

RECEIVED

Sep 26 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SOUTH CAROLINA
Court of Common Pleas

Martha Rivers, Circuit Court Judge

Case No.: 2025-000208

Gloria Allen, Personal Representative of the Estate of Helen Williams,.....Appellant,

v.

Estate of Calvin Warren, Estate of Diane Warren, Estate of Travis Robinson, and
Marcus Williams, Defendants, of which Estate of Calvin Warren, Estate of Diane
Warren, Estate of Travis Robinson are the.....Respondents,

**RESPONDENTS' RETURN IN OPPOSITION TO MOTION FOR
EXTENSION OF TIME TO FILE INITIAL BRIEF AND DESIGNATION OF
MATTER TO BE INCLUDED IN THE RECORD ON APPEAL**

Pursuant to Rule 240(d), SCACR, counsel for the Respondents hereby submit
their Return in opposition to Appellant's Motion for Extension of Time to File the
Initial Brief and Designation of Matter to be Included in the Record on Appeal.

BACKGROUND

This is an appeal of a jury verdict in favor of Respondents issued on January 9,
2025. The Notice of Appeal was timely filed and served on February 4, 2025.

This matter relates to a fire that occurred on October 1, 2013, in Aiken County,
in which Helen Williams, Calvin Warren, and Diane Warren died. Helen Williams was
the mother of Diane Warren, mother-in-law to Calvin Warren, and grandmother of
Travis Robinson. Mr. Robinson passed away at a later time unrelated to the fire.

The original cases were filed September 30, 2016 (Civil Action No. 2016-CP-02-02194 for wrongful death and Civil Action No. 2016-CP02-02195 for survival).

The cases were struck from the active docket per Rule 40(j), SCRCR, on June 12, 2017. A timely motion to restore the case was filed on June 7, 2018, and the cases were restored on August 13, 2018, under Civil Action Nos. 2018-CP-02-1903 and 2018-CP-02-1904. The cases were consolidated on November 11, 2019.

Prior to the jury trial, Appellant was represented by Vannie Williams, Jr., who was relieved as counsel, and Everett K. Chandler, who was also relieved as counsel. John W. Harte was Appellant's third attorney, who ultimately tried this case to a verdict and filed the Notice of Appeal.

The jury trial began on January 6, 2025, with jury selection and concluded on January 9, 2025, with the jury verdict in favor of Respondents. The Notice of Appeal was filed on February 4, 2025, with the trial transcript being requested on February 13, 2025. The trial transcript was delivered on or about May 11, 2025.

On June 11, 2025, Appellant's counsel filed and served a motion seeking an extension of time to file the Initial Brief and Designation of Matter to be Included in the Record on Appeal, which was granted by Order filed June 17, 2025.

On June 25, 2025, Appellant's counsel filed and served a Motion to be Relieved as Counsel. On July 15, 2025, this Court issued its Order relieving Appellant's counsel and holding the appeal in abeyance for thirty (30) days to allow Appellant to retain new counsel.

On August 11, 2025, Appellant, *pro se*, filed and served a Motion seeking what amounted to be a second request for extension to find counsel, but the third request for an extension to file and serve the Initial Brief and Designation of Matter to be Included in the Record on Appeal, which was granted by Order filed August 28, 2025.

Appellant, *pro se*, now files a third request seeking additional time to find counsel, and fourth request for an extension of time to file the Initial Brief and Designation of Matter to be Included in the Record on Appeal.

Respondents' counsel did not object to any of the prior requests but now files this Return objecting to the request to bring finality to this case.

ARGUMENTS

A person not admitted to the practice of law cannot represent the estate in court. *Brown v. Coe*, 365 S.C. 137, 142, 616 S.E.2d 705, 708 (2005).

In *Brown*, the Supreme Court of South Carolina denied respondent's motion to dismiss the appeal finding that the *pro se* appellant in that case had appeared on behalf of the estate before the court previously and was under the impression that doing so was authorized. However, the *Brown* court ruled that appellant had thirty days to find new counsel or the case would be dismissed.

In the present case, Appellant arguably had since June 25, 2025 when she consented to her counsel seeking to be relieved to find new counsel to represent the estate in this matter. As more than a reasonable period of time has passed to allow Appellant to find new counsel, Respondents request that the motion be denied and the appeal dismissed.

CONCLUSION

For the reasons set forth, Respondents respectfully request an Order denying the present motion and dismissing this appeal.

SIGNATURE BLOCK ON NEXT PAGE

Howser, Newman & Besley, LLC

s/Damon C. Wlodarczyk
Damon C. Wlodarczyk
SC Bar No. 70460
1508 Washington Street
Post Office Box 12009 (29211)
Columbia, South Carolina, 29201
Office (803) 758-6000
Fax (803) 758-4445
E-mail damonw@hnblaw.com

Attorney for Respondents

Columbia, South Carolina
September 26, 2025

RECEIVED

Sep 26 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SOUTH CAROLINA
Court of Common Pleas

Martha Rivers, Circuit Court Judge

Case No.: 2025-000208

Gloria Allen, Personal Representative of the Estate of Helen Williams,.....Appellant,

v.

Estate of Calvin Warren, Estate of Diane Warren, Estate of Travis Robinson, and
Marcus Williams, Defendants, of which Estate of Calvin Warren, Estate of Diane
Warren, Estate of Travis Robinson are the.....Respondents,

CERTIFICATE OF SERVICE

I hereby certify that a copy of **RESPONDENTS' RETURN IN OPPOSITION TO MOTION FOR EXTENSION OF TIME TO FILE INITIAL BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL** has been served via U.S. Mail and electronic mail to the following person:

Gloria W. Allen
PO Box 1336
Aiken, SC 29802
Gloriaallen0304@gmail.com

Howser, Newman & Besley, LLC

s/Damon C. Wlodarczyk
Damon C. Wlodarczyk
SC Bar No. 70460
E-mail damonw@hnblaw.com
Attorney for Respondents

Columbia, South Carolina
September 26, 2025