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**Jul 18 2024**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

The Honorable James E. Chellis, Master In Equity

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Appellate Case No. 2024-000430  
Lower Court Case No. 2021-CP-18-01535

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Sinclair Brown, Jr. and Joetta A. Brown, Respondents,

v.

George B. Corrie, II, Shawna Corrie, Anthony Wayne All, Sandra Rae All, Paul W. Jones, Madelyn W. Jones, Keith A. Murray, Stephanie L.R. Murray, Dollar Bank Federal Savings Bank, The Bank of South Carolina, John Doe and Mary Roe, fictitious names representing all unknown persons who may claim any right, title or interest or lien upon the subject real estate, as well as anyone who may be incompetents, in the military, or under any legal disability, and Richard Roe and Sarah Doe, fictitious names representing all unknown heirs and devisees, Defendants,

Of which George B. Corrie, II and Shawna Corrie are the Appellants.

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**APPELLANTS' RESPONSE IN  
OPPOSITION TO RESPONDENTS'  
MOTION FOR A TEMPORARY  
RESTRAINING ORDER**

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In accordance with Rules 205, 240, and 241 of the SCACR, the Appellants, George B. Corrie, II and Shawna Corrie (collectively, the "Appellants"), by and through their undersigned counsel, hereby submit this Response to the Court in opposition to the Motion for a Temporary Restraining Order filed by the Respondents, Sinclair Brown Jr. and Joetta A. Brown (collectively, the "Respondents"). The Appellants respectfully request that the Court deny the Respondents' Motion on the grounds that the Appellants have not violated the Order issued by the Honorable

Judge Chellis.

Pursuant to Paragraphs 13 and 16-19 of Judge Chellis's Order, the Respondents were granted property rights to 0.12 acres of the surrounding area as outlined in Trial Exhibit 3, as well as a special property interest to use the area designated as "Pond" on Trial Exhibit 2. While the Appellants dispute the grant of this special property interest, it is undisputed that the Pond's waterline currently lies below the 0.12 acres granted to the Respondents by Judge Chellis. Additionally, neither party disputes Paragraphs 14 and 20 of the Order, which clarify that the water level of the pond does not define its contour, and that the land located on the pond side of the fence is, in fact, the property of the Appellants.

In accordance with the Order, the Appellants have planted tree saplings along the bank of the pond, which currently lies below the 0.12 acres granted to the Respondents and is therefore solely on the Appellants' land. In further compliance with the Order, and despite the Appellants' dispute regarding any special property interest in favor of the Respondents, the placement of these saplings is such that it does not interfere with or inhibit the Respondents' alleged right to use and enjoy the pond.

The saplings are a mere visual enhancement to the Appellants' land, and their planting is well within the Appellants' rights as property owners. Moreover, the existence of these planted saplings does not interfere in any manner with the Respondents' use and enjoyment of the pond, which they claim to have a special property interest in. An Affidavit of the Appellant, George B. Corrie, II, is attached hereunder.

For the foregoing reasons, the Appellants respectfully request that the Court deny the Respondents' Motion and hold all other issues in abeyance pending the outcome of the Appeal.

SIGNATURE BLOCK ON FOLLOWING PAGE

SMITH | CLOSSER, P.A.

s/Steven L. Smith

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Zachary J. Closser (SC Bar No. 74005)

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Attorneys for Appellants

July 18, 2024

STATE OF SOUTH CAROLINA  
APPEAL FROM DORCHESTER COUNTY  
IN THE MATTER OF:

Sinclair Brown, Jr. and Joetta A. Brown,

Respondents,

v.

George B. Corrie, II, Shawna Corrie, Anthony Wayne All, Sandra Rae All, Paul W. Jones, Madelyn W. Jones, Keith A. Murray, Stephanie L.R. Murray, Dollar Bank Federal Savings Bank, The Bank of South Carolina, John Doe and Mary Roe, fictitious names representing all unknown persons who may claim any right, title or interest or lien upon the subject real estate, as well as anyone who may be incompetents, in the military, or under any legal disability, and Richard Roe and Sarah Doe, fictitious names representing all unknown heirs and devisees, Defendants,

Of which George B. Corrie, II and Shawna Corrie are the Appellants.

IN THE STATE OF SOUTH CAROLINA  
COURT OF APPEALS  
APPELLATE CASE NO.: 2024-000430  
LOWER COURT CASE NO.: 2021-CP-18-01535

AFFIDAVIT OF  
GEORGE B. CORRIE, II


PERSONALLY appeared before me, George B. Corrie, II, who, on oath, deposes and swears that:

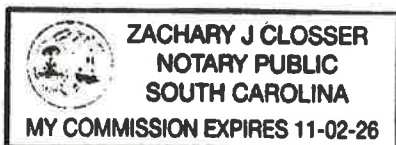
1. I am over 18 years of age.
2. I have personal knowledge regarding the statements contained in this affidavit.
3. I make this affidavit in response to Respondents' Motion for a Temporary Restraining Order ("Motion") and sworn Affidavit ("Affidavit").
4. The tree saplings referred to in the Respondents' Motion and Affidavit were planted solely on my property.

5. At no time did I breach the erected fence which, according to Paragraph 20 of Judge Chellis's Order, represents the boundary line which separates my property from the Respondents'.
6. The saplings were planted as a visual enhancement to my property.
7. The saplings in no way interfere with the Respondents' alleged right to use and enjoy the pond located on my property.
8. The photographs attached as "Exhibit A" within Respondents' filed Affidavit corroborate all the sworn statements above.

  
George B. Corrie, II.

SWORN to before me this 17  
day of July, 2024

  
Notary Public for South Carolina  
My Commission Expires: 11/2/24



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Sinclair Brown, Jr. and Joetta A. Brown, Respondents,

v.

George B. Corrie, II, Shawna Corrie, Anthony Wayne All, Sandra Rae All, Paul W. Jones, Madelyn W. Jones, Keith A. Murray, Stephanie L.R. Murray, Dollar Bank Federal Savings Bank, The Bank of South Carolina, John Doe and Mary Roe, fictitious names representing all unknown persons who may claim any right, title or interest or lien upon the subject real estate, as well as anyone who may be incompetents, in the military, or under any legal disability, and Richard Roe and Sarah Doe, fictitious names representing all unknown heirs and devisees, Defendants,

Of which George B. Corrie, II and Shawna Corrie are the Appellants.

PROOF OF SERVICE

I, Anna Pittman, hereby certify that I have this date served a copy of the attached and foregoing Appellants' Response in Opposition to Respondents' Motion for a Temporary Restraining Order on all parties of record by emailing a copy to the attorneys of record as follows:

G. Hamlin O'Kelley, III, Esquire  
Buist, Byars & Taylor, LLC  
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*Counsel for Respondents*



Anna Pittman

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**SC Court of Appeals**

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July 18, 2024

**VIA EMAIL [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)**

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

RE: Sinclair Brown, Jr. and Joetta A. Brown v. George B. Corrie, II et al.,  
Appellate Case No. 2024-000430  
S|C File No.: 22-366

Dear Ms. Kitchings:

Attached for filing please find Appellants' Response in Opposition to Respondents' Motion for a Temporary Restraining Order in the above-referenced matter. We are serving counsel of record via email only.

If you have any questions regarding this, please do not hesitate to contact me.

Sincerely,

*s/Steven L. Smith*  
Steven L. Smith

SLS/kap  
Enclosures

cc: G. Hamlin O'Kelley, III (via Email only)