



Attorney whereupon she named the Petitioner and her other son Deon Robinson as her agents. Gadine Robinson testified that he was present with Sandra Y. Robinson on the day that she signed this document despite the fact that Mr. Robinson as well as every other witness testified that Sandra Y. Robinson had been battling a dementia diagnosis for quite some time. The Petitioner further admitted that he had used this Power of Attorney to attempt to enter and/or have the locks changed on a house located at 408 S. Eleventh Street in Hartsville, South Carolina that was deeded (Jointly with Rights of Survivorship) to Sandra Y. Robinson and Tomeka L. Robinson Thiam. Mr. Robinson testified that he has never managed the financial affairs of Sandra Y. Robinson and does not know what her monthly expenses are and has only rarely contributed to Sandra Y. Robinson's care from a financial perspective. He acknowledged that his sister, Respondent Tomeka L. Robinson Thiam purchased the home at 408 S. Eleventh Street in 2007 and has been paying the monthly expenses on this property ever since.

Our South Carolina Probate Code establishes that a person executing a Power of Attorney must have contractual capacity (S.C. Code § 62-8-102(9)) which our Courts have defined as a person's ability to understand, at the time the document is executed, the nature of the contract and its effect. In re: Nightingale's Estate, 182 S.C. 527, 542, 189 S.E. 890, 896 (1937).

According to the South Carolina Probate Code, an agent's duties under a Power of Attorney are to act in good faith and within the scope of authority granted in the power of attorney (S.C. Code § 62-8-114 (a)(2)-(3)). The Probate Code further provides that the agent is to act with the care, competence, and diligence ordinarily exercised by agents in similar circumstances (S.C. Code § 62-8-114 (b)(3)). Regarding a Conservator, he or she is to act as a fiduciary and shall observe the standards of care applicable to trustees (S.C. Code § 62-5-414 (A)).

TRUE COPY  
*Maria Queen*  
JUDGE OF PROBATE  
CHARLINGTON COUNTY, S.C.

*MD*

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CLERK OF PROBATE  
CHARLINGTON COUNTY

2017 SEP 29 11:27  
CLERK OF PROBATE  
CHARLINGTON COUNTY  
FILED

The Power of Attorney at issue was executed by Sandra Y. Robinson on March 24, 2022 which was well after Ms. Robinson had been diagnosed with dementia. Even so, Mr. Gadine Robinson has acted far outside the scope of the authority of the Power of Attorney in the few short months it was granted to him. A Power of Attorney is designed and intended to grant a selected person or persons the authority to handle the financial matters and to sign certain financial documents on behalf of another. Presenting a power of attorney to a police officer in an attempt to gain access to property is indeed a gross overreach and a breach of the agent's fiduciary duty. These actions call into serious question Gadine Robinson's fitness to serve as Conservator in this case. As such, the Petition by Gadine Robinson to be named conservator for Sandra Y. Robinson is hereby **DENIED**.

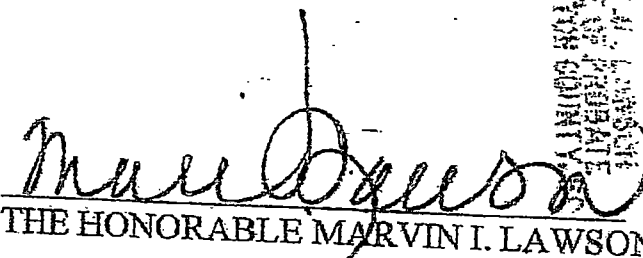
In addition, for the reasons set forth above, the Power of Attorney which was executed by Sandra Robinson on March 24, 2022 and recorded at the Darlington County Clerk of Court's Office on May 13, 2022 and recorded in Deed Book 1104 and at Page 9727 is hereby

**REVOKED**

This Order is to be recorded with the Darlington County Register of Deeds

**IT IS SO ORDERED.**

Darlington, South Carolina  
September 19, 2022

  
THE HONORABLE MARVIN I. LAWSON

TRUE COPY

  
JUDGE OF PROBATE  
DARLINGTON COUNTY, S.C.

2022 SEP 21 PM 3:21  
MARVIN I. LAWSON  
JUDGE OF PROBATE  
DARLINGTON COUNTY, S.C.

2022 SEP 19 AM 11:27  
MARVIN I. LAWSON  
JUDGE OF PROBATE  
DARLINGTON COUNTY, S.C.

**FILED**