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Nov 14 2023

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas
The Honorable J. Mark Hayes, II, Circuit Court Judge

Case No. 2018-CP-36-00089
Appellate Case No. 2023-001162

Lisa Summer Rice and Joseph F. Rice,..... Appellants

vs.

Newberry Lions Club and C. Ray Amick, Respondents.

**MOTION TO SUBSTITUTE BETTY S. AMICK, AS PERSONAL REPRESENTATIVE OF
THE ESTATE OF C. RAY AMICK, AS A PARTY RESPONDENT**

Respondent C. Ray Amick passed away on July 27, 2023. His wife, Betty S. Amick, was appointed as personal representative of his Estate on September 12, 2023. A copy of the Certificate of Appointment is attached as **Exhibit A**.

Rule 265(b), SCACR, provides “[i]f a party to an appeal dies or becomes incompetent, the appellate court may, upon motion or on its own initiative, order substitution of the proper parties or remand the case to the trial court for the substitution of the proper parties as provided by Rule 25, SCRCP.”

Accordingly, this Court should substitute Betty S. Amick, as Personal Representative of the Estate of C. Ray Amick, as a Respondent in this action.

[Signature page follows]

Respectfully submitted,

CALLISON TIGHE & ROBINSON, LLC

s/ Demetri K. Koutrakos

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**ATTORNEYS FOR RESPONDENT
C. RAY AMICK**

November 14, 2023

OTHER COUNSEL OF RECORD:

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Kyle B. Parker, Esquire
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Attorneys for Appellants

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Attorneys for Respondent Newberry Lions Club

EXHIBIT A

STATE OF SOUTH CAROLINA
COUNTY OF NEWBERRY

IN THE MATTER OF:
CAROL RAY AMICK
(Decedent)

)
)
)
)
)
)

IN THE PROBATE COURT
CERTIFICATE OF APPOINTMENT

CASE NUMBER: 2023ES3600314

This is to certify that

BETTY S. AMICK

is/are the duly qualified

- PERSONAL REPRESENTATIVE
- SUCCESSOR PERSONAL REPRESENTATIVE
- SPECIAL ADMINISTRATOR

In the above matter and that this appointment, having been executed on the 12th
day of September, 2023 is now in full force and effect.

RESTRICTIONS:

Executed this 12th day of September, 2023



KELLY B. NOBLES, PROBATE JUDGE

**Do not accept a copy of this certificate without
the raised seal of the Probate Court.**

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Lisa Summer Rice and Joseph F. Rice,..... Appellants

vs.

Newberry Lions Club and C. Ray Amick, Respondents.

PROOF OF SERVICE

I hereby certify that, on this date, the **Motion to Substitute Betty S. Amick, as Personal Representative of the Estate of C. Ray Amick, as a Party Respondent** was served on Appellants' counsel via AIS email, pursuant to Supreme Court Order dated August 25, 2021, as follows:

Thomas H. Pope, III, Esquire
Kyle B. Parker, Esquire
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Email: kyle@ppjlaw.com
Attorneys for Appellants

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Email: sam@nicholspricelaw.com
Email: jennifer@nicholspricelaw.com
*Attorneys for Respondent
Newberry Lions Club*

I further certify that all parties required by Rule to be served have been served.

s/ Demetri K. Koutrakos
Demetri K. Koutrakos

November 14, 2023

DEMETRI “JIM” K. KOUTRAKOS - MEMBER

Direct Dial: 803-404-6966

JimKoutrakos@callisontighe.com

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SC Court of Appeals

VIA EMAIL: ctappfilings@sccourts.org

The Honorable Jenny Abbott Kitchings

Clerk of Court

South Carolina Court of Appeals

1220 Senate Street

P. O. Box 11629

Columbia, SC 29211

RE: *Lisa Summer Rice, et al. vs. Newberry Lions Club, et al.*
Appellate Case No. 2023-001162

Dear Ms. Kitchings:

Enclosed herewith please find a Motion to Substitute Betty S. Amick, as Personal Representative of the Estate of C. Ray Amick, as a Party Respondent, together with a Proof of Service, in the above-referenced matter. Kindly file the same and return a clocked-in copy of each to the undersigned via return email. This firm's check in the amount of \$50 in payment of the required filing fee will be hand delivered to your office.

The enclosed documents have been served upon Appellants' counsel today via email as indicated in the Proof of Service.

Please feel free to contact me with any questions. Thank you.

With kind regards, I am

Sincerely yours,

CALLISON TIGHE & ROBINSON, LLC

s/ Demetri “Jim” K. Koutrakos

Demetri “Jim” K. Koutrakos

DKK:ksr

Enclosures

cc (via email only): Thomas H. Pope, III, Esquire
Kyle B. Parker, Esquire
Samuel M. Price, Jr., Esquire
Jennifer Dowd Nichols, Esquire
Thornwell F. Sowell, III, Esquire
Bess J. DuRant, Esquire
Harry A. Dixon, Esquire

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