

Jul 03 2025

S.C. SUPREME COURT

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
The Honorable Clifton Newman, Circuit Judge

Appellate Case No. 2024-00573 (S. Ct.)
Appellate Case No. 2023-001941 (Ct. App.)

Russell L. Bauknight, as Trustee of the James Brown 2000 Irrevocable Trust and the James Brown Legacy Trust, as Personal Representative of the Estate of James Brown, and on behalf of Alan Wilson, in his capacity as Attorney General of the State of South Carolina; Tommie Rae Brown, individually and on behalf of her minor child, James B. II; Daryl J. Brown, individually and on behalf of his minor child Janise B.; Lindsey Delores Brown; Deanna J. Brown Thomas; Jason Brown-Lewis; Yamma N. Brown, individually and on behalf of her minor child Sydney L. and Carrington L.; Tonya Brown; Venisha Brown; Larry Brown; and Terry Brown, Respondents,

v.

Adele J. Pope, Petitioner

**RESPONDENTS’ REPLY TO APPELLANT’S RETURN TO MOTION FOR TAXATION
OF COSTS**

In reply to Appellant Pope’s June 26, 2025 Return to Respondents’ Motion for Taxation of Costs in the above-referenced appeal, Respondents assert as follows:

I. Pope’s arguments in her Return are nothing more than restatements of what she has argued unsuccessfully *ad nauseum* in this appeal.

Pope claims that she lacked notice of the hearing that led to the issuance of the order on appeal. (*See* Pope’s Return, at p. 2 (citing Affidavit of Adam Silvernail).) She claims that her and her husband’s “right to privacy and due process” were at stake, *id.*, at p. 1, and that a simple “phone call” could have avoided this whole situation, *id.*, at p. 3. Therefore, Pope argues the

filing of this failed appeal was somehow justifiable and Respondents should be precluded from receiving costs.

Pope obliquely concedes, as she must, that these arguments have been raised before in this appeal. (Ret., at p. 2 (“[t]he history of this matter and the issues which Appellant and her counsel believed warranted appellate review are detailed in Appellant’s Petition for Writ of Certiorari and Reply herein...”).) These arguments were wrong then and have not improved with time. Respondents submit that when this Court asked Respondents’ counsel to provide their timesheets alongside the instant Motion, the Court was not inviting Pope to bloat the record with a Return that rehashes arguments that have already failed. Nothing in the “merits” of Pope’s Return is new, and nothing in it should preclude this Court from awarding Respondents’ requested costs and fees.

II. Pope’s Return includes ham-handed mudslinging.

The only novel statement in her Return is Pope’s contention that a straightforward April 2022 status update email, between Respondent Estate of James Brown’s general counsel and the circuit judge with exclusive jurisdiction over James Brown Estate matters, somehow operates in her favor to defeat this Motion for costs and fees. Respondents will not dignify with a protracted response Pope’s sinister insinuation that this routine email constitutes an improper *ex parte* communication. For the record, Respondents note that it appears that Pope is looking for a new argument to throw against the wall to see if it sticks, and in the process has chosen to launch a smear campaign against the Estate’s general counsel and the circuit court. On this basis alone, the Court should disregard Pope’s Return in its entirety.

Intentionally left blank.

Conclusion

Pope's Return is nothing more than oft repeated (and denied) arguments and frivolous mudslinging. For the reasons stated herein and in their original Motion, Respondents request all available relief.

Respectfully submitted,

SWEENY, WINGATE & BARROW, P.A.

s/ Aaron J. Hayes

Kenneth B. Wingate, S.C. Bar No. 8004

Mark V. Gende, S.C. Bar No. 72835

Aaron J. Hayes, S.C. Bar No. 100114

Sweeny, Wingate & Barrow, P.A.

1515 Lady Street (29201)

Post Office Box 12129

Columbia, South Carolina 29211

(803) 256-2233

kbw@swblaw.com

mvg@swblaw.com

ajh@swblaw.com

ATTORNEYS FOR RESPONDENTS

Columbia, South Carolina

July 3, 2025