



The South Carolina Court of Appeals

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March 15, 2023

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Jahmesha Rivers
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Angel Rivers
147 Peach Orchard Street
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Re: Karen Rivers v. Jasmine Frederick
Appellate Case No. 2021-000772

Dear Counsel, Ms. Frederick, Ms. Hayden, Mr. and Ms. Rivers:

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 blue ink, appearing to read "V. Lane Allen", is written over the typed name "V. Lane Allen".

CLERK

cc: The Honorable James B. Jackson, Jr.

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

Re: Estate of James Rivers

Karen Gibson Rivers, Appellant,

v.

Jasmine Frederick, Jewel Hayden, James Rivers, Jr.,
Jahmesha Rivers, and Angel Rivers, a minor child,
Respondents.

Appellate Case No. 2021-000772

Appeal From Orangeburg County
James B. Jackson, Jr., Master-in-Equity

Unpublished Opinion No. 2023-UP-105
Submitted January 1, 2023 – Filed March 15, 2023

AFFIRMED

Thomas Jefferson Goodwyn, Jr., of Goodwyn Law Firm,
LLC, of Columbia, for Appellant.

Jasmine Frederick, Jewel Hayden, James Rivers, Jr.,
Jahmesha Rivers, and Angel Rivers, a minor child, all
pro se.

PER CURIAM: Karen Rivers appeals a master-in equity's order affirming the probate court's denial of her petition for common-law marriage. On appeal, Rivers argues the master erred by finding she failed to present clear and convincing evidence that she was the common-law wife of the decedent, James Rivers. Because there is evidence in the record to support the probate court's finding that Rivers failed to present clear and convincing evidence of a common-law marriage, we affirm pursuant to Rule 220(b), SCACR, and the following authorities: *In re Est. of Duffy*, 392 S.C. 41, 46, 707 S.E.2d 447, 450 (Ct. App. 2011) ("The party seeking to establish the existence of a common[-]law marriage carries the burden of proof."); S.C. Code Ann. § 62-2-802(b)(4) (2022) (providing that for petitions for common-law marriage in which one party is deceased, a common-law marriage must be established by clear and convincing evidence); *Tarnowski v. Lieberman*, 348 S.C. 616, 619, 560 S.E.2d 438, 440 (Ct. App. 2002) ("[An appellate court's] review [of the probate court's decision on a petition for common-law marriage] is limited to a determination of whether . . . there is any evidence to support the findings of the [probate court].").

AFFIRMED.¹

WILLIAMS, C.J., THOMAS, J., and LOCKEMY, A.J., concur.

¹ We decide this case without oral argument pursuant to Rule 215, SCACR.