

RECEIVED

Feb 26 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

The Honorable Carolyn E. Woodruff, Judge of Probate
The Honorable Daniel D. Hall, Circuit Judge

Probate Case File No. 2021-ES-46-00206
Case No. 2022-CP-46-03201

In the Matter of SUMTER MITCHELL,

BERNICE CALDWELL,

Appellant,

v.

PATRICIA MITCHELL, in her own right and as Personal Representative,
DENNIS MITCHELL, SHARON M. CULP, THOMAS LAMONT DAVIS,
SUMTER O'NEAL CALDWELL and LATRINDA ROBINSON,

Of whom PATRICIA MITCHELL,
in her own right and as Personal Representative, is the

Respondent.

AMENDED NOTICE OF APPEAL

BERNICE CALDWELL appeals the following Orders of the Probate and Circuit Court:

- a) that Order issued on August 15, 2022, filed August 16, 2022 and received by counsel for Appellant on August 18, 2022;
- b) that Order denying the Motion to Amend or Reconsider issued and filed on October 12, 2022 and received by counsel for Appellant on October 14, 2022;
- c) that Order of the Circuit Court affirming the Probate Court issued and filed November 20, 2023; and

d) that Order of the Circuit Court denying the Motion to Amend or Reconsider issued and filed on January 26, 2024.

Copies of the above Orders are attached hereto and incorporated herein.

/s/ John Martin Foster
Attorney for Appellant
SC Bar No. 2086

Post Office Box 106
Rock Hill, SC 29731-6106

803 324-8100
803 324-8109: Fax
jmfoster340@gmail.com

Other Counsel of Record:

Charles Baxter Burnette, IV
Burnette & Payne, P.A.
Attorney for Respondent
414 E. Main St.
Rock Hill, South Carolina 29730
bburnette@burnettelaw.net

February 26, 2024

RECEIVED

Feb 26 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

The Honorable Carolyn E. Woodruff, Judge of Probate
The Honorable Daniel D. Hall, Circuit Judge

Probate Case File No. 2021-ES-46-00206
Case No. 2022-CP-46-03201

In the Matter of SUMTER MITCHELL,

BERNICE CALDWELL,

Appellant,

v.

PATRICIA MITCHELL, in her own right and as Personal Representative,
DENNIS MITCHELL, SHARON M. CULP, THOMAS LAMONT DAVIS,
SUMTER O'NEAL CALDWELL and LATRINDA ROBINSON,

Of whom PATRICIA MITCHELL,
in her own right and as Personal Representative, is the

CERTIFICATE OF SERVICE

The undersigned, as counsel for Appellant herein, hereby certifies that on February 26, 2024, he served copies of the following pleadings or documents in the above-captioned and numbered civil action:

Amended Notice of Appeal to Circuit Court, with its attachments; and
This Certificate of Service

on the following counsel or persons of record by serving the following lawyers admitted to practice law in this state using the lawyer's primary e-mail address listed in the Attorney Information System, as allowed by Section (e) of the Order of the Supreme Court entitled "RE: Methods of Electronic Filing and Service under Rule 262 of the South Carolina Appellate Court Rules" (as amended May 6, 2022).

Charles Baxter Burnette, IV
Burnette & Payne, P.A.
Attorneys for Patricia Mitchell
414 East Main Street
Rock Hill, S.C. 29730

/s/ John Martin Foster
Attorney for Appellant
SC Bar No. 2086

The Guardian Building
223 East Main Street, Suite 520
Rock Hill, SC 29730

Post Office Box 106
Rock Hill, SC 29731-6106

803 324-8100
803 324-8109: Fax
jmfoster340@gmail.com

Rock Hill, South Carolina

February 26, 2024