

The South Carolina Court of Appeals

Dorothy Pierce, Appellant,

v.

Donna Carol Moore, Gregory Allan Pierce, and Jared Adam Pierce, Respondents.

Appellate Case No. 2024-000455

ORDER

Appellant's motion for leave to file an amended notice of appeal is granted. However, Appellant failed to attach a copy of the April 2, 2024 order to her proposed amended notice of appeal. Within ten days, Appellant shall file a second amended notice of appeal that includes a copy of the order. *See* Rule 203(d)(1)(b)(ii), SCACR (the notice of appeal shall be accompanied by "[a] copy of the order(s) and judgment(s) to be challenged on appeal if they have been reduced to writing").

Next, we find the automatic stay mandated by Rule 241(a) of the South Carolina Appellate Court Rules applies in this case to stay the circuit court's order affirming the probate court's removal of Appellant as personal representative (PR). However, due to Respondents' concerns regarding Appellant's two prior removals as PR and her ability to properly carry out the functions and duties of PR, we remand to the circuit court to determine whether Appellant should be enjoined from wasting the estate or taking any action as PR beyond what is necessary to preserve the estate.



FOR THE COURT

Columbia, South Carolina

cc:

FILED
Oct 25 2024

Dorothy Pierce
Richard Hunt McDuff, Esquire
Donna Carol Moore
The Honorable R. Lawton McIntosh
The Honorable Danny Singleton