

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

RECEIVED

FEB 06 2023

SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY

Court of Common Pleas

Mikell R. Scarborough, Circuit Court Judge

Appellate Case No. 2022-001815

KEITH L. TOLBERT, RESPONDENT

v.

CAROLYN TOLBERT SMITH, CHARLES TOLBERT, BETTY JEAN TOLBERT JONES, SARA JO TOLBERT LATTEN, AND ESTATE OF CHARLA TOLBERT MCMILLIAN, DEFENDANTS,

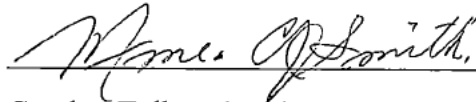
OF WHOM CAROLYN TOLBERT SMITH IS THE APPELLANT,

AND

CHARLES TOLBERT, BETTY JEAN TOLBERT JONES, SARA JO TOLBERT LATTEN, AND ESTATE OF CHARLA TOLBERT MCMILLIAN ARE THE RESPONDENTS.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal and Motion for Extension on Alwyn Taylor Silver, Esq., William K. Kalivas, Esq., Taylor Silver, Esq., Ashley G. Andrews, Esq., and Betty Jean Tolbert Jones by depositing a copy of the Notice of Appeal and Motion for Extension with sufficient postage to her attorney and all parties of record on January 2, 2023.

A handwritten signature in cursive script, reading "Carolyn Tolbert Smith", is written over a horizontal line.

Carolyn Tolbert Smith
338 Fifth Ave.
Mt. Pleasant, South Carolina 29464
(843) 216-6960

DATED: February 3, 2023

Charleston, South Carolina

The Corporal M. L. Smith &
338 Fifth Ave,
Mt Pleasant, SC 29424

RECEIVED

FEB 06 2023

SC Court of Appeals

The South Carolina Court of Appeals
1220 Senate Street
Ms. V. Claire Allen
Chief Deputy Clerk
Columbia, SC 29201

Attn: Ms. V. Claire Allen

Carolyn Tolbert Smith
338 Fifth Ave.
Mt Pleasant, SC 29464
01/30/2023

RECEIVED

FEB 06 2023

SC Court of Appeals

The South Carolina Court of Appeals

1220 Senate Street
Columbia, SC 29201

To The Attention of Mr. C. Harrison, Deputy:

Keith L. Tolbert, Respondent,

v.

Carolyn Tolbert Smith, Charles Tolbert, Betty Jean Tolbert Jones, Sara Jo Tolbert Latten, and Estate of Charla Tolbert McMillian, Defendants,

Of whom Carolyn Tolbert Smith is the Appellant,

and

Charles Tolbert, Betty Jean Tolbert Jones, Sara Jo Tolbert Latten, and Estate of Charla Tolbert McMillian are the Respondents.

I, Appellant, do appreciate the Court's indulgence in this matter. I'm told by Miss Kateland that I need to prove that I have noticed all parties involved in this matter i.e. Notice of Appeal, An Appeal In The SC Court of Appeals, My Initial Brief in it's entirety, to include the Certificate of Service. I believe that I omitted service to the Clerk of the Circuit Court - I have corrected the error and now send a repaired list of all informed.

Respectfully
C.T.S.
Carolyn T. Smith

2. Article Number (Transfer from service label)
9590 9402 7967 2305 3393 14

1. Article Addressed to: *William K. Kadiya*
7453 Cross County Road
500 #1
Northchase SC 29418

SENDER - COMPLETE THIS SECTION

Complete items 1, 2, and 3.

Print your name and address on the reverse so that we can return the card to you.

Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Alwyn Taylor Silver,
103 Queen St
Ste D
Georgetown, SC 29440

9590 9402 7967 2305 3395 67

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]* Agent Addressee

B. Received by (Printed Name) *R. Schite*

C. Date of Delivery

D. Is delivery address different from item 1? Yes No
if YES, enter delivery address below:

3. Service Type Priority Mail Express® Registered Mail™ Registered Mail Restricted Delivery Signature Confirmation™ Restricted Delivery Certified Mail® Certified Mail Restricted Delivery Collect on Delivery Collect on Delivery Restricted Delivery Adult Signature Adult Signature Restricted Delivery Certified Mail® Certified Mail Restricted Delivery Collect on Delivery Collect on Delivery Restricted Delivery Registered Mail™ Registered Mail Restricted Delivery Signature Confirmation™ Signature Confirmation Restricted Delivery

3. Service Type Adult Signature Certified Mail® Collect on Delivery Collect on Delivery Restricted Delivery Insured Mail (over \$500) Priority Mail Express® Registered Mail™ Registered Mail Restricted Delivery Signature Confirmation™ Signature Confirmation Restricted Delivery

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

2. Article Number (Transfer from service label)
7022 2410 0001 2288 7013

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

U.S. Postal Service CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

Washington, DC 20024

Official Use

Certified Mail Fee \$4.00

Extra Services & Fees (check box, add fee if appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$1.92

Total Postage and Fees \$9.17

Sent to *Dr. Bill D. Jones Apt 801*
1311 Delaware Ave, S.W. 843
Washington, DC 20024

Postmark *JAN 2 2023*

0464 65

01/20/2023

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

2. Article Number (Transfer from service label)
7022 1670 0001 8588 5851

1. Article Addressed to: *Alwyn Taylor Silver*
P.O. Box 1665
Georgetown, SC 29442

SENDER - COMPLETE THIS SECTION

Complete items 1, 2, and 3.

Print your name and address on the reverse so that we can return the card to you.

Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]* Agent Addressee

B. Received by (Printed Name) *[Signature]*

C. Date of Delivery

D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

3. Service Type Adult Signature Certified Mail® Collect on Delivery Collect on Delivery Restricted Delivery Insured Mail (over \$500) Priority Mail Express® Registered Mail™ Registered Mail Restricted Delivery Signature Confirmation™ Signature Confirmation Restricted Delivery

U.S. Postal Service CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com

Charleston, SC 29407

Official Use

Certified Mail Fee \$4.00

Extra Services & Fees (check box, add fee if appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$1.92

Total Postage and Fees \$9.17

Sent to *Ashley Andrews*
547 Savannah Hwy
Charleston, SC 29487

Postmark *JAN 20 2023*

0464 65

01/20/2023

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
Ashley Andrews
544 Savannah Hwy
Chas, SC 29407



9590 9402 7967 2305 3395 81

2. Article Number (Transfer from service label)
7022 2410 0001 2288 7037

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Ashley Andrews Addressee

B. Received by (Printed Name) | C. Date of Delivery
Ashley Richards |

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type
- Adult Signature
 - Adult Signature Restricted Delivery
 - Certified Mail®
 - Certified Mail Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Insured Mail
 - Insured Mail Restricted Delivery (over \$500)
 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

2021-CP-10-4058

01/31/2023

mailed
again
Provo

The South Carolina Court of Appeals

January 27, 2023

Carolyn Tolbert Smith
338 Fifth Avenue
Mt. Pleasant, SC 29464

2023 JAN 31 PM 2:57
JULIE J. HANSTING
CLERK OF COURT

FILED

Re: Keith Tolbert v. Carolyn Smith
Appellate Case 2022-001815

TO the Court of Appeals:

I, appellant Carolyn Smith, did mail by certified mail with return receipt, the /an identical Initial Brief all inclusive as that which I mailed via U.S. mail sent to The South Carolina Court of Appeals in and about January 3, 2023. Appellant Carolyn Smith included in copies of Notice of Appeal, Motion For Extension and The Initial Brief The Certificate of Service. Appellant Carolyn Smith has proof of Service by signed receipts returned to me and will make avail a copy of this response herein to all counsels for all parties. Please see page 2 attached.

Please note: Motion for Extension and Announcement of appeal are under separate cover to all counsels for Plaintiffs and a separate to Pro Se Partic, Dr. Betty J. T. Jones

[Handwritten signature]

2
copy 6

12/19/2022

Mailed receipt
approved

Pro Se

Appeal In A Civil CASE

Request For Extension Of Time

To enter the appeal which I, Carolyn T. Smith appeals the order [Judgment] of the Honorable Mikell R Scarborough dated September 21, 2022. I, Appellant, Carolyn T. Smith received written notice of entry of this order [Judgment] on December 1, 2022. via US mail December 15, 2022

Counsel of Record / Carolyn T. Smith
Carolyn T. Smith

① William K. Kalivas 338 Fifth Avenue
7455 Cross County Rd. Mt. Pleasant, South
Suite One Carolina, 29464
Charleston, SC 29423 (843) 216-6960
1-843-760- Pro Se for Appellate
Attorney for Respondent for Keith L. Tolbert

② Ashley Andrews

③ Taylor Silver For Respondent Sara T. Latten
P.O. Box 1665
Georgetown, SC 29442 843-520-0921

Respondent's Attorney for Charles L. McMillian A.K.A. Charles Tolbert
Betty J. Tolbert Jones - Pro Se
1311 Delaware Avenue, S.W.
Apt So. 843

Washington, DC 20024 Tel 1-554-0901-202
Sara J. Tolbert Latten - Guardian Ad Litem,

③ Attorney Taylor Silver For Respondent(s) All

M M
M M

2021-CP-10-4058

Address
the clerk
by the
stamps

01/30/2023

2023 JAN 31 PM 2:49

JULIE ARMSTRONG
CLERK OF COURT

FILED

Certificate of Service

I hereby certify that a true and correct copy of the foregoing is being sent, furnished by U.S. Mail to the Clerk of Court, William B. Kalivas and Attorney Ashley Andrews.

Julie Armstrong
Clerk of Court
100 Broad Street
Ste. 106?
Charleston, SC 29401-2258

M. Smith
Pro Se

Attorney William Kalivas
7455 Cross County Rd
Ste. 1
North Charleston, SC 29418

Clerk of Court
100 Broad Street
Charleston, SC 29401
1-843-958-5000

Ashley Andrews
544 Savannah Hwy
Charleston, SC 29407

Dr. Betty Jean Tolbert Jones
1311 Delaware Ave. South
Apt South 843
Washington, DC 20024

Carolyn T. Smith
338 Fifth Ave
Mt. Pleasant, SC
29464
1-843-216-6960

Attorney Alwyn Taylor Silver
P.O. Box 1665
Georgetown, SC 29442

Pro Se

M. Smith
01/30/2023

copy 6

Copy of more
extra

Mailed
again
Proof

Secured From: Form 1

Notice of Appeal In A Civil Case

The State Of South Carolina
In The Court Of Appeals
In The Supreme Court

Appeal From Charleston County
Court of Common Pleas

Mikell Scarborough Circuit Court Judge

CASE No.: 2021cp.10-04058

The Heirs Of Helen A.G. Tolbert - Four

Betty J.T. Jones, Sara J.T. Latten, Keith LaTroy Tolbert, Charles L. McMillian, T/AKA Charles Tolbert

Respondent(s)

v.

Carolyn Tolbert Smith

Appellant

Representative Of The Estate Of Helen A Grant Tolbert

Notice of Appeal

Carolyn Tolbert Smith appeals the order
[Judgment] of the Honorable Mikell R.
Scarborough dated September 21, 2022. Appellant
received written notice of entry of this order
[Judgment] on December 1, 2022.

Other Counsel Of Record

JULIE J. ARMSTRONG
CLERK OF COURT

2022 DEC 19 PM 4: 59

FILED ✓

Copy 2 more
1 more
copy

2021-CP-10-4058

01/31/2023

The South Carolina Court of Appeals

January 27, 2023

Carolyn Tolbert Smith
338 Fifth Avenue
Mt. Pleasant, SC 29464

FILED
2023 JAN 31 PM 2:57
JULIE A. HANSTON
CLERK OF COURT
DCL

Re: Keith Tolbert v. Carolyn Smith
Appellate Case 2022-001815

To the Court of Appeals:

I, appellant Carolyn Smith, did mail by certified mail with return receipt, the /an identical Initial Brief all inclusive as that which I mailed via U.S. mail sent to The South Carolina Court of Appeals in and about January 3, 2023. Appellant Carolyn Smith included in copies of Notice of Appeal, Motion for Extension and The Initial Brief The Certificate of Service. Appellant Carolyn Smith has proof of service by signed receipts returned to me and will make avail a copy of this response herein to all counsels for all parties. Please see page 2 attached.

Please note: Motion for Extension and Announcement of appeal are under separate cover to all counsels for Plaintiffs and a separate to Pro Se Partic, Dr. Betty J. T. Jones

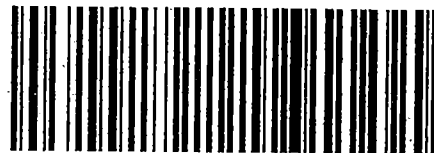
[Handwritten signature]

Feb. 2, 2023

Possible Omissions, regarding
the Stamp of the Circuit Court now in
route to the South Carolina Court of
Appeals and to all Counsel and parties with-
out Counsel, parties Pro Se.

A. Smith

The Corporal W. L. Smith
338 Fifth Ave.
Mt. Pleasant, SC 29464



7022 2410 0001 2289 4332

U.S. POSTAGE PAID
FCM LETTER
MOUNT PLEASANT, SC
29464
FEB 02, 23
AMOUNT

\$8.37

R2304W119698-56

RECEIVED

FEB 06 2023

SC Court of Appeals

The South Carolina Court Of Appeals
1220 Senate Street
Columbia, South Carolina 29201

Attention: Ms. C. ~~Hawkins~~ C076

