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Feb 19 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF COMMON PLEAS

APPEAL FROM CHARLESTON COUNTY
Probate Court

David L. Michel, Associate Judge of Probate

Appellate Case No.: 2025-000194

In re: Veronique W. Pickett

Bayard Scott Pickett, Jr.....Appellant,

v.

Laura V. Jones, as Trustee of the Laura V. Jones Trust as Established by the Will of
Veronique H.W. Pickett Dated March 31, 1999 and as Trustee of the Kathleen E.
Anderson Trust as Established under the Will of Veronique H.W. Pickett Dated March
31,1999..... Respondents,

**RESPONDENT LAURA V. JONES’S RETURN
TO MOTION TO CONSOLIDATE APPEALS**

Pursuant to the South Carolina Court of Appeals Rules, Respondent Laura V. Jones, (“Respondent”), by and through her undersigned counsel, respectfully objects to the Motion to Consolidate filed by Appellant on January 9, 2025. Through his Motion, Appellant seeks to consolidate this appeal (hereinafter the “2025 appeals”), which already has consolidated the appeals of two separate orders, with the currently pending appeal with Appellate Case No. 2024-001074 (hereinafter, “2024 appeals”). Appellant’s Motion should be denied because: 1) the appeals are not from the same order, judgment, decision or decree, nor is the same question involved in the 2024 appeals and the 2025 appeals; and 2) the 2024 appeals are in the final briefing

stage and consolidation would cause further delay and prejudice to the Estate and Respondent.

At issue in the 2024 appeals, originating from Notices of Appeal filed on June 27, 2024, and August 16, 2024, are the following two orders:

- 1) The circuit court's April 24, 2024, Order Dismissing Appeal (C/A 2024-CP-10-00921), which order dismissed Appellant's appeal of the probate court's February 8, 2024, Order Appointing Temporary Special Administrator on the basis that the latter is not immediately appealable; and
- 2) The circuit court's April 24, 2024, Order Denying Petition for Appointment of Successor Personal Representative (C/A 2024-CP-10-01325) (this Petition was filed in probate court but removed to circuit court).

At issue in this, the 2025 appeals, which originated from Notices of Appeal filed on February 4, 2025, are the following two orders:

- 1) The circuit court's October 21, 2024, Order Dismissing Appeal (C/A 2024-CP-10-01509), which order dismissed Appellant's appeal of the probate court's March 12, 2024, Order Lifting Any Applicable Stay on the basis that the latter is not immediately appealable; and
- 2) The circuit court's January 24, 2025, Order Granting Motion for Reconsideration (C/A 2024-CP-10-00598), which order affirmed the probate court's September 27, 2023, Order Appointing Special Administrator.

Although arising out of the same Estate, these appeals do not arise from the same order and do not involve the same questions. In short, the 2024 appeals ask this Court to consider whether an order appointing a temporary special administrator is immediately appealable and whether Appellant was entitled to be appointed as successor personal representative. The 2025 appeals ask this Court to consider whether an order lifting a stay is immediately appealable and whether the

appointment of a special administrator was appropriate in this Estate. These inquiries involve distinct issues of law.

Additionally, even if there are some overlapping factual issues here, Respondent respectfully submits that it would be an appropriate exercise of this Court's discretion, pursuant to Rule 214, SCACR, to deny Appellant's Motion to Consolidate. As noted above, the 2024 appeals are in the final briefing stage, currently only being held up by Appellant's failure to timely serve the Record on Appeal.¹ Due to Appellant's appeals, the administration of the Estate at issue here has already been delayed for over a year, and the resolution of the 2024 appeals could very well allow the administration to proceed. In order to avoid further delay, Appellant's Motion to Consolidate should be denied.

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February 19, 2025

¹ Appellant's Initial Reply Brief was filed on January 9, 2025, making the deadline to serve the Record on Appeal February 10, 2025, pursuant to Rule 210, SCACR.

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PROOF OF SERVICE

I do hereby certify that on February 19, 2025, I have served all counsel in this action with
a copy of *Respondent Laura V. Jones' Return to Motion to Consolidate Appeals* via e-filing to
the following email addresses:

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