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May 20, 2013

The South Carolina Court of Appeals
V. Claire Allen
P.O. Box 11629
Columbia, SC 29211

RE: Kelley, David v. Jackson, Tracy
Appellate Case No. 2012-209190

Greetings :

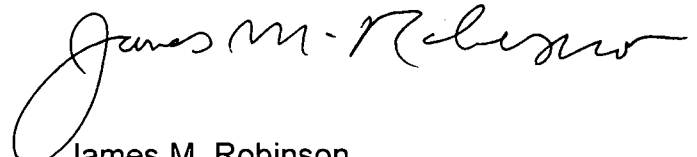
In response to your May 17, 2013, enclosed are copies of the following documents:

1. Settlement Agreement dated December 17, 2012
2. Motion to Enforce Settlement Agreement

A hearing to consider the motion is set for June 4, 2013 and I will notify you of the result. If you have any other questions about this matter, please do not hesitate to contact me.

Yours truly,

ROBINSON LAW FIRM, P.A.



James M. Robinson

/amj

RECEIVED
MAY 22 2013
SC Court of Appeals

STATE OF SOUTH CAROLINA)

COUNTY OF PICKENS)

CLERK OF COURT IN THE COURT OF COMMON PLEAS
PICKENS COUNTY
SOUTH CAROLINA

Daivd Kelley,

2013 APR 16 P 1:06

Plaintiff,)

vs.)

MOTION TO ENFORCE
SETTLEMENT AGREEMENT
2010-CP-39-2114

Tracy Jackson as Personal)
Representative for the Estate)
of Mary Jane Hester,)

Defendants.)

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MAY 22 2013

SC Court of Appeals

TO: Defendant

YOU WILL PLEASE TAKE NOTICE THAT Plaintiff will move before the Presiding Judge of the Pickens County Court of Common Pleas, at such date and time as the Clerk of Court shall set, for an order granting the following relief to Plaintiff:

1. A. That this Court order the conveyances from Plaintiff to Mary Jane Johnson, a/k/a Mary Jane Hester, recorded in Deed Book 149 at page 220 and in Deed Book 149 at page 221 be set aside as to the real estate and improvements thereon known and designated as 3.000 acres, +/-, located on Mary Jane Drive, Pickens County, South Carolina, according to a survey and plat thereof dated September 18th, 2012, and prepared for David E. Kelley by Spearman Surveying, LLC and recorded in Plat Book 597 at Page 349.

B. That the Clerk of Court for Pickens County, South Carolina be authorized and directed to execute a deed conveying the 3.000 acres described above and an easement for access from Orchard Drive to and from the 3.000 acres to Plaintiff.

C. Except for these 3.000 acres and easement, the conveyances described above

shall remain in full force and effect.

D. The basis for this motion is that Plaintiff and Defendant executed a Settlement Agreement dated December 17th, 2012, attached hereto as Exhibit "A", in which Plaintiff and Defendant agreed to the requested relief, but Defendant has failed and refused to execute a Consent Order to carry out the Settlement Agreement.

2. That this Court order the transfer of title to that certain 1989 Fleetwood 14' x 52' mobile home, identification number GAFLJ75A05160WE, located at 125 Mary Jane Drive, Easley, South Carolina to Defendant and any predecessors in title other than Plaintiff be set aside and that Defendant be ordered to transfer title to this mobile home to Plaintiff free and clear of any and all liens except current property taxes, if any. If Defendant fails to transfer this title to Plaintiff, then Plaintiff requests the Pickens County Clerk of Court be authorized and directed to execute the same.

The basis for this motion is that Defendant agreed to transfer this title to Plaintiff according to the Settlement Agreement executed by the parties.

3. Pursuant to the Settlement Agreement, Plaintiff agreed to dismiss with prejudice the claims he filed against the Estate of Mary Jane Hester, deceased. Plaintiff requests that this provision be approved by this Court and incorporated into the order of this Court.

4. Pursuant to the Settlement Agreement, Plaintiff agreed to dismiss with prejudice his pending appeal to the South Carolina Court of Appeals in case number 2012-209190. Plaintiff requests that this provision be approved by this Court and incorporated into the order of this Court.

5. Pursuant to the Settlement Agreement, Plaintiff and Defendant agreed that any and all other claims which Plaintiff has or might have against Defendant or which Defendant has or might have against Plaintiff arising out of Pickens County Court of Common Pleas case number 2010-CP-39-2114 and Pickens County Probate Court case

number 2011ES3900154, are resolved by this Settlement Agreement. Plaintiff requests that this provision be approved by this Court and incorporated into the order of this Court.

WHEREFORE Plaintiff prays that the relief requested above will be heard and granted.

DATE: 4 / 11 / 2013

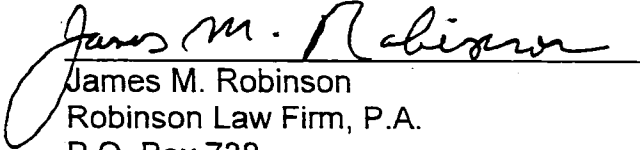

James M. Robinson
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864-859-7501
Attorney for Plaintiff

Exhibit "A"

CLERK OF COURT
PICKENS COUNTY
STATE OF SOUTH CAROLINA

COUNTY OF PICKENS 2013 APR 16 A) 9:54 IN THE COURT OF COMMON PLEAS

David Kelley,

Plaintiff,

vs.

Tracy Jackson as Personal
Representative for the Estate
of Mary Jane Hester,

Defendant.

SETTLEMENT AGREEMENT
2010-CP-39-2114

Plaintiff and Defendant agree to settle this case upon the following terms:

1. The conveyances from Plaintiff to Mary Jane Johnson, a/k/a Mary Jane Hester, recorded in Deed Book 149 at page 220 and in Deed Book 149 at page 221 shall be set aside as to the real estate and improvements thereon known and designated as 3.000 acres, +/-, located on Mary Jane Drive, Pickens County, South Carolina, according to a survey and plat thereof dated September 18th, 2012, and prepared for David E. Kelley by Spearman Surveying, LLC and recorded in Plat Book 597 at Page 349, together with an easement for access from Orchard Drive to and from the 3.000 acres.

The Clerk of Court for Pickens County, South Carolina shall be authorized and directed to execute a deed conveying the 3.000 acres and easement to Plaintiff.

Except for these 3.000 acres, the conveyances described above shall remain in full force and effect.

2. The transfer of title to that certain 1989 Fleetwood 14' x 52' mobile home, identification number GAFLJ75A05160WE, located at 125 Mary Jane Drive, Easley, South Carolina to Defendant and any predecessors in title other than Plaintiff shall be set aside and Defendant shall transfer title to this mobile home to Plaintiff free and clear of any and all liens except current property taxes, if any.

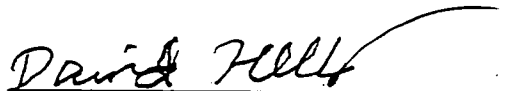
3. Plaintiff shall dismiss with prejudice the claims he filed against the Estate of Mary Jane Hester, deceased.

4. Plaintiff shall dismiss with prejudice his pending appeal to the South Carolina Court of Appeals in case number 2012-209190

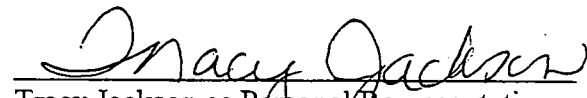
5. Any and all other claims which Plaintiff has or might have against Defendant or which Defendant has or might have against Plaintiff arising out of Pickens County Court of Common Pleas case number 2010-CP-39-2114 and Pickens County Probate Court case number 2011ES3900154, are resolved by this Settlement Agreement.

6. This Settlement Agreement is contingent upon it being executed by both parties and approved by the Pickens County Court of Common Pleas.

WITNESS OUR HANDS AND SEALS on December 17th, 2012.



David Kelley



Tracy Jackson as Personal Representative
for the Estate of Mary Jane Hester