firm on day of hearing, inquiring as to status of hearing.

12, Arrest Record for domestic violence dated 4/4/05.

13. Brief and letter to Judge Jennings supposedly filed in Probate Court with copies to Truluck firm.

CASE REFERENCES

1. S. Carolina case #2019-CP-23-02960.

INTRODUCTION;

My father died on January 7, 2018. In his Will and two Trust documents I am a co-Trustee with the Respondent and beneficiary of two Trusts. I received no communication from Respondent before my father's death to date, other than through our respective lawyers. Respondent directed facilities and agencies not to give me any information about my father's condition or location during the last weeks of his life. The Greenville Lawyer Referral Service denied pro bono counsel for me and for my sister, Lisa Stovall Rodriquez, stating there was too much money in my father's estate. I had go pro se when I exhausted my savings in 2020.

MEMORANDUM OF POINTS AND AUTHORITIES:

There are obvious errors in the Trust agreements and Will which have been documented during the discovery process. The original family trust agreement was evidently drawn in the 1980's and then amended in 2012 to include the change in spelling of my father's middle name and addition of provisions for my sister, Lisa Rodriquez, who is permanently disabled. Previous Trust agreements and Wills have not been produced by Respondent, although they did exist.

Two hearings were held in Greenville Probate Court, one on May 19, 2021 and one on July 7, 2021. No Order was issued for the May 19th hearing. Judge made inappropriate personal remarks to me on May 19th, asking if I was "on something" because I was obviously upset and kept saying I was going to lose if I did not retain another lawyer. On July 7th, I was constantly interrupted and not allowed to speak or to question either defendant. Evidence provided through discovery and by me to the Court prior to these hearings was not reviewed, including depositions and affidavits provided by my Mother, Joan Martin, and my sister, Lisa Rodriquez, both of whom have essential tremor which affects their speech. See authorities #4 and #13.

Respondent has failed to perform the duties of Co-Trustee as required by S. Carolina Probate Code rules. See authority #2 and # 11.

Respondent has refused to release complete financial records related to my father's Estate, or relevant medical records related to my father's mental and medical conditions.

Respondent states there is no money left in the Trusts in her response to interrogatories. That is not true. See authority #10.

Respondent foreclosed on my sister Lisa Rodriquez's Dallas home four months before my father died, sold the home, and my sister has received nothing. Lisa is permanently disabled from a back injury. Respondent has wrongfully interfered with distribution of the estate, a de son tort. See authority #2.

Initial Brief for Appellate Case #2021-001504

Defendant committed perjury under oath before the court about his relationship with my father, my father's long history of illness, my purported lack of cooperation as co-trustee, and false information as to my physical and mental health which he knows nothing about. Clearly a misdemeanor according to S. Carolina Code of Laws. See authority #3 and authority #8.

Respondent had a copy of a psychological testing report I had obtained and paid for in 2014, then shared with my father. Respondent gave this copy to Defendant and his wife, who then maliciously threatened to have me declared incompetent to serve as Co-Trustee so that - Defendant could take over as co-Trustee a clear violation of my HIPPA rights. I also believe that Respondent signed over a CD to Defendant to obtain his cooperation, as it is the only beneficiary designation provided to my attorneys for anything during discovery. See authority #14.

An Appeal was filed in the Greenville Circuit Court, was heard after being re-scheduled three times with three different judges on Appeal was denied, as was a request for reconsideration on December 6, 2021. Judge Verdin had stated "the matters should have been resolved in Probate Court". I do not understand why the case was not remanded to Probate Court, and that is why I am appealing to the State Court.

CONCLUSION:

Because Defendant William Stovall, is not fit to serve as co-Trustee of either Trust because of his false testimony, and his molestation of his sisters as little girls; and because Respondent Paulette B. Stovall has not managed the estate according to S. Carolina law, I am asking the Court to appoint an independent special administrator and to order a forensic accounting of my father's estate, to be paid for by the Estate, to cover the period from execution of the 2012 and 2013 documents to the date of my father's death, as well as a full accounting of the Trust assets from his death to date. The Trust Department of a local Greenville bank would be a suggestion.

From the little financial information I have been able to obtain from public records, there was approximately \$3,000,000.00 in the Estate at the time of my father's death in November of 2018. As beneficiary, I am entitled to an accounting according to S. Carolina Laws, including beneficiary designations. I am also asking that I be reimbursed by the Estate for the legal expenses I have incurred.

PROOF OF SERVICE, INITIAL BRIEF FOR THE STATE OF SOUTH CAROLINA APPEALS COURT CASE
NO. 2021-001504:

I hereby certify that the statements in this Brief are true and complete to the best of my
knowledge and that copies of this Brief have been sent to the South Carolina State Appeals
Court, to Defendant/Respondent's attorney and to Defendant William Stovall via the United
States Postal Service.

Jayne LaForge Stovall

Jayne LaForge Stovall
Pro Se Appellant

RECEIVED

JAN 18 2022

SC Court of Appeals

V. Claire Allen, Clerk, SCCA
Post Office Box 11629, Columbia, S. Carolina 29211

Devon Purifoy, Attorney
3 Boyce Avenue, Greenville, S. Carolina 29601

William S. Stovall, M.D.
King James Lane
Liberty Lake, Washington

TEXAS ORDINARY CERTIFICATE OF ACKNOWLEDGMENT

Civil Practice & Remedies Code § 121.007

The State of Texas

County of Dallas

Before me,

Sonia Ortiz

Name and Character of Notarizing Officer,
e.g., "John Smith, Notary Public"

on this day personally appeared

Jayne Laforge Stovall
Name of Signer

known to me

proved to me on the oath of

Name of Credible Witness

proved to me through _____

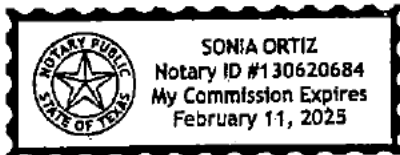
TEXAS DL
Description of Identity Card or Document

to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office this

11th day of January, 2022
Day Month Year

Sonia Ortiz
Signature of Notarizing Officer



Place Notary Seal and/or Stamp Above

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Proof of Service

Document Date: N/A Number of Pages: 1

Signer(s) Other Than Named Above: N/A

January 11, 2022

RECEIVED
JAN 18 2022
SC Court of Appeals

TO: V. Claire Allen, Clerk, SCCA

FROM: Jayne Stovall

RE: Case No. 2021-001504

Enclosed is the original of my Initial Brief in the subject case. I called your office twice and left messages but did not receive any response. I would assume that you have received the filing fee as well as the material I FAXed. If there is anything else I need to do at this point, please let me know. It is very difficult for me to handle this matter pro se, and it is my understanding that as a pro se appellant, the court will let me know if there is something I need to do other than what I am doing, especially since I am out of state and also dealing with all the rules and regulations related to the COVID mess.

Also, I have three file boxes full of copies of everything related to this case, which I have made or kept because Greenville attorneys and/or the Probate Court have evidently not filed or reviewed evidence and documents provided to them. This case has been going on since my father's horrible death three years ago, and for what I believe is because attorneys on both sides have and are now running up fees and accomplishing no resolution, one way or the other. Thanks for your help,

Jayne Stovall

Jayne Stovall

Enclosure

Jayne Stovall
3197 Golden Oak Ct.
Dallas, Tx. 75234



NORTH TEXAS P&DC
DALLAS TX 750
TUE 11 JAN 2022
AESM 1/1 00:09:48

RECEIVED
JAN 18 2022
SC Court of Appeals

V. Claire Allen, Clerk
Post Office Box 11629
Columbia, South Carolina 29211

