

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM OCONEE COUNTY CIRCUIT COURT

Order of Honorable Judge R. Lawton McIntosh

Appellate Case No. 2024-001641

Dorothy Pierce-----Appellant,

v.

Samantha Leigh a/k/a Pierce, and Cody Hiott-----Respondents.

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**REPLY TO RESPONDENTS’ RETURN TO APPELLANT’S MOTION TO REVERSE  
DISMISSAL AND REMAND FOR FURTHER PROCEEDINGS**

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Appellant received Respondents’ return on January 23, 2025. Respondents’ background is rife with inaccuracies, omissions, and mischaracterizations, all seemingly intended to distort the procedural history and legal issues central to this case. This reply seeks to set the record straight and refocus the Court’s attention on the substantive matters at hand: Appellant’s lawful authority as Personal Representative (PR), the binding effect of the October 25, 2024, appellate ruling, and the estate’s right to recover \$18,500 in unpaid rent from Respondents.

**To be unequivocally clear:** both removals of the Appellant as PR were not the result of any fiduciary misconduct. The removal on August 18, 2021, was based on fraudulent evidence submitted by the Plaintiff in that case (a two-time felon, Jared Adam Pierce) and his attorney, Richard Hunt McDuff. Furthermore, McDuff is simultaneously representing non-heirs Samantha Leigh and Cody Hiott in this case, creating a dual representation conflict that has worked to the detriment of the estate and its rightful heirs. Furthermore, the Probate Court’s removal of the Appellant on November 2, 2023, was retaliatory, unwarranted, and entirely unsupported by any claim of misconduct or fiduciary failure. This removal was plainly a punitive response to Appellant’s exercise of her constitutional right to appeal—a fundamental right that should never serve as grounds for punishment. These actions not only disregard due process but also compromise the fairness and impartiality that are cornerstone principles of our legal system.

**A. RESPONDENTS HAVE MISREPRESENTED THE AUGUST 18, 2021, ORDER AND ONGOING APPEAL (CASE NO. 2021-001552):**

**[Appellant's Removal as Personal Representative Was Based on Fraud, Not Fiduciary Misconduct]**

1. Respondents inaccurately claim that the August 18, 2021, judgment—drafted by Attorney Richard Hunt McDuff and submitted to the Oconee County Probate Court—definitively declared the Last Will and Testament of Doyle Elton Pierce a forgery and removed the Appellant as Personal Representative (PR). This portrayal is misleading and ignores the fraudulent evidence upon which the Probate Court's decision was based.
2. McDuff himself drafted the order, inserting language not used by the court, improperly impeaching witnesses within the order who were not impeached during testimony, and including provisions removing the Appellant as PR without explicit instruction from the court. This manipulation exceeded the court's directives and undermined the judicial process.
3. **Invalid, Outdated, Unverifiable, and Fabricated Evidence Used to Invalidate the Will:** The Appellant was appointed PR on September 23, 2020, following the death of Doyle Elton Pierce on September 14, 2020. Shortly after, Jared Adam Pierce, the decedent's son, contested the validity of the July 7, 2020, will, submitting fraudulent and manipulated signature exemplars through his attorney, Richard McDuff.
4. **Fraudulent Exemplars:** The original documents from which these signatures were extracted were never made available during discovery and were deliberately withheld from the Appellant—if such documents even existed. Instead, the exemplars were copied and pasted onto a single sheet (**See Exhibit 1**). These exemplars included documents allegedly signed by the decedent as far back as 1965, as well as a FEMA letter dated May 18, 2020. These documents were unverifiable and outdated.
5. **Fabrication of the FEMA Letter (May 18, 2020):** Jared claimed this letter was signed by the decedent, but he was not present at the decedent's home on that date. In a text message, Jared canceled a scheduled meeting, stating: *"Sorry for the delay. Worked last night, took a rest until 12:30 and woke with a headache. Still not feeling well. Sandy has the letter for dad (FEMA) completed. Will be there in the morning, early. Maybe leave the side roll-up door unlocked so that I can get in without having to disturb anyone in the morning."*

**(See Text message from Jared Adam Pierce to Appellant dated May 18, 2020- Exhibit 2).**

6. Jared did not visit the home on May 19 or 20, 2020, making it impossible for him to have obtained his father's signature. The FEMA letter and other exemplars were clearly forged.
7. **Fraudulent Evidence Presented by Document Examiner;** The fraudulent FEMA letter and other forged signature exemplars were presented to the Probate Court to invalidate the will. These documents were relied upon to remove the Appellant as PR, despite being withheld from her before trial, denying her an opportunity to challenge their authenticity or cross-examine the handwriting expert.
8. **Removal Based on Fraudulent Evidence;** August 18, 2021, removal of the Appellant as PR was not due to fiduciary misconduct but rather relied on fraudulent evidence. The Appellant's motion for a new trial highlighting these irregularities was denied under questionable circumstances. Judge Kenneth Earl Johns signed the denial order on his last day in office before his suspension became public, raising doubts about the integrity of his ruling.
9. **Appellant's Ongoing Appeal and Preservation of PR Authority;** The Appellant timely appealed the August 18, 2021, removal order, which triggered an automatic stay under South Carolina Rule 241(a). Despite this, the Probate Court improperly appointed a Special Administrator, Adam Lee, in direct contravention of the stay. The validity of the removal order and the fraudulent evidence supporting it remain under review in the ongoing appeal (Case No. 2021-001552).

**B. THE APPELLANT'S REMOVAL BY THE PROBATE COURT ON NOVEMBER 2, 2023, WAS RETALIATORY, UNWARRANTED, AND NOT BASED ON ANY MISCONDUCT OR FAILURE TO PERFORM FIDUCIARY DUTIES; [APPELLATE CASE: 2024-00455]**

10. Respondents' assertion that Appellant was removed as Personal Representative (PR) for failing to abide by the October 17, 2023, settlement order is fundamentally flawed and misrepresents both the facts and the legal framework governing this matter. The following points refute their claim:
11. **Filing an Appeal Is a Constitutional Right:** The Appellant's decision to appeal the October 17, 2023, settlement order is an exercise of her constitutional right to due process and judicial

review. This right is fundamental and cannot serve as grounds for punitive action. The settlement order did not meet the requirements under Rule 43(k), SCRPC, as it lacked the signatures of all parties necessary to waive appellate rights. Moreover, the Appellant's removal on November 2, 2023, was retaliatory, directly tied to her appeal. Judge Singleton explicitly tied her decision to appeal with potential consequences, stating, *"[I]f it is your intent to appeal, you have every right to do so; however, it violates the agreement... A hearing will be scheduled soon to determine the status of the personal representative."* Judge Singleton's communications explicitly linked her appeal to potential removal, constituting an abuse of judicial authority and undermining procedural fairness. [See **Retaliatory Email from Judge Singleton, Exhibit 3**]

12. The November 1, 2023, hearing and subsequent removal order were designed to punish Appellant for exercising her lawful appellate rights. The contempt order issued on November 2, 2023, further escalated this retaliation, disregarding the procedural safeguards and constitutional protections owed to Appellant. Judge Singleton explicitly linked her appeal to the potential removal in written communications, stating that filing an appeal would trigger hearings to assess her status as Personal Representative. Such actions constitute an abuse of judicial authority and violate fundamental fairness.
13. **Procedural Irregularities in the October 11, 2023, Status Conference:** The October 11, 2023, conference, portrayed as a settlement agreement, was procedurally invalid and coercive. It was not conducted in open court, lacked public notice, and was not transcribed. The settlement was neither signed by the parties nor met the requirements for a valid agreement under Rule 43(k). Appellant was denied prior knowledge of the agenda, was subjected to undue pressure by Judge Singleton and Respondents, and had her objections disregarded. Furthermore, the conference sought to resolve issues already under appeal, undermining the appellate court's jurisdiction and the automatic stay provisions under Rule 241(a).
14. **The Invalidity of the October 12, 2023, Order:** The October 12, 2023, order affirming the private family agreement was procedurally and substantively invalid. It violated South Carolina law by proposing asset distribution before satisfying estate debts, included unauthorized terms, and ignored the Appellant's timely objections. These flaws rendered the order unlawful and unenforceable. [See **attached Order- Exhibit 4**]

15. **Contradictory Court Orders and Fiduciary Dilemmas** Conflicting directives issued by the court created legal and fiduciary conflicts for the Appellant. The October 17, 2023, settlement order required the distribution of assets within 30 days, while an affidavit signed on October 19, 2023, obligated the Appellant to prioritize debt payments. These contradictory obligations placed the Appellant in an impossible position. Additionally, heirs pressured the Appellant for immediate distributions, further complicating her ability to comply with her fiduciary duties. The reappointment of the Appellant as PR on October 19, 2023, was unnecessary, as her authority was already preserved under Rule 241(a). **[See attached PR Affidavit-Exhibit 5]**
16. **The Appellant's Removal Was Retaliatory and Unwarranted;** The November 2, 2023, removal of the Appellant was not based on fiduciary misconduct or failure to fulfill her duties. Instead, it was a retaliatory response to her lawful appeal. The contempt order issued the same day escalated this punitive action, disregarding procedural safeguards and constitutional protections. This removal undermined the Appellant's right to judicial review and created a chilling effect on the exercise of appellate rights, eroding trust in the judicial process.
17. **Necessary Appeal to Protect the Estate's Interests;** The Appellant's decision to appeal the settlement order was both lawful and necessary to resolve procedural irregularities and safeguard her fiduciary obligations. The appeal was essential to ensure compliance with South Carolina law, protect the estate's assets, and fulfill her duties as Personal Representative. The retaliatory removal disregarded these efforts and violated fundamental principles of justice.

**C. RESPONDENTS' UNJUSTIFIED RENT-FREE OCCUPATION OF ESTATE PROPERTY**

18. Samantha Leigh, the step-granddaughter of Doyle Elton Pierce, and her boyfriend, Cody Hiott, are neither heirs nor beneficiaries under the decedent's will or South Carolina intestate succession laws. They have no legal, equitable, or moral claim to reside on estate property rent-free, nor have they initiated any valid claim to the estate in probate or appellate proceedings. Their continued occupation is unlawful and an affront to the estate's rightful heirs, including the Appellant.
19. **Non-Heirs with No Legal Standing;** Samantha Leigh and Cody Hiott lack any legal or equitable interest in the estate of Doyle Elton Pierce. Their occupancy of estate property is unauthorized and entirely without basis.

20. **Failure to Pay Rent amounts to Unjust Enrichment:** Despite residing on the property for over 50 months, the Respondents have never paid rent. Their willful non-payment has caused financial harm to the estate, depriving it of \$18,500 in overdue rent—funds critical to preserving estate assets and addressing financial obligations. Respondents’ prolonged rent-free occupation constitutes unjust enrichment, directly harming the estate and its rightful beneficiaries. Their exploitation of estate property without financial contribution disregards the decedent’s intentions and fiduciary principles.
21. **Disregard for Beneficiaries’ Rights:** The Respondents’ continued occupation not only depletes the estate’s resources but also undermines the Appellant’s efforts to manage and preserve the estate for its lawful heirs. Their refusal to vacate or pay rent is a direct violation of South Carolina law and fiduciary principles.
22. **Misrepresentation of Tenancy by Respondents:** Respondents have falsely portrayed their occupation as lawful, despite lacking any legal, equitable, or moral claim to the property. Their actions:
- Deprive rightful heirs of their inheritance.
  - Jeopardize the estate’s financial viability.
  - Violate fiduciary obligations and the decedent’s wishes.
23. This unlawful occupation must be addressed to uphold the integrity of the estate and protect the rights of its legitimate beneficiaries.

**D. RESPONDENTS ARE PRECLUDED FROM INTRODUCING NEW ARGUMENTS ON APPEAL**

24. Respondents failed to preserve any defense beyond the Appellant's alleged lack of standing during Circuit Court proceedings. At no point did they assert that they did not owe rent or raise any statutory defenses. Under South Carolina appellate principles, arguments not raised or ruled upon in the lower court are procedurally barred from being introduced for the first time on appeal.
25. In **Wilder Corp. v. Wilke**, 330 S.C. 71, 75, 497 S.E.2d 731, 733 (1998), the South Carolina Supreme Court emphasized, “*It is axiomatic that an issue cannot be raised for the first time on*

*appeal but must have been raised to and ruled upon by the trial court to be preserved for appellate review.*” Similarly, in **Staubes v. City of Folly Beach**, 339 S.C. 406, 421, 529 S.E.2d 543, 550 (2000), the Court reaffirmed that appellate review is limited to properly preserved issues.

26. Respondents’ failure to assert these arguments in the lower court deprived the Appellant of an opportunity to address or rebut them, violating procedural fairness. As noted in **Elam v. South Carolina Department of Transportation**, 361 S.C. 9, 26, 602 S.E.2d 772, 781 (2004), “*An appellate court will not consider an issue unless it was raised to and ruled upon by the trial court.*”
27. Since Respondents did not argue non-payment of rent or statutory defenses in Circuit Court, these claims are procedurally barred from this appeal. Any additional arguments should be disregarded as irrelevant and improper.

**E. THE PROBATE COURT AFFIRMED THAT APPELLANT PRESERVED THE ESTATE**

28. In August 2022, Probate Court Judge Ashley Rice reviewed the administration of the estate and conclusively determined that the Appellant had preserved its assets. The court found no evidence of misappropriation or mismanagement by the Appellant.
29. This determination affirms that the Appellant fulfilled her fiduciary duties as Personal Representative (PR) and acted in the estate’s best interests. Judge Rice’s finding underscores the Appellant’s diligent efforts to safeguard estate assets and maintain financial stability.
30. The official acknowledgment directly refutes any claims of fiduciary misconduct and demonstrates the Appellant’s commitment to managing the estate responsibly for the benefit of all heirs. [See Attached Order of Judge Ashley Rice-Exhibit 6]

**F. THE OCTOBER 25, 2024, RULING CONFIRMS APPELLANT'S AUTHORITY TO PURSUE CLAIMS NECESSARY TO PRESERVE THE ESTATE**

31. Respondents argue that the October 25, 2024, ruling does not unequivocally grant Appellant full authority to pursue claims. This interpretation misrepresents the appellate court's clear findings and intent. The appellate court explicitly held that Rule 241(a), SCACR, imposes an automatic stay on the Circuit Court’s order affirming the Probate Court’s removal of Appellant as Personal

Representative (PR). This ruling preserves Appellant's authority as PR during the pendency of her appeal and safeguards her ability to act in matters necessary to preserve the estate.

32. **The October 25, 2024, Order Confirms the Applicability of Rule 241(a):** The appellate court determined that Rule 241(a) applies to this case, staying the enforcement of the Circuit Court's order removing Appellant as PR. The order also acknowledges Appellant's standing to perform duties necessary to preserve the estate during the appeal process. While the court remanded a narrow issue to the Circuit Court—to determine if Appellant should be enjoined from taking actions beyond those required to preserve the estate—it did not restrict her authority to pursue claims directly linked to preserving the estate, such as recovering unpaid rent.
33. **The Appellate Court Did Not Limit Appellant's Ability to Preserve the Estate:** The remand in the October 25, 2024, ruling was confined to evaluating whether Appellant should be restricted from actions beyond preservation of the estate. This remand does not preclude Appellant from pursuing claims like recovering unpaid rent, which directly impacts the estate's financial health. Recovering unpaid rent is a necessary action to preserve the estate's value and ensure its financial obligations are met, which aligns with Appellant's fiduciary duties under South Carolina law.
34. **The Circuit Court Did Not Address the Merits of the Claims:** The Circuit Court's September 23, 2024, dismissal focused exclusively on procedural standing and failed to address the merits of Appellant's claims. Specifically: Unpaid Rent Harms the Estate: Appellant seeks to recover \$17,760 in unpaid rent owed by Respondents Samantha Leigh and Cody Hiott. Their rent-free occupation of estate property depletes resources critical to the estate's financial stability.
35. The October 25, 2024, ruling unequivocally affirms that the automatic stay under Rule 241(a) preserves Appellant's authority as PR for actions necessary to preserve the estate. The appellate court's remand for a limited inquiry into whether Appellant should be enjoined from actions beyond preservation does not impact her ability to pursue claims essential to maintaining the estate's financial health. Appellant's lawsuit to recover unpaid rent falls squarely within her preserved authority and is crucial for protecting the estate and its beneficiaries. Therefore, Respondents' argument lacks merit and should be rejected.

**G. ATTORNEY RICHARD HUNT MCDUFF MUST BE DISQUALIFIED FROM  
REPRESENTING BOTH HEIRS AND NON-HEIRS**

36. Attorney Richard Hunt McDuff represents both heirs (Jared Adam Pierce and Gregory Alan Pierce) and non-heirs (Samantha Leigh and Cody Hiott) in this estate matter. This dual representation creates a clear conflict of interest that undermines the estate's administration and prejudices the Appellant, who holds a 50% interest in the estate.
37. Samantha Leigh and Cody Hiott, as non-heirs, have no legal, equitable, or moral claim to reside on estate property rent-free under the decedent's will or South Carolina intestate succession laws. Despite this, McDuff has prioritized their interests by enabling them to remain on the property without paying rent, which has caused significant financial harm to the estate and its rightful beneficiaries. Allowing non-heirs to exploit estate property while the estate faces unpaid property taxes and financial instability directly conflicts with the fiduciary duty to preserve and maximize the estate's assets for all heirs.
38. McDuff's simultaneous representation of heirs and non-heirs violates Rule 1.7 of the South Carolina Rules of Professional Conduct, which prohibits representation where a lawyer's ability to represent one client is materially limited by responsibilities to another. Representing non-heirs who benefit at the expense of the estate and its heirs creates a direct conflict of interest that has resulted in:
- i. **Unjust Enrichment:** Non-heirs Samantha Leigh and Cody Hiott have lived rent-free on estate property for over 50 months, depriving the estate of \$18,500 in rent.
  - ii. **Financial Instability:** The estate has struggled to meet its obligations, including unpaid taxes, due to McDuff's failure to prioritize rent collection or support the fiduciary duties of the Personal Representative (PR).
  - iii. **Prejudice to the Appellant:** The Appellant's share of the estate has been diminished by McDuff's actions, which have diverted resources away from rightful heirs to benefit non-heirs unlawfully occupying estate property.
39. Ethical breaches are further compounded by McDuff's failure to obtain informed consent from all parties for this dual representation. His actions violate several ethical obligations, including:
- i. **Rule 1.7:** Avoiding conflicts of interest.

- ii. **Rule 1.9:** Protecting the estate’s integrity after representing its interests.
- iii. **Rule 3.4:** Ensuring fairness to all parties by not obstructing rent collection or estate administration.

40. McDuff’s continued representation jeopardizes the equitable administration of the estate and undermines the fiduciary obligations owed to its beneficiaries. To protect the estate’s integrity and ensure fairness to all heirs, this Court must disqualify McDuff from representing any party in this matter.

Submitted this January 24, 2025

s/Dorothy Pierce

**DOROTHY PIERCE, Appellant.**

750 Mourning Dove Lane, Seneca, South Carolina 29678

(864) 324-3247



**EXHIBIT 2 Adam Pierce (+18647231535)**



Sorry for the delay. Worked last night, took a rest until 12:30 and woke with a headache. Still not feeling well. Sandy has the letter for dad (FEMA) completed. Will be there in the morning, early. Maybe leave the side roll up door unlocked so that I can get in without having to disturb anyone in the morning.

Monday, May 18, 2020 3:46 PM



**Dorothy Pierce (+18643243247)**

Okay

Monday, May 18, 2020 3:59 PM



**Dorothy Pierce (+18643243247)**

Thanks

Monday, May 18, 2020 3:59 PM



**Dorothy Pierce (+18643243247)**

Just let me know when you are coming

Tuesday, May 19, 2020 9:40 AM

**EXHIBIT 3**

Dorothy Pierce &lt;dorothypierce84@gmail.com&gt;

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**Unopposed Order Approving GEICO Settlement- Pierce Estate**

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**Danny Singleton** <dsingleton@oconeesc.com>

Tue, Oct 24, 2023 at 11:38 AM

To: Donna Moore &lt;75dmoore@gmail.com&gt;, Dorothy Pierce &lt;dorothypierce84@gmail.com&gt;, Rick McDuff &lt;rick@mjmlawsc.com&gt;

Cc: Griselda Godoy &lt;ggodoy@oconeesc.com&gt;

All,

I am in receipt of an amended notice of appeal from Mrs. Pierce.

Part of the family agreement was to withdraw all appeals. This appears to be a violation of the agreement.

A hearing will be scheduled to determine what actions, if any, the court will take. Should any potential heir petition the court for the removal and placement of the current PR, please file and a hearing will be scheduled the same day.

Mrs. Pierce, if it is your intent to violate the family agreement, I believe an emergency hearing needs to take place to determine if you should immediately be removed as PR.

[Quoted text hidden]

# EXHIBIT 4

STATE OF SOUTH CAROLINA ) IN THE PROBATE COURT  
 )  
COUNTY OF OCONEE ) Case No.: 2020ES3700532  
  
IN THE MATTER OF: )  
DOYLE E. PIERCE )  
DECEASED, )  
\_\_\_\_\_ )

DOYLE PIERCE, et al.  
vs. OCONEE COUNTY

## AMENDED ORDER AFFIRMING PRIVATE FAMILY AGREEMENT

THIS MATTER came before the Court on October 11, 2023, pursuant to Rule 43(k), South Carolina Rules of Civil Procedure, whereby Gregory Alan Pierce, Jared Adam Pierce, Donna Carol Moore (the surviving adult children of Doyle E. Pierce), and Queen Dorothy Amolo Pierce (the surviving widow of Doyle E. Pierce), entered into a Private Family Agreement pursuant to S.C. Code Ann. § 62-3-912 in connection with the Estate of Doyle E. Pierce. The parties placed their agreement on the record before the Court and all acknowledged their agreement. Therefore, it is hereby **Ordered and Adjudged** as follows:

1. **Distributions to Parties.** The Decedent's assets shall be distributed to Gregory Alan Pierce, Jared Adam Pierce, Donna Carol Moore, and Queen Dorothy Amolo Pierce as more fully described in Exhibit A.
2. **Dismissal of Appeals.** Within ten (10) days of the date of this Order, Queen Dorothy Amolo Pierce shall withdraw and dismiss, with prejudice, the appeals pending in the South Carolina Court of Appeals, Appellate Case No.: 2021-001552, and in the Oconee County Court of Common Pleas, Case No. 2023-CP-37-00685.
3. **Estate Debts.** Within thirty (60) days of the date of this Order, Queen Dorothy Amolo Pierce shall pay, in full, the indebtedness to Davenport Funeral Home for funeral expenses and reimburse Adam Lee, Esq., for 2022 real property taxes paid by his law firm in the approximate amount of \$3,000.00. Within sixty (60) days of the date of this Order, Queen

Dorothy Amolo Pierce shall reimburse Donna Carol Moore for the amount paid by Donna Carol Moore in the amount of \$13,120.36 paid by Donna Carol Moore to pay off the mortgage indebtedness with Blue Ridge Bank.

4. **Estate Expenses Paid by Personal Representative.** Any personal expenses owed to Queen Dorothy Amolo Pierce by the Estate or any other party to this Agreement shall be considered paid in full.
5. **Cash Payments to Parties.** Queen Dorothy Amolo Pierce shall pay to Donna Carol Moore the \$10,000.00 cash payment described in Exhibit A within sixty (90) days of the date of this Order.
6. **Removal of Items.** All parties are required to obtain their items or personal property, as detailed on Exhibit A, within thirty (30) days of the execution of this Agreement. All parties will be provided access to retrieve any such personal property upon reasonable notice. The cost of removal of items, transportation, and delivery of the property shall be borne by the respective parties. The estate shall not be responsible for any cost related to the removal of distributed items from the Estate.
7. **Transfer of Titles, Recording of Deeds, and Easements.** Queen Dorothy Amolo Pierce shall be responsible for employing a qualified real estate attorney to prepare necessary Quit Claim Deeds for the transfer of real property as more specifically set forth in Exhibit A. Each party shall be responsible for their pro rata share of the deed preparation costs and recording fees. If required, each party shall provide ingress/egress easement across their property in the event any other party does not have access from their property to a public roadway. The easement shall be located for access to the closest public roadway and located in the least obtrusive place as possible on the servient estate property. Any party

possessing an ingress/egress easement as the dominant estate across the property of another party shall be equally responsible for the cost of maintenance of the easement area. The cost of recording deeds and transfer of the property titles will be borne by each party. Each Party shall be solely responsible for the payment of any tax associated with their inheritance, if any.

8. **Tenant of Mobile Home Located at 745 Mourning Dove Lane.** Within sixty (60) days of the execution of this Agreement, Gregory Alan Pierce must make sure that:

- a) The tenant of such property, Samantha Leigh, vacates the mobile home located at 745 Mourning Dove Lane; and,
- b) Confirm all utility bills are up to date and paid in full before vacating the Mobile home; and,
- c) Clean the interior of the mobile home before vacating.

9. **Legal Fees.** All parties shall bear his or her own individual attorneys' fees and expenses.

10. **Release of Interest in Real Property.** The parties hereby agree, that in consideration of the real property to be received as listed on Exhibit A, each party does remise, release, and forever quit-claim any interest, right, or title he or she may have in and to the real property to be conveyed to the other individual parties as listed on Exhibit A.

11. **Future Documents.** The parties shall sign all additional documents reasonably necessary in the future to fully effectuate this Agreement, including, but not limited to, releases, closing statements, deeds, receipts, accountings, tax returns, etc. All parties shall sign any remaining documentation necessary to close the Estate.

**12. Administration of the Estate After Entry of this Order.** All parties agree that.

- a) Queen Dorothy Amolo Pierce shall oversee the distribution of assets to the beneficiaries and further make sure the estate debts and obligations are successfully paid before the estate is closed.
- b) Queen Dorothy Amolo Pierce shall act as Personal Representative of the Estate of Doyle Elton Pierce until all pending estate matters are resolved, and the estate is officially closed. Queen Dorothy Amolo Pierce will incur her own expenses incurred in the administration of the Estate, except as otherwise provided.

**13. Right of Notice of Auction.** Queen Dorothy Amolo Pierce shall be authorized to schedule an auction to sell any remaining assets of the Estate not distributed hereunder. All parties shall be given a ten (10) day notice of the date of any auction to sell the assets of the Estate not distributed hereunder.

**14. Trash Disposal.** Queen Dorothy Amolo Pierce may allow Donna Carol Moore and Gregory Alan Pierce the option to obtain any items she intends to give away for free or haul away as trash to the landfill after the auction. The timeline for the removal of these items will be determined by mutual agreement. If the parties cannot agree, the Court will determine the dates(s) and time(s).

**15. Notices.** Any written notice required by or related to this Agreement shall be deemed to have been delivered when deposited into the US Mail, postage prepaid, and addressed as follows:

**Gregory Alan Pierce:**

638 Zion Church Rd, Easley SC, 29642

**Jared Adam Pierce:**

C/O Metallityö Vainio Oy

Parkatintie 38, 74120 Lisalmi, Finland-Suomi.

**Donna Carol Moore:**

149 Flat Rock Church Rd, Liberty SC 29657.

**Queen Dorothy Amolo Pierce:**

750 Mourning Dove Lane, Seneca, SC. 29678

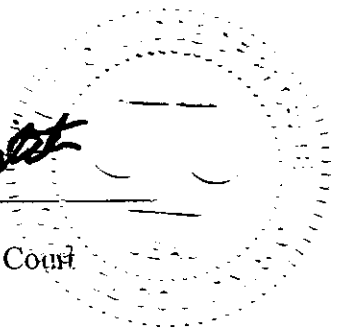
Each party shall notify all other parties in writing of his or her address changes.

IT IS SO ORDERED!

Dated this 17 day of October, 2023



HON. DANNY SINGLETON  
Judge, Oconee County Probate Court



**Exhibit A**

GREGORY ALAN PIERCE:

1. 16.07 acres of land which is a part of Cedar Hill Farm
2. F350 1970 Ford Truck
3. Simmons Road, measuring 0.04 acre.
4. Belarus tractor beside silver shed.
5. 4 cattle body pieces
6. Two Old Acetylene torches
7. Old Electric Welder
8. Old Small wood heater
9. Red toolbox

JARED ADAM PIERCE:

1. 8.86 acres of Land which is a part of Cedar Hill Farm
2. 2 guitars with amps
3. 20 guns with their ammunition

DONNA CAROL MOORE:

1. 3.30 acres of land and .60 acres of land all adjacent to Cedar Hill Farm for a total of 3.90 acres.
2. \$10,000.00, payable by Queen Dorothy Amol Pierce within sixty (60) days of the date of this Court's Order
3. Jubilee 1953 Ford tractor with its Bush Hog
4. Cutaway Harrows
5. Scarfire
6. Disc Plow
7. Small Backhoe (This backhoe is different from the bigger backhoe that is used with a Ford 3236 Tractor- It's not guaranteed that this item is located on the Estate property)

QUEEN DOROTHY AMOLO PIERCE:

1. Three-bedroom Brick home on 750 Mourning Dove Lane with
2. Land measuring approx. 29.46 Acres of land from the main farm
3. Woods Lots #7, 8, 10, and 15 on Oak Ridge Road
4. Oak Ridge Road measuring 1.66 acres (liability)
5. 3200 sq. ft. Warehouse on 708 Mourning Dove Lane

6. Mobile Home located on 745 Mourning Dove Lane
7. Two small guns with ammunition
8. Motor Vehicles Not taken by other beneficiaries.
9. All the residue of the estate of Doyle Elton Pierce which has not otherwise been taken by any beneficiary or auctioned to pay estate debts.

# EXHIBIT 5

STATE OF SOUTH CAROLINA  
COUNTY OF OCONEE

PROBATE COURT

IN THE MATTER OF: DOYLE ELTON PIERCE,  
CASE NUMBER: 2020ES3700532

## AFFIDAVIT OF PERSONAL REPRESENTATIVE

I, DOROTHY PIERCE, understand and agree to the following:

- I am required to keep the court informed about any change of address, phone number, or email address;
- The assets and monies in the estate are only to be used to pay the debts and obligations of the estate in the proper order of priority;
- I am to deposit the Decedent's monies into an estate account;
- I am not to use any estate assets or monies for my personal debts or obligations;
- I am not to use any estate assets or monies for the debts or obligations of any heirs or devisees;
- I cannot sell tangible personal property owned by the Decedent that has a value over \$10,000.00 without the authority to do so granted to me in the Decedent's will or a court order giving me this specific authority;
- I cannot sell real property owned by the Decedent without the authority to do so granted to me in the Decedent's will or a court order giving me this specific authority;
- I must resolve the debts of the estate before I make any distributions to the heirs or devisees of the estate;
- I understand that if a claim is filed against the estate, I must respond to the creditor within sixty days after the presentment of the claim, or within fourteen months after the death of the Decedent, whichever is later, stating the claim has been allowed or disallowed in whole or in part; and,
- I will be personally liable to any beneficiary or other person(s) having an interest in the estate for any negligence and/or intentional misconduct in the performance of my duties as Personal Representative.

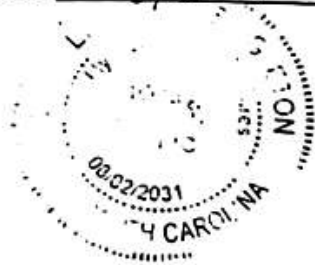
I am providing the Probate Court with written Agreements signed by all known beneficiaries and other persons having an interest in the Estate to address the issue of bond.

Executed this 19th day of October, 2023.

Signature: [Handwritten Signature]  
Name: Green, Dora A. Plaquemine  
Address: 750 Atterbury Drive Lane  
Telephone (W): 2024 SC 29678  
(H): \_\_\_\_\_  
(C): 864 324 3242  
Email: dr.dora.plaquemine@gmail.com

Signature: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone (W): \_\_\_\_\_  
(H): \_\_\_\_\_  
(C): \_\_\_\_\_  
Email: \_\_\_\_\_

Sworn to me this 19th day of October, 2023  
[Handwritten Signature]  
Notary Public for South Carolina  
My Commission Expires: 8/2/2031




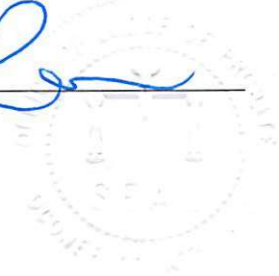


3. The Special Administrator shall have the full plenary powers to administer the Estate as set forth in *S.C. Code Ann.* §§ 62-3-617 and 62-3-711.
4. The Special Administrator shall serve until such time as an opinion has been issued by the South Carolina Court of Appeals in the matter styled ***Dorothy Pierce, Appellant v. Jared A. Pierce, Respondent***, Case No. 2021-001552. Once a decision of the Court of Appeals is rendered, this Court shall have the authority to order further relief.
5. The Special Administrator shall be required to submit a new Inventory and Appraisal to this Court within ninety (90) days of appointment, along with a detailed accounting of all funds that have come into or disbursed from the Estate.
6. While the Respondent shall still be deemed to be the Personal Representative due to her pending appeal, pursuant to *S.C. Code Ann.* § 62-3-607(a), Ms. Pierce shall be restrained from acting on behalf of the Estate as Personal Representative. This Court shall have the authority to enter additional orders and grant further relief depending upon the decision of the Court of Appeals.
7. Any Estate assets taken without the approval of the Personal Representative shall be delivered immediately to the Special Administrator for safe keeping. Also, The Special Administrator shall determine the assets of the Estate and seek recovery of those that are not rightfully in the possession of any other party or person until a ruling has been rendered by the Court of Appeals and the time has come for distribution of the assets of the Estate.
8. The Special Administrator shall have the authority to employ disinterested third parties to assist or preserve any assets of the Estate.

9. The Court makes no determination at this time as to the occupancy of a mobile home by Samantha Leigh. The court finds this issue to coincide with the decision of the appeal and retains jurisdiction to grant further relief after said decision.
10. The F350 Truck has been brought before the court as a possible estate asset. The court grants the Special Administrator authority to investigate the allegations of said vehicle to determine if it is an asset of the estate or if it was a gift before the decedent's passing.
11. Upon providing authenticated proof, Donna Moore shall be entitled to reimbursement from the Estate in the amount of \$13,120.36 paid to Blue Ridge Bank in order to satisfy the outstanding mortgage.
12. Ms. Dorothy Pierce as Personal Representative is entitled to reimbursement of authenticated out of pocket expenses she has paid on behalf of the estate.
13. The Special Administrator is authorized to sell estate assets to help fund the authenticated debts of the estate.
14. Any debt that has been charged against the estate, those of which has not been filed as a Creditor's Claim, shall be validated and authenticated before said debt is paid from estate funds.
15. Firewalker Hot Sauce Company, LLC identifies Mr. Doyle E. Pierce as an owner and operator. A claim has been filed against the estate in the amount of \$16,000.00. If the Circuit Court finds that Mr. Pierce was an owner of the company, the claim would be seen as a validated debt of the estate.

Done and ordered this 16TH day of August 2022.

  
\_\_\_\_\_  
Ashley M. Rice  
Probate Judge



**RECEIVED**

**Jan 24 2025**

**SC Court of Appeals**

**STATE OF SOUTH CAROLINA**

**IN THE COURT OF APPEALS**

APPEAL FROM OCONEE COUNTY CIRCUIT COURT

Order of Honorable Judge R. Lawton McIntosh

Appellate Case No. 2024-001641

Dorothy Pierce-----Appellant,

v.

Samantha Leigh a/k/a Pierce, and Cody Hiott-----Respondents.

**CERTIFICATE OF SERVICE**

I hereby certify that on January 24, 2025, a true and correct copy of the foregoing Reply To Respondents' Return To Appellant's Motion To Reverse Dismissal And Remand For Further Proceedings was served upon Respondents' Counsel of Record.

Richard Hunt McDuff, Esq.

Merrell & McDuff (MJM Law, LLC)

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Seneca, South Carolina 29678

rick@mjmlawsc.com

s/Dorothy Pierce

**DOROTHY PIERCE**

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