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Nov 17 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM BEAUFORT COUNTY

COURT OF COMMON PLEAS

HON. MARVIN H. DUKES, MASTER IN EQUITY

APPELLATE CASE # 2022-000277

GEORGIA HARRISON, BARBARA HARRISON,
JOYCE ELLEN HARRISON, WILLIAM S. HARRISON, III,
STANLEY ROBERTS AND DIANA MENDHEIM
INDIVIDUALLY AND AS AGENT AND ATTORNEY IN FACT,

RESPONDENTS

vs.

STEPHANIE LORRAINE KIRKLAND,
GARY LAMONT KIRKLAND,
KIETA NICOLE WHITE, AND CHERYL KIRKLAND,

APPELLANTS

APPELLANTS RETURN IN OPPOSITION TO RESPONDENTS
MOTION TO DISMISS APPELLANTS' AMENDED INITIAL BRIEF

The Respondents motion to dismiss they Appellants Amended Initial Brief should be denied for the following reasons:

First: The South Carolina Rules of Appellate Procedure do not prohibit the filing of Amended Briefs.

Second: Respondent does not assert that there was any Rule 231, SCACR. 207, SCACR, or Rule SCACR 208 discrepancies within the Amended Initial Brief Henning v. Kaye, 307 S.C. 436, 415 S.E.2d 794 (1992)

Third: The Amended Initial Brief was filed prior to the filing of any Return Brief by the Respondent.

Fourth: that the Respondents' counsel was not prejudiced by the filing of the Amended Initial Brief because he was informed by the Appellants counsel that an Amended Initial Brief would be filed more than a week prior to its being filed. See attached Exhibit 1

FIFTH: The filing of amended briefs is a commonly expected and frequently used practice before the appellate courts of this state.

Charles E. Houston Jr., Esq.
The Houston Law Firm LLC
1000 Main Street, Suite 200 C
Hilton Head Island, SC
chouston@houstonlawfirm.net
SC Bar # 2663 Fed. Bar # 1961
Attorney for Appellants

November 16, 2022
Hilton Head Island, SC

Fwd: Appellate Case # 2022-000277; request for copies of transcripts identified in your Designation of Matter

Charles E. Houston <chouston@houstonlawfirm.net>

Thu 11/17/2022 1:22 AM

To: Charles E. Houston <chouston@houstonlawfirm.net>

Sent from my iPhone

Begin forwarded message:

From: "Charles E. Houston" <chouston@houstonlawfirm.net>**Date:** October 18, 2022 at 11:03:20 AM EDT**To:** Tom Taylor <tom@thomastaylorlaw.com>**Subject: Re: Appellate Case # 2022-000277; request for copies of transcripts identified in your Designation of Matter**

I will do so today. For your work calendaring purposes I plan to file an amended Initial brief that will extend the time for your reply.

The two transcripts were the ones prior to the last hearing dealing with the stay last month. That one is irrelevant to the issues on appeal and appears not to be needed,
Charles



The Houston Law Firm, LLC
1000 Main Street, Suite 200C
Hilton Head Island, SC 29926
Office: 843-684-0211
Email: chouston@houstonlawfirm.net

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From: Tom Taylor <tom@thomastaylorlaw.com>
Sent: Tuesday, October 18, 2022 9:55 AM
To: Charles E. Houston <chouston@houstonlawfirm.net>
Cc: Law Office of Chester C. Williams <firm@ccwlaw.net>; Andre J. White (andrewwhite@mitchelville.com) <andrewwhite@mitchelville.com>; Donna Taylor <donna@thomastaylorlaw.com>; tfinger@fingerlaw.com <tfinger@fingerlaw.com>
Subject: RE: Appellate Case # 2022-000277; request for copies of transcripts identified in your Designation of Matter

Charles—Good morning. I have received copies of your filings with the Court of Appeals yesterday. Thank you.

Two things please. **First, please send me pdf copies of the “two transcripts taken during the course of the proceedings” that are mentioned in your filed Designation of Matter of be Included in Record on Appeal. I need to make sure that we are aware of exactly what two transcripts you are referring to. I need copies of these by this Friday, October 21, 2022 in order to begin work on our responsive brief. Thank you. You may send them to me via email attachment. Again, it’s imperative that I receive copies of them by this Friday.**

Second, please ask your staff to note my P.O. box in Bluffton, as is marked below. Your office continues to mail things to my old Hilton Head post office box and I have little faith in the US Port Office to forward documents/envelopes appropriately. Thanks.

I look forward to receipt of the transcripts.

Tom

Thomas C. Taylor

Law Office of Thomas C. Taylor, LLC
10 Pinckney Colony Road
1808
Building 400
Bluffton, SC 29909
843-785-5050 (office)
843-301-6900 (cell)

**PLEASE NOTE OUR NEW MAILING ADDRESS:
P.O. Box 1808, Bluffton, SC 29910-**

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on you or for the purpose of promoting, marketing or recommending to another party any tax-related matters.

From: Court Of Appeals Filings <ctappfilings@sccourts.org>
Sent: Tuesday, October 18, 2022 9:43 AM
To: Charles E. Houston <chouston@houstonlawfirm.net>; Court Of Appeals Filings <ctappfilings@sccourts.org>
Cc: Tom Taylor <tom@thomastaylorlaw.com>; Law Office of Chester C. Williams <firm@ccwlaw.net>
Subject: RE: Appellate Case # 2022-000277

Dear Counsel:

The Court has received your filing. A stamped copy is attached for your records.

Thank you.

From: Charles E. Houston <chouston@houstonlawfirm.net>
Sent: Tuesday, October 18, 2022 9:32 AM
To: Court Of Appeals Filings <ctappfilings@sccourts.org>
Cc: tom@thomastaylorlaw.com; Law Office of Chester C. Williams <firm@ccwlaw.net>
Subject: Fw: Appellate Case # 2022-000277

***** EXTERNAL EMAIL:** This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***



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From: Charles E. Houston
Sent: Monday, October 17, 2022 7:12 PM
To: ctfilings@sccourts.org <ctfilings@sccourts.org>
Cc: tom@thomastaylorlaw.com <tom@thomastaylorlaw.com>; Law Office of Chester C. Williams <firm@ccwlaw.net>
Subject: Appellate Case # 2022-000277

Dear Madam Clerk:

We are submitting as additional filings associated with our previously filed Initial Appellant's Brief the following items:

- 1 Designation of Matters to be included in Record on Appeal and
- 2 Proof of Service

There are some errors and incompletions that exist that will be promptly corrected.

Thank you.

Charles Houston



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**RECEIVED**  
**Nov 17 2022**  
**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

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APPEAL FROM BEAUFORT COUNTY  
Court of Common Pleas

Marvin H. Dukes, Master in Equity

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Appellate Case No. 2022-000277

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Georgia Harrison, Barbara Harrison, Joyce Ellen Harrison, William S. Harrison III, Stanley Roberts, and Diana Mendheim, individually and as agent and attorney in fact,

Respondents.

v.

Stephanie Lorraine Kirkland, Gary Lamont Kirkland, Keita Nicole White and Cheryl Kirkland,

Appellants.

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**PROOF OF SERVICE**

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I hereby certify that this law firm represents the Appellants in the above captioned matter and that on the date below at Hilton Head Island South Carolina I served a copy of the foregoing **APPELLANTS' RETURN IN OPPOSITION TO RESPONDENTS' MOTION TO DISMISS APPELLANTYS' AMENDED INITIAL BRIEF** and the **PROOF OF SERVICE** on the following persons by electronic mail to their AIS email addresses on November 17, 2022 by U S mail, first class postage prepaid, on November 17, 2022.

**Documents served:**

**(1) PROOF OF SERVICE and**

**(2) APPELLANTS' RETURN IN OPPOSITION TO RESPONDENTS' MOTION TO DISMISS APPELLANTYS' AMENDED INITIAL BRIEF**

**Parties Served:**

Thomas C. Taylor, Esq.  
Law Office of Thomas C. Taylor, LLC  
P.O. Box 1808  
Bluffton, SC 29910

And

Chester C. Williams, Esq.  
Law Office of Chester C. Williams, LLC 17  
Executive Park Road, Suite 2  
PO Box 6028  
Hilton Head Island, SC 29938-6028

**Attorneys for Respondents**

**This** 17<sup>th</sup> day of November 2022

The Houston Law Firm LLC  
1000 Main Street, Suite 200C  
Hilton Head Island, SC 29926  
Phone: 843-715-9078  
[chouston@houstonlawflrm.net](mailto:chouston@houstonlawflrm.net)

By: S/ Charles E. Houston, Jr.  
Charles E. Houston, Jr.  
Attorney for Appellants  
SC Bar# 2663/ Fed Bar# 1961

Hilton Head Island, SC