

**RECEIVED**

**Nov 22 2023**

**SC Court of Appeals**

**THE STATE OF SOUTH CAROLINA**  
**SOUTH CAROLINA COURT OF APPEALS**

**APPEAL FROM BERKELEY COUNTY**

**In the Magistrate's Court**

**Paula McElvogue, Judge**

**The Estate of James F Murrell**

**Respondent**

**-vs-**

**Melissa Freeman, Wesley Carpenter, and Joe  
Martin**

**Appellants**

**Case No. 2023-001322**

**Motion to Dismiss**

I, Tammy Brinson, Personal Representative and Executor, Estate of James F Murrell, of Moncks Corner, in Berkeley, South Carolina, MAKE OATH AND SAY THAT:

1. The above named Defendants were ordered to pay a Bond to Stay Appeal on Eviction of \$1200 per month due on the 3rd of each month by Berkeley County Magistrate's Court, beginning August 3, 2023. The Defendants have not paid the ordered Bond for the month of August, September, October and November 3, 2023. Currently the Appellants have not paid any rent since March of 2023 and Bond to Stay payments have not been received by the Respondent.
2. By SC Code 27-40-130 and 27-40-800, I request the above case be dismissed and returned to Berkeley County for completion of the eviction. A copy of the order for the bond to stay is attached for reference.

Date 11-10-2023

STATE OF SOUTH CAROLINA

COUNTY OF BERKELEY

SUBSCRIBED AND SWORN TO BEFORE

ME, on the 10<sup>th</sup> day of  
November, 2023

Signature  
(Seal)

Laportia Coachman

NOTARY PUBLIC

My Commission expires:

4-12-2032

[Handwritten Signature]  
(Signature)

Tammy Brinson, PR Estate of James F  
Murrell

1802 Canal Drive

Moncks Corner, SC 29461

(843) 934-9649



STATE OF SOUTH CAROLINA )  
COUNTY OF Berkeley )

The Estate of James F Murrell )  
LANDLORD(S) )

VS. )

Melissa Freeman )  
Wes Carpenter )  
Joe Marin )  
132 Murrells Inlet Lane )  
Moncks Corner, SC 29461 )  
TENANT(S) )

2023CV0810400458  
2023CP08-02116

CIVIL CASE NUMBER  
MAGISTRATE'S COURT

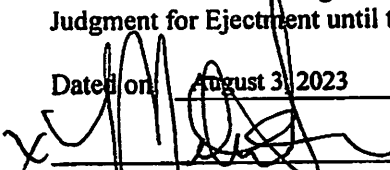
BOND TO STAY EXECUTION  
On Appeal

TO: Circuit Court

Now comes the Tenant(s) in the above entitled action and respectfully shows the Court that a Judgment of Execution was issued against the Tenant(s) and for the Landlord on 7/20/2023, by the Magistrate. Tenant(s) has appealed the Judgment to the Circuit Court.

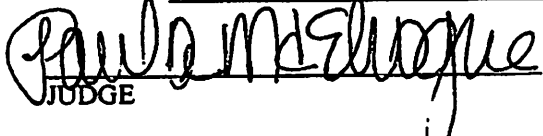
Pursuant to the findings of the Magistrate, the Tenant(s) is obligated to pay rent in the amount of \$1,200.00 per month, due on the 3rd of each month, beginning, August 3, 2023. Payments are to be made by cash, cashier's check or money order to Estate of James Murrell, located at 1802 Canal Drive, Moncks Corner, SC 29461. Tenant(s) hereby undertakes to pay the periodic rent hereinafter due according to the aforesaid findings of the Court and moves the Circuit Court to stay execution on the Judgment for Ejectment until this matter is heard on appeal and decided by the Circuit Court.

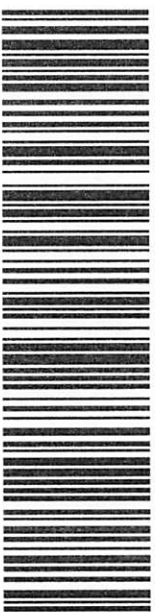
Dated on: August 3, 2023

  
\_\_\_\_\_  
Tenant(s)

Upon execution of the above bond, execution on the Judgment of Ejectment is hereby stayed until the action is heard on appeal and decided by the Circuit Court. If Tenant(s) fails to make any rental payment within five (5) days of the due date, upon application of the Landlord, the stay of execution shall dissolve, the appeal by the Tenant(s) to the Circuit Court on issues dealing with possession must be dismissed and the Sheriff may dispossess the Tenant(s).


Dated on: August 3, 2023

  
\_\_\_\_\_  
JUDGE



**9405 5036 9930 0628 4831 16**

Electronic Rate Approved #038555749



**Click-N-Ship®**

usps.com 9405 5036 9930 0628 4831 16 0096 5000 0012 9461

**US POSTAGE**  
Flat Rate Env

**U.S. POSTAGE PAID**  
Click-N-Ship®

Mailed from 29461 986744309253943


11/22/2023

**PRIORITY MAIL®**

Expected Delivery Date: 11/24/23

**0003**

**R007**



MELISSA FREEMAN  
132 MURRELLS INLET LN  
MONCKS CORNER SC 29461-8908

TAMMY BRINSON  
BRINSONS TAX SERVICE  
206 REMBERT C DENNIS BLVD  
MONCKS CORNER SC 29461-3943

✂ ----- Cut on dotted line. -----

### Instructions

1. Each Click-N-Ship® label is unique. Labels are to be used as printed and used only once. **DO NOT PHOTO COPY OR ALTER LABEL.**
2. Place your label so it does not wrap around the edge of the package.
3. Adhere your label to the package. A self-adhesive label is recommended. If tape or glue is used, **DO NOT TAPE OVER BARCODE.** Be sure all edges are secure.
4. To mail your package with PC Postage®, you may schedule a Package Pickup online, hand to your letter carrier, take to a Post Office™, or drop in a USPS collection box.
5. Mail your package on the "Ship Date" you selected when creating this label.

### Click-N-Ship® Label Record

**USPS TRACKING # :**  
**9405 5036 9930 0628 4831 16**

Trans. #: 597107209	Priority Mail® Postage: <u>\$9.65</u>
Print Date: 11/22/2023	Total: <u>\$9.65</u>
Ship Date: 11/22/2023	
Expected Delivery Date: 11/24/2023	

**From:** TAMMY BRINSON  
BRINSONS TAX SERVICE  
206 REMBERT C DENNIS BLVD  
MONCKS CORNER SC 29461-3943

**To:** MELISSA FREEMAN  
132 MURRELLS INLET LN  
MONCKS CORNER SC 29461-8908

\* Retail Pricing Priority Mail rates apply. There is no fee for USPS Tracking® service on Priority Mail service with use of this electronic rate shipping label. Refunds for unused postage paid labels can be requested online 30 days from the print date.

STATE OF SOUTH CAROLINA

IN THE PROBATE COURT

COUNTY OF BERKELEY

CERTIFICATE OF APPOINTMENT

IN THE MATTER OF:  
JAMES FLOYD MURRELL JR.  
(Decedent)

CASE NUMBER: 2023ES08-506

This is to certify that

TAMMY BRINSON

is/are the duly qualified

- PERSONAL REPRESENTATIVE
- GUARDIAN
- CONSERVATOR
- TRUSTEE
- 

In the above matter and that this appointment, having been executed on the 24TH day of MAY, 2023, is in full force and effect, including authorization to receive monies, principal, interest, & dividends of and belonging to said estate.

RESTRICTIONS:

Executed this 24TH Day of MAY, 2023

*Keith W Kornahrens*

Keith W. Kornahrens, Probate Court Judge

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

STATE OF SOUTH CAROLINA  
CERTIFICATION OF VITAL RECORD

DEATH CERTIFICATION  
AMENDED  
139-2023-015508  
\* JAMES FLOYD MURRELL JR \*  
AKA: N/A

DECEDENT INFORMATION

DATE OF DEATH: APRIL 05, 2023  
PLACE OF DEATH TYPE: DECEDENT'S HOME  
PLACE OF DEATH NAME AND ADDRESS: 2032 SOUTH LIVE OAK DRIVE, MONCK'S CORNER, SC, 29461  
CITY OF DEATH: MONCK'S CORNER  
MARITAL STATUS: WIDOWED (AND NOT REMARRIED)  
SURVIVING SPOUSE: N/A  
MOTHER NAME: LILLY JANE JOBE  
FATHER NAME: JAMES FLOYD MURRELL SR  
RESIDENCE: 2032 SOUTH LIVE OAK DRIVE, MONCK'S CORNER, BERKELEY COUNTY, SC, 29461

TIME OF DEATH: Found on 1633  
SOCIAL SECURITY NUMBER: 460-60-2651  
COUNTY OF DEATH: BERKELEY  
DATE OF BIRTH: JULY 17, 1941  
AGE: 81 YEARS  
PLACE OF BIRTH: TEXAS  
SEX: MALE  
ARMED FORCES: YES

INFORMANT INFORMATION

NAME: TAMMY BRINSON  
MAILING ADDRESS: 1802 CANAL DRIVE, MONCK'S CORNER, SC, 29461

RELATIONSHIP: DAUGHTER

DISPOSITION/FUNERAL HOME INFORMATION

PLACE: CHARLESTON CREMATION SERVICE, SUMMERVILLE, SC, 29483  
FUNERAL HOME: RUSSELL FUNERAL CHAPEL  
FUNERAL HOME ADDRESS: 107 WEST MAIN STREET, MONCK'S CORNER, SC, 29461-2673  
FUNERAL DIRECTOR NAME: KYLE M RUSSELL  
EMBALMER: N/A

METHOD: CREMATION  
LICENSE NUMBER: 1942  
LICENSE NUMBER: N/A

MEDICAL INFORMATION

CERTIFIER: DEPUTY CORONER CHRISTINE M. KINNEY  
ADDRESS: 102 GULLEDGE STREET, MONCK'S CORNER, SC, 29461  
CAUSE OF DEATH - PART I:  
CARDIAC INSUFFICIENCY  
CONGESTIVE HEART FAILURE  
CHRONIC OBSTRUCTIVE PULMONARY DISEASE  
DIABETES  
OTHER SIGNIFICANT CONDITIONS - PART II: N/A

LICENSE NUMBER: 0000  
MANNER OF DEATH: NATURAL

CORONER CONTACTED?: YES  
DATE OF INJURY: N/A  
LOCATION OF INJURY: N/A  
PLACE OF INJURY: N/A  
HOW INJURY OCCURRED: N/A

AUTOPSY PERFORMED?: NO  
AUTOPSY AVAILABLE?: N/A  
TIME OF INJURY: N/A  
INJURY AT WORK?: N/A

DATE FILED: APRIL 06, 2023

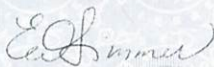
DATE ISSUED: JUNE 12, 2023

AMENDMENT HISTORY

CAUSE OF DEATH A AMENDED BY SUPPLEMENTAL REPORT ON 6/9/2023, CAUSE OF DEATH B AMENDED BY SUPPLEMENTAL REPORT ON 6/9/2023, CAUSE OF DEATH C AMENDED BY SUPPLEMENTAL REPORT ON 6/9/2023, CAUSE OF DEATH D AMENDED BY SUPPLEMENTAL REPORT ON 6/9/2023, MANNER OF DEATH AMENDED BY SUPPLEMENTAL REPORT ON 6/9/2023

SC11705716

This is a true certification of the facts on file in the Division of Vital Records, SC Department of Health and Environmental Control.



Edward D. Simmer, MD, MPH, DFAPA  
Director and State Registrar



Caleb N. Cox  
Assistant State Registrar

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Revision Date: 08/09/2022



RECEIVED

Nov 22 2023

SC Court of Appeals

**FORM 7  
PROOF OF SERVICE OF A NOTICE OF APPEAL**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals  
[In The Supreme Court]

APPEAL FROM BERKELEY COUNTY  
Court of Common Pleas

Case No. 2023-001322

The Estate of James F.  
Murrell

Respondent,

v.

Melissa Freeman

Appellant.

**PROOF OF SERVICE**

I certify that I have served the Motion to Dismiss on Melissa Freeman by depositing a copy of it in the United States Mail, postage prepaid, on November 22, 2023, addressed to her residence of record, Melissa Freeman 132 Murrell's Inlet Lane. A copy of the postage receipt with tracking is attached.

November 22, 2023

Tammy Brinson, PR The Estate  
of James F. Murrell

1802 Canal Dr  
Moncks Corner, SC 29461  
(843) 934-9649  
Executor of Estate & Personal  
Representative

Signature

