



3. Here, the Court finds that appellant did not comply with the statutory requirements of S.C. Code Ann § 62-1-308, et seq., based on each of the following, independent grounds:

(a) Appellant did not file nor serve a Statement of Issues on Appeal within the time prescribed by S.C. Code § 62-1-308(b) (“Within forty-five days after receipt of written notice of the order, sentence or decree of the probate court, the appellant must file with the clerk of the circuit court a Statement of Issues on Appeal (in a format described in Rule 208(b)(1)(B), SCACR), with proof of service and a copy served on all parties.”). Appellant’s Notice of Appeal, filed July 22, 2022, states Appellant received written notice of entry of the probate court order on July 14, 2022. Pursuant to subsection (b) of the statute, Appellant was required to file and serve a Statement of Issue on Appeal on or before August 29, 2022. A review of the public index in this case establishes that Appellant failed to meet either of these requirements.

(b) As a separate and independent basis for dismissal, Appellant did not file nor serve a Designation of Matter to Include in the Record on Appeal on any party as required by S.C. Code § 62-1-308(d). No such Designation even appears within the public index.

(c) As a separate and independent basis for dismissal, Appellant did not file nor serve an appellate brief as required by S.C. Code 62-1-308(e) (“At the same time the appellant serves his Designation of Matter to be Included in the Record on Appeal, the appellant shall serve one copy of his brief on all parties to the appeal, and filed with the clerk of the circuit court one copy of the brief with proof of service. The appellant’s brief shall be in a format described in Rule 208(b)(1), SCACR.”) A review of the public index in this case establishes that Appellant failed to meet any one of these statutory requirements.

(d) As a separate and independent basis for dismissal, Appellant did not file and serve a Record on Appeal on any party as required by S.C. Code § 62-1-308(f) (“[A]ppellant shall serve

a copy of the Record on Appeal (in a format described in subsection (c), (e), (f), and (g) of Rule 210, SCACR.”).

4. Finally, as a separate and independent basis for denial of the appeal, this Court finds that Appellant has failed to set forth any grounds and/or caselaw warranting reversal of the probate court’s underlying order, having failed to even brief her appeal as required by S.C. Code 62-1-308.

THEREFORE, it is ORDERED, ADJUDGED, and DECREED:

Appellant Athena Irland’s Appeal from Probate Court is hereby DENIED and DISMISSED WITH PREJUDICE.

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The Honorable Bentley D. Price  
Circuit Court Judge

September\_\_\_\_, 2023  
Charleston, South Carolina



Charleston Common Pleas

**Case Caption:** Athena L Irland , plaintiff, et al VS Isadore John Psaras , defendant, et al  
**Case Number:** 2022CP1003304  
**Type:** Order/Other

IT IS SO ORDERED!

/s Hon. Bentley D. Price, Circuit Judge 2766

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