

October 18, 2024

RECEIVED
Oct 18 2024
SC Court of Appeals

VIA US MAIL AND EMAIL

Clerk of Court
South Carolina Court of Appeals
PO Box 11629
ctappfilings@sccourts.org

Re: Morteza (“Mory”) Ejabat, as sole legal guardian for C.E., a minor, Respondent, v. James Lloyd Barlage, Personal Representative of the Estate of Stephanie Barlage, Marver, et al.
2024-001752
2023-CP-10-04111
2021-ES-10-02118

Dear Clerk of Court:

I am writing on behalf of Respondent Morteza (“Mory”) Ejabat, as sole legal guardian for C.E., a minor to seek the dismissal of the Notice of Intent to Appeal in 2024-001752. This case is rooted in a Charleston County Probate Court matter (2021-ES-10-02118). Appellant was the Personal Representative of this estate but was removed for cause by the Charleston County Probate Court.

Appellant has appealed six (6) orders of the Charleston County Probate Court. Four (4) have been dismissed because the appeals were of interlocutory orders and/or the appeals contained procedural defects. The remaining two (2) appeals from the Charleston County Probate Court are subject to motions to dismiss and oral arguments have been heard.

The instant appeal is of a Charleston County Common Pleas Order Dismissing the Appeal of an Order Appointing a Special Administrator. The Order Dismissing the Appeal was based on the underlying Charleston County Probate Order being interlocutory and the appeal was not timely made. Since the initial appeal was dismissed, we do not believe that the Court of Appeals has jurisdiction to consider another appeal.

Appellant has engaged in multiple frivolous appeals that have been dismissed at first review and engaged in abuse of process. This estate involves a single minor beneficiary and has

Clerk of Court
October 18, 2024
Page 2

been open since 2021. Appellant only seeks to delay the administration of the estate with protracted litigation.

Lastly, there is a Guardian ad Litem in the underlying Charleston County Probate matter and the Guardian ad Litem has routinely told the courts that this litigation needs to cease for the benefit of the minor.

Respondent respectfully requests that this Notice of Intent to Appeal be dismissed for lack of jurisdiction so that the underlying Charleston County Probate case can continue without delay.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicholas C. C. Stewart". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Nicholas C. C. Stewart

NCCS/nccs