

RECEIVED

Jan 25 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

Courtney Clyburn Pope, Circuit Court Judge Civil Action No.:  
2021-CP-02-02457

Appellate Case No.: 2022-000685

Vance Mack Fleming,..... Appellant,

v.

Glen Fleming .....Respondent.

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**MOTION TO BE RELIEVED AS COUNSEL FOR RESPONDENT**

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WHEREAS, counsel for the Respondent was only retained for his services relating to an appearance in Magistrates Court, in September of 2021. Despite discussions for payment of appellate representation, which began in November of 2022, Respondent and undersigned counsel could not reach an agreement as to payment for services in this appellate action. A copy of the final email correspondence between counsel and the Respondent is attached hereto, as Attachment "A," as well as a copy of the receipt for representation in Magistrates Court in September of 2021, as Attachment "B."

WHEREFORE Tom G. Woodruff, Jr. attorney for the Respondent hereby requests to be relieved as counsel. All future correspondence shall be forwarded directly to the Respondent who will be acting *Pro Se*. Respondent's mailing address is as follows:

Tom Fleming  
10943 Indies Drive  
N. Jacksonville, FL 32246  
Phone: 904-484-7157  
Email:tom@pilingmagic.com

Dated at Aiken, South Carolina, this 25<sup>th</sup> day of January, 2023.

I SO MOVE.

s/ Tom G. Woodruff, Jr.  
TOM G. WOODRUFF, JR.  
Attorney for the Respondent  
220 Richland Ave., West  
Aiken, South Carolina 29801  
Phone: (803) 649-1910

## **ATTACHMENT “A”**

**Copy of the final email correspondence between  
counsel and the Respondent**



Tom Woodruff <tomgwoodruff@gmail.com>

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## Motion to be Relieved - South Carolina Court of Appeals Case No.: 2022-000685 - Fleming v. Fleming.

1 message

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Tom Woodruff, Attorney <tw@aikenlaw.com>  
To: Tom Fleming <tom@pilingmagic.com>  
Bcc: Tom Woodruff <tw@aikenlaw.com>

Sun, Jan 22, 2023 at 5:06 PM

Sunday, January 22, 2023

**Re: Motion to be Relieved - South Carolina Court of Appeals Case No.: 2022-000685 - Fleming v. Fleming**

Dear Glen "Tom" Fleming:

To follow up on our phone conversation from last Sunday, please consider this email as a summary of the conversation.

1. You agreed to my being relieved of counsel, relating to the appeal currently pending before the South Carolina Court of Appeals.
2. I was originally retained, only to handle an eviction action in Magistrate's Court, in Aiken County; I did further represent you, without any additional charge, on the appeal from Magistrates Court to the Court of Common Pleas in Aiken County (which received a ruling in our favor); further, I have never been paid any amount, other than the original retainer relating to the representation in Magistrates Court, and you and myself could not agree on payment relating to my representation in this appeal.
3. You understand, the Respondent's Initial Brief and Designation of Matter, is now due to the South Carolina Court of Appeals, on or before February 16, 2023 (and, we have requested two prior extension, with the first filed on December 16, 2022, and the second being filed after our conversation, on January 18, 2023).
4. You understand how to access the South Carolina Court of Appeals database, to view any and all documents filed with this appeal (the master website is located at <https://www.sccourts.org/ACMS/>).
5. You understand how to access the South Carolina Judicial Department website, which is located at <https://publicindex.sccourts.org/aiken/publicindex/>; all documents filed with the Court of Common Pleas, is available under the "Actions" tab; the two cases related to this action are: Court of Common Pleas - *Glen Fleming v. Vance Fleming*, 2021CP0202457; and Magistrate's Court - *Glen Fleming v. Vance Mack Fleming*, 2021CV0210900337; all documents filed with the Court of Common Pleas, is available under the "Actions" tab (and, this includes the 275 pages of documents - mostly medical records relating to your father) filed under the document filing of "Return."
6. You are aware of the (somewhat complicated and precise) South Carolina Court of Appeals rules, regarding the requirements and deadlines for submission of all documents, which are available online at this website - <https://www.sccourts.org/courtreg/>.
7. Your contact information for me to give to the Court of Appeals, is as follows: Glen "Tom" Fleming, 10943 Indies Drive, N., Jacksonville, FL 32246, with cell phone number of 904-484-7157, and e-mail address of [tom@pilingmagic.com](mailto:tom@pilingmagic.com).

**I would request you email me to acknowledge receipt and agreement to this email, so that I may attach it to my motion to be relieved.**

If I can never be of any assistance see you in the future, please feel free to contact me.

Sincerely,

Tom Woodruff

Tom G. Woodruff, Jr.  
Attorney at Law  
Woodruff Law Office, LLC  
220 Richland Avenue, West  
Aiken, South Carolina 29801  
Phone: 803-649-1910  
Fax: 803-642-5622  
Email: [tw@aikenlaw.com](mailto:tw@aikenlaw.com)

**CONFIDENTIALITY NOTICE:** This e-mail communication, including any attached files was sent by or on behalf of the firm and may contain material that is proprietary, privileged, confidential, or otherwise legally exempt from disclosure. This Communication is intended solely for the use of the individual or entity to which it is addressed. If you are not the intended recipient or the person responsible for delivering this Communication to the intended recipient, you are prohibited from retaining, using, disseminating, forwarding, printing, or copying this Communication. If you have received this Communication in error, please immediately notify the sender via return e-mail or telephone.



Tom Woodruff <tomgwoodruff@gmail.com>

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**2022-000685**

1 message

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**Tom Fleming** <tom@pilingmagic.com>

Tue, Jan 24, 2023 at 7:16 AM

To: "Tom Woodruff, Attorney" <tw@aikenlaw.com>

Good morning. Due to the financial hardship that this has caused me and the slow-moving of the courts of South Carolina. For them to allow my brother who stole, mooched and abused both of my parents, my sister and myself. It's a sad day for me. I know longer can afford your services. I have lost respect for the American legal system. This is pathetic and a shame. Thank you

Best Regards Tom@pilingmagic.com

## **ATTACHMENT “B”**

**Copy of the receipt for representation in Magistrates  
Court in September of 2021**

Law Office of  
**Tom G. Woodruff, Jr., PA**  
Attorney at Law  
220 Richland Avenue, West  
Aiken, South Carolina 29801

Phone (803) 649-1910

Facsimile (803) 642-5622  
E-mail: tw@aikenlaw.com

September 21, 2021

Tom Flemming  
10943 Indies Drive  
N. Jacksonville, FL 32246  
Phone: 904-484-7157

**Re:** Attorney's Fees and Costs –  
Glen Fleming v. Vance Mack Fleming,  
C/A No.: 2021-CV-02-10900337

\*\*\*\*\*  
DATE DESCRIPTION AMOUNT  
\*\*\*\*\*  
September 21, 2020 Attorney's Fee for representation in \$ 1,250.00  
Glen Fleming v. Vance Mack Fleming,  
C/A No.: 2021-CV-02-10900337

**\*Fee Quoted for representation in Magistrate's Court Only**

TOTAL \$ 1,250.00  
AMOUNT PAID \$ 0.00  
AMOUNT DUE \$ 1,250.00

\*\*\*\*\*  
\* Attorney agrees to represent the Plaintiff in the above action in Magistrate's Court only.  
Should this matter be transferred to Common Pleas, there will be a renegotiation of  
attorney fees.

\_\_\_\_\_  
TOM G. WOODRUFF, JR.

\_\_\_\_\_  
TOM FLEMING

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

Courtney Clyburn Pope, Circuit Court Judge Civil Action  
No.: 2021-CP-02-02457

Appellate Case No.: 2022-000685

Vance Mack Fleming, ..... Appellant,

v.

Glen Fleming ..... Respondent.

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**ORDER TO BE RELIEVED**

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This matter is before this Court for an Order to Relieve Counsel.

Counsel for the Respondent was only retained for his services relating to an appearance in Magistrates Court, in September of 2021. Additionally, Respondent and undersigned counsel could not reach an agreement as to payment for services in this appellate action.

Tom G. Woodruff, Jr. attorney for the Respondent is hereby relieved as counsel. All future correspondence shall be forwarded directly to the Respondent who will be acting *Pro Se*. Respondent's mailing address is as follows:

Tom Fleming  
10943 Indies Drive  
N. Jacksonville, FL 32246  
Phone: 904-484-7157  
Email:tom@pilingmagic.com

IT IS THEREFORE ORDERED:

Tom G. Woodruff, Jr. shall be and is hereby relieved as attorney for Respondent.

AND IT IS SO ORDERED.

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Judge of the South Carolina Appellant Court

January \_\_\_\_\_, 2023  
\_\_\_\_\_, South Carolina

**RECEIVED**

**Jan 25 2023**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

Courtney Clyburn Pope, Circuit Court Judge Civil Action  
No.: 2021-CP-02-02457

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Vance Mack Fleming, ..... Appellant,

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Glen Fleming ..... Respondent.

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**PROOF OF SERVICE**

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I, Tom G. Woodruff, Jr., Esq., Attorney for the Respondent, certify that I have served the Motion to be Relieved as Counsel for the Respondent and Order to be Relieved of Counsel by depositing a copy of same in the United States Mail, postage prepaid on January 25, 2023, upon counsel for the Appellant and on the Respondent at the addresses listed below:

**William H. Edwards, Esq.**  
**Moore Bradley Meyers Law Firm**  
**PO Box 5709**  
**West Columbia, SC 29171**

and

**Tom Fleming**  
**10943 Indies Drive**  
**N. Jacksonville, FL 32246**  
**Phone: 904-484-7157**  
**Email:tom@pilingmagic.com**

WOODRUFF LAW OFFICE, LLC

Aiken, South Carolina  
January 25, 2023

s/Tom G. Woodruff, Jr.  
TOM G. WOODRUFF, JR.  
Attorney for the Respondent  
220 Richland Avenue, West  
Post Office Box 2783  
Aiken, South Carolina 29802  
Phone: 803-649-1910

Law Office of  
**Tom G. Woodruff, Jr., PA**  
Attorney at Law  
220 Richland Avenue, West  
Aiken, South Carolina 29801

Phone (803) 649-1910

Facsimile (803) 642-5622  
E-mail: tw@aikenlaw.com

January 25, 2023

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**Jan 25 2023**

**SC Court of Appeals**

The Honorable Jenny Abbott Kitchings,  
Clerk South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

**RE: Appeal from Aiken County**  
**Fleming v. Fleming,**  
Appellate Case No.: 2022-000685.

Dear Ms. Kitchings:

Enclosed for filing is a Motion To Be Relieved as Counsel and a proposed Order to be Relieved as Counsel for the above case. Also enclosed are the following:

1. Proof of service of the Motion To Be Relieved as Counsel and the proposed Order to be Relieved as Counsel on both the Appellant and the Respondent; and
2. A filing fee of \$50.00.

Should you have any questions, please feel free to contact me.

Sincerely,



Tom G. Woodruff, Jr.  
Woodruff Law Office  
220 Richland Ave., West  
Aiken, SC 29801  
Telephone: 803-649-1910  
Email: tw@aikenlaw.com  
Attorney for Respondent

TGW/nj

Enclosures as stated.

cc: William H. Edwards, Esq.  
Moore Bradley Meyers Law Firm  
PO Box 5709  
West Columbia, SC 29171

Tom Fleming, Respondent  
10943 Indies Drive  
N. Jacksonville, FL 32246