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Oct 24 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ORANGEBURG COUNTY
Court of Common Pleas
Honorable Diane S. Goodstein, Circuit Judge

Appellate Case No. 2021-001413

Jacquelyn Gladden and Patricia Reed Respondents

v.

Cyndy Reed Stewart. Appellant.

SUPPLEMENTAL RECORD ON APPEAL

Robert B. (Sam) Phillips
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Supplemental Record on Appeal
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Pleadings _____ **1**

Motion for Reconsideration,
(Bamberg County Prob. Ct., (Case No. 2015-ES-05-00091) (27 January 2017)) _____ 1

STATE OF SOUTH CAROLINA)
)
COUNTY OF BAMBERG)
)
ESTATE OF THEODOCIA K. REED)
)
_____)

IN THE PROBATE COURT

Case No.: 2015-ES-05-00091

MOTION FOR RECONSIDERATION

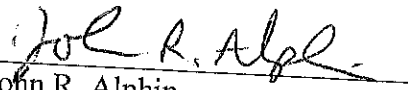
COMES NOW Jacquelyn Gladden, by and through her undersigned Counsel of Record, and moves this Honorable Court to reconsider its verbal Order dated January 17, 2017¹. This Motion is based on the following and on any memorandum submitted prior to or at a hearing on this matter:

1. The Court’s Order found that Jacquelyn Gladden was disqualified to serve as personal representative because she did not claim a certified mail from Mr. Ness;
2. No evidence was offered to the Court that Ms. Gladden was aware of the certified mail nor was any evidence offered to the Court to demonstrate that Ms. Gladden knew Mr. Ness’ address;
3. Counsel for Ms. Gladden sent a Notice of Representation to Mr. Ness on December 1, 2016; and
4. At no time after December 1, 2016 did Mr. Ness inform Counsel for Ms. Gladden that service was not perfected nor did Mr. Ness to accept service.

Based on the above, Ms. Gladden respectfully asks the Court to reconsider its Order disqualifying her from serving as a co-personal representative for her mother’s estate in accordance with her late mother’s will.

¹ The Court Ordered Mr. Ness to draft a written order based on the Court’s instructions, which to date has not been received. As the verbal Order was issued on January 17, 2017, Ms. Gladden files this Motion out of an abundance of caution.

RESPECTFULLY SUBMITTED this 27th day of January, 2017



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1-27-2017

STATE OF SOUTH CAROLINA)
)
COUNTY OF: BAMBERG)
)
IN THE MATTER OF:)
ESTATE OF THEODOCIA K. REED)
(Decedent))

IN THE PROBATE COURT

PROOF OF DELIVERY

CASE NUMBER: 2015-ES-05-00091

On the 27th day of January, 2017, I mailed or delivered the following document(s):

Motion for Reconsideration

- A copy of which is attached hereto and incorporated herein, or
- The original of which is on file with the Court.

Delivery was accomplished by the following method (check appropriate box):

- personal delivery
- certified mail
- commercial delivery
- ordinary first-class mail
- registered mail
- electronic message (Article 7, Trust matters only)

to each of the following persons at the address shown:

NAME	ADDRESS
RICHARD B. NESS	2878 MAIN HWY, BAMBERG, SC 29003
PATRICIA REED	POST OFFICE BOX 105, GEORGETOWN, SC 29442

SWORN to before me this 27th day of Jan., 2017

[Signature]

Notary Public for South Carolina

My Commission Expires: 7/25/21

Signature: [Signature]

Print Name: JOHN R. ALPHIN

Address: 2110 N. BELTLINE BLVD
COLUMBIA, SC 29204

Telephone (Work): 803-252-4800

(Home): _____

(Cell): _____

E-mail: JALPHIN@STROMLAW.COM

Relationship to Decedent/Estate: COUNSEL FOR HEIR, JACQUELYN GLADDEN

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CERTIFICATE OF COUNSEL

The undersigned hereby certifies that the Supplemental Record on Appeal contains only the material inadvertently omitted by Respondents in their Designation of the Matter on Appeal and not any other materials.

October 24, 2022

//s// Elizabeth D. Moore
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