

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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MAY 23 2013

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

The Honorable Doyet A. Early, III, Circuit Court Judge

S.C. Supreme Court

Case Nos. 2007-CP-02-0122, 2007-ES-02-0056

Appellate Case No. 2012-212917

IN RE: THE ESTATE OF JAMES BROWN A/K/A JAMES JOSEPH BROWN

Adele J. Pope Appellant,

v.

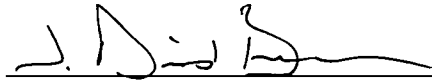
Alan Wilson, Attorney General of the State of South Carolina, Russell L. Bauknight, as
Trustee of the Legacy Trust and in other fiduciary capacities, and
Tommie Rae Brown,..... Respondents.

**RETURN TO APPELLANT POPE'S MOTION TO DISMISS
MR. BAUKNIGHT AS A PARTY TO LIMITED DIARY APPEAL**

Russell L. Bauknight requests that he be removed as a party to this appeal. This appeal addresses the narrow issue of confidentiality concerning Tommie Rae Hynie Brown's personal diaries. Appellant Adele J. Pope named Mr. Bauknight as a respondent in this appeal. Mrs. Pope now moves this Court for an order dismissing Mr. Bauknight as a party to the diary appeal.

Although Mr. Bauknight disagrees with the reasoning set forth in her motion, pursuant to this Court's May 8, 2013 Opinion reversing the Settlement Agreement, and in the interest of moving the James Brown Estate and Trust matters forward, Mr. Bauknight respectfully requests that he be removed as a party to the diary appeal.

Respectfully submitted,



William W. Wilkins, SC Bar No. 6112

J. David Black, SC Bar No. 68499

Fred L. Kingsmore, Jr.

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Attorneys for Russell L. Bauknight, as the Court Appointed Trustee of the James Brown 2000 Irrevocable Trust and Personal Representative for the Estate of James Brown and as the Special Administrator and Special Trustee for the Estate of James Brown and the James Brown 2000 Irrevocable Trust

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Bauknight, as Trustee of the Legacy Trust and in other fiduciary capacities, and
Tommie Rae Brown.....Respondents,

PROOF OF SERVICE

The undersigned certifies that a copy of the **Return To Appellant Pope's Motion To Dismiss Mr. Bauknight As A Party to Limited Diary Appeal** has been served upon the Appellant by U.S. Mail, postage prepaid, addressed to as listed below on the 23rd day of May, 2013.

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