



The South Carolina Court of Appeals

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January 10, 2023

Carolyn Tolbert Smith
338 5th Avenue
Mount Pleasant SC 29464

Re: Keith Tolbert v. Carolyn Smith
Appellate Case No. 2022-001815

RECEIVED

MAR 06 2023

SC Court of Appeals

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.

03/07/23

Augmented...

Motion To Return To The Motion

Appellant, Carolyn Tolbert Smith, re-

iterates issues and facts that sup-

port Appellant's right to appeal the sum-

mary order [Judgment] granted to Charles

leon McMillian A.K.A. Charles Tolbert.

Appellant's genuine issues as to mate-

rial fact have now and at times been over-

looked. Appellant, Pro Se responds timely to

Correspondences from Respondents. The Re-

spondent refuses to respond to my requests.

Respondents send correspondences with a Date

in/on said that is far earlier than the

arrival date when notice reaches Appel-

lant. They give themselves the advantage

and place me at great disadvantage.

03/02/23

The action described herein is egregious,
Respondents at hearing, September 21, 2022,
CASE 2021CP10 04058 were given alone,
opportunity to argue subject matter; Appel-
lant's Counsel had no argument per the case
referred to herein ← Omit, please,
referred^{to} herein. It would be a decided
travesty of justice and savagely egregious
to not allow Appellant's appeal. To avoid
permitting Respondents to suppress justice
would put the Appellant in the position of
of just and worth^{ie}, the just, worthy one
as^{now} the singular loser who is the single one
who should prevail per Appellant's Count-
er Claim to Respondent's Quiet Title, dras-
tic, unworthy claim before a Last Will + Testament.

03/02/23

Appellant learned of Designation of Matter and what it entailed from a Court manager late, February 2023, at the time that Appellant, in case 2022 01815, was in haste to enter the response to Respondent's Motion TO Dismiss which I had to learn about through management at the SC Court of Appeals seven days not 30 remaining for a/my response. I, Pro Se, began earlier working to submit Record on Appeal as well as the Designation list, according to manager, named, I believe, Allen. In addition there was a delayed transition period when former pd. Counsel refused to appeal my case that sought justice. I got no instructions from said Counsel regarding procedural matters. I had NO knowledge as to what to ask her about blind/he ^{cells}

Copy 3
2

First Filed, → 12/19/2022
As part of the Initial
Brief or before, *ap*

JULIE J. ARMSTRONG
CLERK OF COURT
2023 FEB -2 PM 12:46

mailed Dec
FILED
Agwin

Holiday Hold up

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 6, 2022. via US mail December 15, 2022.

Counsel of Record / Carolyn T. Smith
Carolyn T. Smith
338 Fifth Avenue
Mt. Pleasant, South Carolina, 29464
William K. Kalivas
7455 Cross County Rd.
Suite One
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
(4) 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

02/02/2023
C. Smith

[Signature]

THE STATE OF SOUTH CAROLINA

In The 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

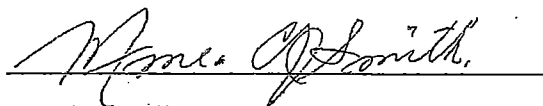
CHARLES TOLBERT, BETTY JEAN TOLBERT JONES, SARA JO TOLBERT LATTEN, AND ESTATE OF CHARLA TOLBERT MCMILLIAN ARE THE RESPONDENTS.

PROOF OF SERVICE

*Per #7 Rule
Certificate
of
Service*

6 las

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.



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

DATED: February 3, 2023

Charleston, South Carolina

copy 4

2021-CP-10-4058

22

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

JULIE J. AFFRISON
CLERK OF COURT
2022 DEC 19 PM 4:59

FILED

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, III AKA Charles Tolbert

Respondent(s)

v.

Carolyn Tolbert Smith
Representative Of The Estate Of Helen A Grant Tolbert

Appellant

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

pg. 2 Continue - See reverse Please.

Kalvin

Exhibit 1,

Secured From: Form 1

Filed 2022 Dec 19 PM 4:51

* 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.: 2021cp10-04058

The Heirs Of Helen A.G. Tolbert - Four

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

Respondent(s)

v.

Carolyn Tolbert Smith
Representative Of The Estate Of Helen A Grant Tolbert

Appellant

→ 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

copy 3

Copy 5

Exhibit 1

Note; This information mailed by certified return receipt to the SC Court of Appeals to arrive 01/03/2023. Any delay associated (w) hold days. Also Counsel + Appellant were in transition. Appellant learned of Counsel's refusal to appeal caused unnecessary delay.

South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201
January 7, 2023

CASE No.: 2021 CP 10 04058

Carolyn T. Smith Charles Tolbert et al
Appellant Pro Se Respondents

By Order of The Court: Exhibit #1

base note: All articles noticed during holidays Dec 122 and Jan 3, 2023

Appellant, Carolyn T. Smith appeals the Order [Judgment] by the honorable Mikell R. Scarborough entered November 8, 2022 following a hearing September 21, 2022. Appellant received notice December 1, 2022 i.e. notice of order [Judgment]. Appellant now without Counsel and in search of counsel proceeds Pro Se. Appellant has contacted two attorneys unable to take my case. I can only use limited legal sources supplied to me by assistants at the reference desks of the County libraries. I continue my serious search for help. I certify that you will find enclosed a copy of the original court order [Judgment].

In conclusion, I shall deeply appreciate the court's indulgence herein. I therefore beg your decision to allow the extension of time that I've requested in a motion.

2021-CP-10-4058

01/31/2023

Exhibit B

Blasernotes
mailed then
filed a month
later again

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. HANSTROM
CLERK OF COURT
DCL

Mailed to parties Dec 2022 -
FILED
Jan. 31/2023

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]

FROM:

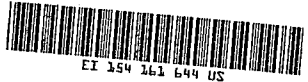
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338 Fifth Ave
Mt. Pleasant, SC
29464

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