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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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FEB 06 2023

Appellate Case No.: 2019-001428

SC Court of Appeals

APPEAL FROM EDGEFIELD COUNTY
Court of Common Pleas
Alison Renee Lee, Chief Administrative Circuit Court Judge

Rufus Lyndell Griffin, pro se

Appellant

v.

Thomas Mosley, Quinnie Mosley, Walter Mosley, Timothy Mosley,
And Paquita Mosley, Individually and as Personal Representative
Of the Estate of Ellec Mosley,

Respondents

**APPELLANT'S MOTION TO RECONSIDER
the ORDER GRANTING RESPONDENT'S COSTS**

COMES NOW, Appellant Rufus Lyndell Griffin, and files this *Motion for Reconsideration* of the Court's January 23, 2023 Order which granted Respondent, Paquita Mosley's, Motion for Costs, specifically for attorney fees, for the following reasons:

- 1) Appellant, pro se, filed his Complaint and subsequent Appeal as a good faith claim, pursuant to SC Code Ann 15-36-20 (3)(b)(c)(d), the same standard required by a reasonable attorney. In neither the lower court's dismissal of Appellant's complaint, nor the Appellate Court's dismissal of appeal, were the merits of either complaint or appeal found baseless. Appellant had sought restitution or recompense of monetary damages from six separate parties, with

jury trial demanded, only to have his case dismissed on jurisdictional grounds, after several years of tedious litigation, to the jurisdiction of a probate court where only one of the six parties was ever a petitioner or party therein.

The probate court rendered its decision in September 2014 allowing executorship of Respondent, Paquita Mosley. But, upon an appeal by Rufus L. Griffin, the circuit court, in November 2015, issued an Order of Remand, which restricted the probate case to those two parties, Paquita Mosley and Rufus Griffin, and not to surpass the threshold of the improper standard the probate court had applied in determining the paternity of Rufus Griffin in its September 2014 decision. Specifically, that Order of Remand limited litigation to *'further proceedings to determine paternity consistent with statutory requirements of S.C. Code Ann 62-2-109(2)(ii)'*. With the stance of the probate court's jurisdiction clear, Rufus L. Griffin had no other venue in which to file his civil complaint against six individuals except the circuit court.

With the Appeals Court decision to uphold the 2019 circuit court's abrupt dismissal of his Complaint, based solely on jurisdiction, Appellant has been left no adequate venue to judicially effectuate civil action against the original six parties of his Complaint, as only one of these six have standing within the already appealed probate matter. This action alone has added to Appellant's initial civil grievance, leaving him devoid of an avenue of compensation of the alleged monetary losses and wrongdoing that originally befell him.

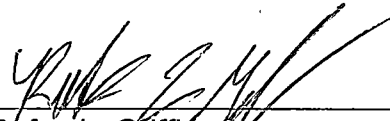
- 2) It was not Appellant's intention to involve the court or the Respondent in a lengthy appeal. Appellant promptly filed a Motion to Vacate an Order to the Court

of Appeals on December 23, 2019, pursuant to Rule 60(b) SCRPC. When this Motion was denied, Appellant later filed a Motion to Certify to the SC Supreme Court on May 7, 2020, to expeditiously address concerns of legal principals regarding the circuit court's Order of dismissal. When this Motion was also denied, on July 8, 2020, Appellant was left no choice but to abide under the process of standard appeal.

- 3) Although Rule 222, SCACR allows Respondent to request the Appeals Court to grant Respondent's Motion for a \$2,500 attorney fee, Appellant asks the court to reconsider, as this cost now stands to only add to his unrecoverable losses and creates a new financial burden upon Appellant, pro se, who is a senior member of the community, also retired and no longer gainfully employed like the Respondent.

THEREFORE, the Appellant asks the Court's mercy and reconsideration in its previous Order that granted Respondent's (Paquita Mosley's) request for attorney fees.

Respectfully requested,



Rufus L. Griffin, pro se
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Feb. 6, 2023

Date

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Certificate of Service

This is to certify that Appellant did serve a copy of his '*Motion to Reconsider the Order Granting Respondent's Costs*', in regard to the motion filed by Respondent, Paquita Mosley, in the manner of USPS with proper postage affixed to the envelope.

Paquita Mosley via her counsel of record:

Attorney Dain, LLC

Rachael A. Dain

810 Dutch Square Blvd., Ste 215

Columbia, SC 29210-7318

Thomas Mosley-

(1018 Price Ave., Columbia, SC 20201/pro se; no counsel of record)

Timothy Mosley & Walter Mosley-

(via shared attorney of record: Randall Williams, PO Box 70, Edgefield, SC 29824)

Quinnie Mosley-

(via attorney of record: Eydie J. Tillman, PO Box 71, Edgefield, SC 29824)

February 6, 2023

Date


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