

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Florence County
Court of Common Pleas

The Honorable Clifton B. Newman, Circuit Court
Judge for Common Pleas

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APR 26 2024

SC Court of Appeals

Appellate Case No.: 2023-001842

Dorthea RylesAppellant,

v.

Leon Ryles, Willie N. Ryles, and Theresa Williams, Respondents Respondents.
IN RE: The Estate of Edith W. Ryles, Estate File: 2018-Es-21-00899

**APPELLANT'S REPLY TO INITIAL BRIEF OF
RESPONDENT**

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II. The Circuit Court erred in ruling that undue influence was found between the decedent and Appellant.....1

III. The Circuit Court erred in its ruling in finding that the Appellant breached her fiduciary duty and in awarding the full amount of damages be reimbursed to the Estate1

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STATEMENTS OF ISSUES ON APPEAL

- I. Did the Circuit Court err in its discretion in agreeing with the allowance and support of the testimony of lay witnesses to give expert opinion as to the confusion of the decedent at the time of the signing of the Last Will and Testament and Power of Attorney?
- II. Did the Circuit Court err in finding that the Decedent lacked the testamentary capacity to execute the Last Will and Testament and Power of Attorney, although the Decedent had actual knowledge of the nature and extent
- III. of her estate, the nature objects of her bounty, and to whom she wished to give her property to?
- IV. Did the Circuit Court err in ruling that undue influence was found between the decedent and Appellant?
- V. Did the Circuit Court err in its ruling in finding that the Appellant breached her fiduciary duty and in awarding the full amount of damages be reimbursed to the Estate?

The Appellant filed the Initial Brief of the Appellant on February 24, 2024 with the South Carolina Court of Appeals. In the Initial Brief of the Appellant, the Appellant argued the following:

- I. Did the Circuit Court err in its discretion in agreeing with the allowance and support of the testimony of lay witnesses to give expert opinion as to the confusion of the decedent at the time of the signing of the Last Will and Testament and Power of Attorney?**
- II. Did the Circuit Court err in finding that the Decedent lacked the testamentary capacity to execute the Last Will and Testament and Power of Attorney, although the Decedent had actual knowledge of the nature and extent of her estate, the nature objects of her bounty, and to whom she wished to give her property to?**
- III. Did the Circuit Court err in ruling that undue influence existed between the decedent and Appellant?**
- IV. Did the Circuit Court err in its ruling in finding that the Appellant breached her fiduciary duty and in awarding the full amount of damages be reimbursed to the Estate?**

The Respondent then filed their Initial Brief of Respondents on April 16, 2024. However, the Respondent's brief is the exact same brief previously filed (R. P. _____) in Common Pleas. In the Respondents Brief, he argues against the initial arguments addressed in the lower court, due to it being the same document, but does not however address the Arguments listed in the Initial Brief of the Appellant filed in the South Carolina Court of Appeals.

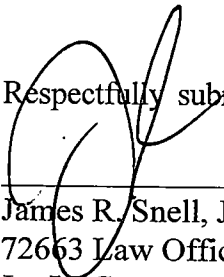
The Respondent does not specifically argue or provide any new information nor retaliatory arguments against the arguments in this current appeal, except to state his previously argued

arguments against the Initial Brief of the Appellant filed in the lower court.

CONCLUSION

For the foregoing reasons, Appellant respectfully submits that this Court should reverse the Probate Court's Order, hold that the Power of Attorney of Edith Ryles and the Last Will and Testament of Edith Ryles are valid, and reduce the amount of damages owed to the heirs of the estate.

Respectfully submitted,



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April 23, 2024

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IN RE: The Estate of Edith W. Ryles, Estate File: 2018-Es-21-00899

PROOF OF SERVICE

I hereby certify that I have served a copy of the *Appellant's Reply to Initial Brief of Respondent* in this case on the following, by depositing a copy of it in the United States mail, postage prepaid, on April 23, 2024, addressed to the following:

Brown W. Johnson, Esq.
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Florence, SC 29501

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April 23, 2024
Lexington, South Carolina



LAW OFFICE OF _____
JAMES R. SNELL, JR.
LLC

April 23, 2024

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

Re: Dortehea Ryles, Appellant vs. Leon Ryles, Willie N. Ryles, & Theresa Williams, Respondents. IN RE: The Estate of Edith W. Ryles, Estate File: 2018-Es-21-00899 Appellate Case No.: 2023-001842

Dear Ms. Kitchings,

Enclosed for filing please find enclosed an original and one copy of the *Appellant's Reply to Initial Brief of Respondent*. Also enclosed is an original and copy of the Proof of Service. Should you have any questions concerning this information, please contact our office.

Sincerely,

James R. Snell, Jr.

cc: Brown W. Johnson, Esq.
Dortehea Ryles

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SC Court of Appeals

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