

STATE OF SOUTH CAROLINA)
)
COUNTY OF OCONEE)

Dorothy Pierce,)
)
Plaintiff,)
)
vs.)
)
Samantha Leigh a/k/a Pierce, and Cody)
Hiott,)
)
Defendants.)
_____)

IN THE COURT OF COMMON PLEAS
TENTH JUDICIAL CIRCUIT

Case No.: 2024-CP-37-00460

**ORDER ON THE DEFENDANTS’
MOTION TO DISMISS**

THIS MATTER came before the Court on September 12, 2024, on the Defendants’ Motion to Dismiss pursuant to Rule 12(b)(6), SCRPC, and Motion to Declare the Plaintiff a Vexatious Litigant. At the time of the hearing, the Plaintiff appeared *pro se*. The Defendants were represented by Richard Hunt McDuff, Esquire. Having reviewed the record on appeal, the filings of the parties, and having heard the argument of the Plaintiff and counsel for the Defendants, the Court hereby finds as follows:

1. The Plaintiff seeks to allege causes of action against the Defendants related to their occupancy of a mobile home owned by the Estate of Doyle Elton Pierce.
2. The Plaintiff is not the Personal Representative of the Estate of Doyle Elton Pierce, having been removed as personal representative by the November 2, 2023, Order of the Oconee County Probate Court pursuant to South Carolina Code section 62-3-611.
3. The Plaintiff does not have the lawful authority or standing to maintain the claims alleged in the Complaint as such claims, if viable, may only be brought by the duly appointed

RECEIVED
Sep 24 2024
SC Court of Appeals

Personal Representative. As a result, the Plaintiff's claims fail to state a cause and action and the Motion to Dismiss is hereby **GRANTED**.

4. The issue of vexatious litigant will be handled in a separate order.

IT IS SO ORDERED!

Dated this ____ day of _____, 2024

R. LAWTON McINTOSH,
PRESIDING CIRCUIT COURT JUDGE



Oconee Common Pleas

Case Caption: Dorothy Pierce VS Samantha Leigh , defendant, et al

Case Number: 2024CP3700460

Type: Order/Dismissal

S/R. LAWTON McINTOSH

S/R.LAWTON McINTOSH