

THE SOUTH CAROLINA COURT OF APPEALS
APPELLATE CASE NO. 2021-0013504

RECEIVED

Feb 07 2023

SC Court of Appeals

Jayne LaForge Stovall, Appellant

v.

Paulette and William S. Stovall, Defendants,
Of Whom Paulette B. Stovall is the Respondent

MOTION TO RECALL THE REMITTITUR AND TO REINSTATE APPEAL

**TO THE COURT PRESIDING JUSTICE AND TO THE ASSOCIATED JUSTICES OF THE
COURT OF APPEALS:**

Appellant petitioner, Jayne LaForge Stovall, moves this court for an Order recalling the remittitur and permitting her to reinstate her appeal in this case.

This motion is based upon the attached points and authorities.

February 7, 2023

Respectfully submitted,
Jayne L. Stovall

Jayne La Forge Stovall

Pro se Appellant

3197 Golden Oak Ct., Dallas, Texas

469-941-4693

Other Counsel of Record:
Devon Marc Puriefoy

Appellate Case No. 2021-001504

Points And Authorities in Support of Motion to Recall Remittitur and Reinstate Appeal:

Appellant received notice of the Court Order dismissing my appeal On January 23, 2023. It was my understanding that I had thirty days from that date to appeal the dismissal. I had written a letter to Clerk Kitchings on January 27, 2023 asking what I needed to do to appeal, copy attached. I received a notice from the court on February 3, 2023 that I had four days to file a Motion to Reinstate my appeal. I can find no form to file such a motion, I had already completed a Notice to Appeal and it is ready to file , along with the Appeal, copy also attached to this motion, and had FAXED A NOTE TO THE Court asking if there was a filing fee to send with the submission. Instead of a reply, I got the attached note from Clerk Claire Allen.

This matter has been going on now in its fifth year. I ran out of money two years ago to pay another attorney, did not qualify for a pro bono attorney because of the size of my father's estate of which I am a beneficiary and was co-trustee until the fiasco of the hearings in Greenville Probate Court and Magistrate's court. The hearings were held via Zoom, no court reporters, and the hearing that was held on May 19, 2021 at 11:00 A.M. has conveniently disappeared, although I do have proof of that. See attached.

The facts are that I have received no accounting information from Respondent as to the status of the two trusts of which I am a beneficiary, and no contact before or after my dad's death other than two requests for me to sign for sale of a trust property and for the IRA trust set up for me to be liquidated by Respondent. My attorney advised me not to sign because evidently Respondent tried to do this without my signature before contacting my attorney.

Appellant believes that she has complied with all of the court's requests and made changes in format when asked, Appellant, a layperson of the law, should not be penalized for not being knowledgeable of appellate procedures.

Appellant respectfully requests this court to consider her Motion and Notice of Appeal in light of the standards set forth in many cases that the power of appellate courts to grant relief is to be liberally construed to protect the right to an appeal by a pro se Appellant.

Authorities:

1. Rule 203 (b)(1) SCACR states the requirement that a Notice of Appeal be served within thirty days after an Order or Judgement.
2. SCPC Article 7, part 10, Sections 62-710-01 through 62-710-09.
3. SCPC 62—2-607. Wrongfully interfering with the distribution of a deceased person's estate, or de son tort.
4. S. Carolina Code of Laws, Section 16910 (a)(1)Perjury Under Oath.
5. 5. Canon 3-A, sections1,2,3,and 4, Code of Conduct in its entirety of the United States Rules for Judicial Conduct.

Respectfully Submitted,

Jayne L. Stovall

Jayne LaForge Stovall

Pro se appellant

3197 Golden Oak Ct.

Dallas, Texas 75234

469-941-4693

Other Counsel of Record:
Devon Marc Puriefoy



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

February 03, 2023

Jayne L. Stovall
3197 Golden Oak Ct.
Dallas TX 75234

Re: Jayne LaForge Stovall v. Paulette B. Stovall
Appellate Case No. 2021-001504

Dear Ms. Stovall:

The Court is in receipt of your letter dated February 01, 2023. Since this appeal has been dismissed by court order, any motion to reinstate must be actually received by this office on or before February 07, 2023, or the remittitur will be issued.

Very truly yours,

A handwritten signature in cursive script that reads "V. Claire Allen".

CLERK

cc: Devon Marc Puriefoy, Esquire

NOTICE OF APPEAL

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals
(In the Supreme Court)**

APPELLATE CASE NO. 2021-001504

Jayne LaForge Stovall, Appellant

v.

**Paulette B. Stovall and William S. Stovall, Defendants,
Of whom Paulette B. Stovall is the Respondent**

NOTICE OF APPEAL

Jayne LaForge Stovall appeals the Order of the Honorable _____ dated January 23, 2023. Appellant received written notice of this Order on January 25, 2023.

(put date appeal is filed by Jayne)

**Jayne LaForge Stovall
3197 Golden Oak Ct.
Dallas, Texas 75234
Pro Se Attorney**

**Other Counsel of Record
Devon Puriefoy**

January 27, 2023

TO: Jenny Abbott Kitchens, Clerk, SCCA

FROM: Jayne LaForge Stovall

RE: Appellate Case No.2021-001504

Yesterday, I received three separate letters in one envelope from Claire Allen. The first was to Dr. Stovall stating no further action will be taken to amend the caption of the appeal. I assume he was asking that he be removed as Defendant. The second letter was to notify me and Devon Puriefoy that the remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules. The third was the Order granting Respondent's Motion to Dismiss, stating that I failed to file an amended initial brief that complies with the court's order of September 29, 2022. This new Order was filed on January 23, 2023.

The Emended Initial Brief was submitted and received by the Court on October 17, 2022, well ahead of the October 31, 2022 deadline. I had included the documents listed in my original Designation of Matters. These documents were returned to me on July 14, 2022 by Claire Allen, stating they should be submitted "in the record on appeal when it is due". There was no indication from your office that there was a problem with the emended brief. The only problem seems to be Mr. Puriefoy's claims that items in my briefs were or are irrelevant to the case, which is absolutely not true. He is doing everything he can to avoid an audit and accounting of what has happened to the assets in the two trusts my father established of which I was co-trustee and am still the beneficiary.

Please advise as to what the Court is going to do, if anything, or if I need to file another Motion to reinstate my appeal. Otherwise, I will have to file a suit for Breach of Trust and Theft.

Jayne LaForge Stovall

Cc: Devon Marc Puriefoy

The South Carolina Court of Appeals

Jayne LaForge Stovall, Appellant,

v.

Paulette B. Stovall and William S. Stovall, Defendants,

of whom Paulette B. Stovall is the Respondent.

Appellate Case No. 2021-001504

ORDER

After careful consideration, Respondent's motion to dismiss is granted. Appellant has failed to file an amended initial brief that complies with this court's order of September 29, 2022.



FOR THE COURT

Columbia, South Carolina

cc:

Jayne L. Stovall

Devon Marc Puriefoy, Esquire

FILED
Jan 23 2023



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

January 23, 2023

Jayne L. Stovall
3197 Golden Oak Ct.
Dallas TX 75234

Mr. Devon Marc Puriefoy, Esquire
3 Boyce Avenue
Greenville SC 29601

Re: Jayne LaForge Stovall v. Paulette B. Stovall
Appellate Case No. 2021-001504

Dear Counsel:

Enclosed is the decision of the Court. The remittitur will be sent as provided by Rule 221(b), of the South Carolina Appellate Court Rules.

Very truly yours,

A handwritten signature in cursive script that reads "V. Claire Allen".

CLERK

E-Mail to LaToya

I put a letter in the mail to Kitchings Friday that may not have gotten there yet. Since I wrote it, I have decided to Appeal the Order filed on January 23rd. I have prepared the Notice and the Appeal and understand from what I read that I have 30 days to file my Appeal, which would be Februar23. 2023, but I want to go ahead and file it. There seems to be ambiguity about filing fees, so please let me know what the filing fee will be. Also, the Order was obviously not signed by a Judge, as there is some sort of hieroglyphics on the signature line, no printed name, and just "for the court" under the signature line. Please clarify what should be listed on my Appeal as to what Judge ordered this – or if I should just put "for the court" on the Appeal. You have been a great help to me and I really appreciate it. Kindest regards, Jayne

RECEIVED**Feb 07 2023****SC Court of Appeals****CERTIFICATE OF SERVICE**

I, Jayne LaForge Stovall, certify that on this date, February 7, 2023 copies of my Motion to Recall the Remittitur and to Reinstate Appeal were served on Respondent Paulette Stovall and Defendant William Stovall for whom Paulette Stovall is also Respondent via the U. S. Postal Service mail, as follows:

Devon M. Puriefoy, Attorney
Truluck Thomason, LLC
3 Boyce Avenue
Greenville, S. Carolina 29601

William Stovall
1305 North King James Lane
Liberty Lake Washington 99019

Jayne L. Stovall

Jayne L. Stovall
3197 Golden Oak Ct.
Dallas, Texas 75234
Appellant Pro Se

February 7, 2023

TO: V. Claire Allen, Clerk, SCCA

FROM: Jayne Stovall

RE: Jayne LaForge Stovall v. Paulette B. Stovall
Appellate Case No. 2021-001504

RECEIVED

Feb 07 2023

SC Court of Appeals

Ms. Allen:

Again there seems to be issues of lack of communication.. I have your letter of February 3, 2023 via E-Mail. I sent a letter to Ms. Kitchings on January 27, 2023, copy attached. I think you are referring to the E-Mail I sent to LaToya the following Monday. Regardless, I have the receipt now that the Motion you requested has been sent along with this letter today. I also asked about the existence of a form to file the Motion you requested and the amount of filing fees for this Motion, as well as for the Notice of Intent to Appeal. I was not given that information. Since you have granted several extension of time to opposing counsel when he has failed to meet time constraints, including failure to remit filing fees, I am sure you will not penalize me for not sending the fee for this Motion until I hear from you or LaToya .

Jayne L. Stovall

Jayne L. Stovall

Attachments



12895 Josey Ln Ste 124
Farmers Branch, TX 75234
T: 972-243-7044
F: 972-243-7055
eaglepostalexpress@gmail.com

FAX

To: Claire Allen Latoya Burns

Fax: 1-803-734-1839

Date: 02/07/2023

Re: motion

From: Jayne Stovall

Fax: _____

Phone: _____

Cc: _____

Comments:

Total Pages
including this page:

- Urgent
- For Review
- Please Comment
- Please Reply
- Please Recycle

RECEIVED

Feb 07 2023

SC Court of Appeals