

**RECEIVED**

**Oct 06 2025**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

Perry H. Gravely, Circuit Court Judge

---

Appellate Case No. 2025-001252

---

In the Matter of the Estate of William Rhett Taber, Jr.

William Rhett Taber, III .....Respondent

v.

Thomas Neel Taber as Personal Representative of the Estate of William Rhett Taber, Jr., Thomas Neel Taber Individually, Anne C. Taber, Robert Fishburne Taber, Paul Kershaw Taber, Andrew Patton Taber, Michael Tyndall ..... Appellants

---

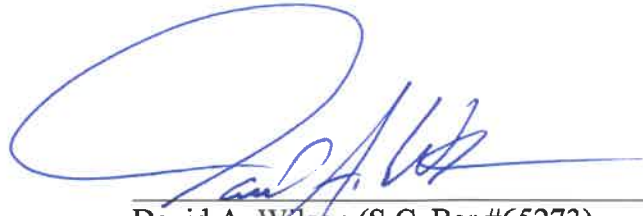
**MOTION TO HOLD APPEAL IN ABEYANCE  
OR, IN THE ALTERNATIVE,  
MOTION FOR EXTENSION OF TIME**

---

Pursuant to Rule 240 of the South Carolina Appellate Court Rules, Respondent William Rhett Taber, III hereby moves for an Order of this Court holding the pending appeal in abeyance. On July 1, 2025, Respondent filed a Petition for Removal of Personal Representative in the Greenville County Probate Court (hereinafter "Petition" which is attached and incorporated herein as "Exhibit A"). The Probate Court has not yet scheduled the hearing on the Petition and has not issued any order addressing the allegations raised in the Petition. If the current Personal Representative for the Estate of William Rhett Taber, Jr. is removed, it is possible that the successor Personal Representative would elect not to pursue the within appeal for various reasons.

If a successor Personal Representative elects not to pursue this appeal further, any filings of the parties, and any Orders of the Court of Appeals, would then become moot. For purposes of judicial economy, Respondent moves for an Order of this Court holding the within appeal in abeyance until the Greenville County Probate Court finally rules on the attached Petition.

In the alternative, Respondent moves for thirty (30) day extension of time in which to prepare the Initial Brief of Respondent and Designation of Matter to be Included in the Record on Appeal, both of which are currently due on or before October 10, 2025. Respondent certifies that this request for an extension has not been interposed to unreasonably delay the case.



---

David A. Wilson (S.C. Bar #65273)  
WILSON & ENGLEBARDT, LLC  
200 Whitsett Street, Suite 100-B  
Greenville, South Carolina 29601  
(864) 232-2329  
(864) 232-2350 (fax)  
dwilson@GreenvilleSClaw.com  
Attorney for Respondent

October 6, 2025

COPY

STATE OF SOUTH CAROLINA

FILED

IN THE PROBATE COURT

COUNTY OF GREENVILLE

JUL 01 2025

CASE NO: 2019-ES2301851

Greenville County  
Probate Court

IN THE MATTER OF THE ESTATE OF

WILLIAM RHETT TABER, JR., deceased

WILLIAM RHETT TABER, III.

PETITIONER

vs.

THOMAS NEEL TABER as Personal  
Representative of the Estate of William Rhett  
Taber, Jr., THOMAS NEEL TABER, individually,  
ANNE C. TABER, ROBERT FISHBURNE  
TABER, PAUL KERSHAW TABER, ANDREW  
PATTON TABER, MICHAEL TYNDALL

RESPONDENTS.

PETITION FOR REMOVAL  
OF PERSONAL REPRESENTATIVE

The Petitioner, by and through his undersigned counsel, would respectfully show unto the Court as follows:

1. Petitioner William Rhett Taber, III (hereinafter referred to as the "Petitioner"), is one of the surviving children of the Decedent, William Rhett Taber, Jr. (hereinafter referred to as the "Decedent").
2. Decedent died July 16, 2019.
3. Respondent Thomas Neel Taber (hereinafter referred to as the "Personal Representative") is currently surviving as the Personal Representative of the Estate of William Rhett Taber, Jr. (hereinafter referred to as the "Estate").
4. Petitioner filed a Petition to Contest Validity of Last Will and Testament of Decedent on June 5, 2020, alleging among other things that the Personal Representative wrongfully, intentionally, and mistakenly provided Decedent with false information and exerted



undue influence over Decedent when Decedent executed his Last Will and Testament dated July 23, 2025 (hereinafter referred to as the “Last Will”) and requesting that Petitioner be appointed Personal Representative or Administrator of Decedent’s Estate.

5. S.C. Code Ann. §62-3-611 provides that after service of the summons and petition upon the personal representative and receipt of notice of removal proceedings, the personal representative shall not act except to account, to correct maladministration, or to preserve the estate.

6. On March 12, 2024, this Court entered an Amended Order (hereinafter referred to as the “Order”) in favor of Petitioner finding that the Petitioner had proven by clear and convincing evidence that Decedent’s intent and the terms of the Last Will were affected in that the Petitioner’s share of Decedent’s inheritance was reduced based upon a mistake of fact in the inducement. The Order provided that Decedent’s Estate be distributed in accordance with the estate plan provided in the Patterson Correspondence, attached hereto as Exhibit A, and that any Estate asset left undistributed by the Patterson Correspondence should be distributed to each beneficiary of the Estate in equal shares, per stirpes.

7. According to the Patterson Correspondence, devised numerous lots of real property to all six (6) of his children and One Hundred Thousand Dollars (\$100,000.00) to be divided equally amongst all six (6) of his children.

8. In addition to the assets listed in the Patterson Correspondence, Decedent owned a vast collection of unique and valuable antiques and other items personal property (hereinafter referred to as the “Collection”). The Collection was left undistributed by the Patterson Correspondence and was therefore ordered to be distributed to each beneficiary of the Estate in equal shares, per stirpes.

9. On March 28, 2024, the Personal Representative filed an Amended Notice of Intent to Appeal to Circuit Court with the Greenville County Court of Common Pleas, seeking to appeal the Order of this Court.

10. On March 17, 2025, Greenville County Court of Common Pleas Judge Perry H. Gravely entered an Order Affirming Probate Court, affirming the Order of this Court.

11. On March 27, 2025, the Personal Representative filed a Motion to Reconsider, Alter or Amend under Rule 59(e) (hereinafter referred to as the "Motion to Reconsider") with the Greenville County Court of Common Pleas, requesting that the Greenville County Court of Common Pleas reconsider, alter or amend the Order.

12. On May 27, 2025, Greenville County Court of Common Pleas Judge Perry H. Gravely entered a Judgment in a Civil Case denying the Motion to Consider and again affirming the Order of this Court.

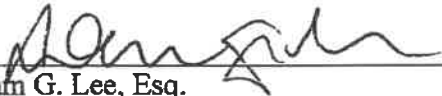
13. Upon information and belief, between August 24-26, 2024, subsequent to this Court issuing its Order, the Personal Representative, in violation of the Order and S.C. Code Ann. §62-3-611, hosted an estate sale during which he sold many items from the Collection at severely discounted prices without notice to this Court or Petitioner.

14. By selling items from the Collection, the Personal Representative has disregarded the Order of this Court and the requirements of S.C. Code Ann. §62-3-611, disregarded the Order Affirming Probate Court and Judgment in a Civil Case entered by the Greenville County Court of Commons Pleas, mismanaged the Estate, and failed to perform the required duty of properly distributing Estate assets. As a result, removal of the Personal Representative is in the best interests of the Estate.

15. South Carolina Code § 62-1-111 allows the Court, as justice and equity may require, to award reasonable attorney's fees and costs to any party, to be paid by another party. The Personal Representative's actions have caused Petitioner to incur considerable attorney's fees and costs in defense of this action and in bringing this motion. Further, the Personal Representative's actions are in direct violation of this Court's Order and South Carolina law namely S.C. Code Ann. §62-3-611. Therefore, Petitioner requests that the Personal Representative be responsible for all attorney's fees and costs incurred by Petitioner in this matter.

**WHEREFORE**, Petitioner prays for an Order restraining the Personal Representative from taking any further action with regard to the Estate, for an Order removing Thomas Neel Taber as Personal Representative of the Estate, for attorney fees and costs, and for any other relief the Court deems just, equitable, and proper.

Respectfully submitted,

  
\_\_\_\_\_  
Adam G. Lee, Esq.  
Dobson, Jones, Ball, Phillips & Bridges, P.A.  
220 Howe St., Greenville, SC 29601  
Telephone: 864-271-8171  
Email: alee@dobsonlaw.com  
Attorney for Petitioner

July 1, 2025  
Greenville, South Carolina

# **Exhibit A**

*The Patterson Correspondence*

**PATTERSON & ASSOCIATES, P. A.**  
ATTORNEY AND COUNSELOR AT LAW

---

JACQUELINE H. PATTERSON

June 26, 2019

Mr. William Rhett Taber, Jr.  
109 Lavinia Ave.  
Greenville, SC 29601

**Re: Estate Planning**  
**Our File No. 19-131**

Dear Mr. Taber:

Thank you for contacting Patterson & Associates, P.A. (the "Firm") to assist you with your estate planning needs. The purpose of this letter is to set forth the terms of our engagement as we are required by the South Carolina Rules of Professional Conduct to document the basis of our retention by you in connection with the above-referenced matter.

In consideration for the services to be performed by this Firm, the attorney's fees will be a flat fee payment in the amount of One Thousand (\$1,000.00) Dollars. Our representation will include preparation of the following:

- (1) Last Will and Testament – Thomas Neel Taber as Personal Representative and Ann C. Taber as Successor Personal Representative. Specific distributions as follows:
  - a. House and lot located at 109 Lavinia Avenue, Greenville, South Carolina to Ann C. Taber;
  - b. Lot 1, Flat Rock, North Carolina to Thomas Neel Taber;
  - c. Lot 7, Flat Rock, North Carolina to Andrew Patton Taber;
  - d. Real property located in Naples, North Carolina to William Rhett Taber, III, Paul Kershaw Taber, Thomas Neel Taber, Robert Fishburne Taber, Andrew Patton Taber, and Ann C. Taber, in equal shares;
  - e. 1944 Allen's Lane, Wrightsville Beach, North Carolina to Robert Fishburne Taber;
  - f. 1924 Allen's Lane, Wrightsville Beach, North Carolina to Paul Kershaw Taber;
  - g. 25.930 acre tract, Shelton Road, Travelers Rest, South Carolina to William Rhett Taber, III;
  - h. 907 S. Lumina, Wrightsville Beach, North Carolina to Paul Kershaw Taber, Thomas Neel Taber, Robert Fishburne Taber, Andrew Patton Taber, and Ann C. Taber, in equal shares; and
  - i. One Hundred Thousand Dollars (\$100,000.00) to be divided equally, per stirpes, among William Rhett Taber, III, Paul Kershaw Taber, Thomas Neel Taber, Robert Fishburne Taber, Andrew Patton Taber, and Ann C. Taber.
- (2) Durable Power of Attorney – William Rhett Taber, III as Primary Agent, and Ann C. Taber as Alternate Agent;

---

1088 NORTH CHURCH STREET • GREENVILLE, SC 29601  
TELEPHONE: (864) 329-0548 • FACSIMILE: (864) 239-3816  
WWW.PATTLAWFIRM.COM

Mr. William Rhett Taber, Jr.  
Page 2  
June 26, 2019

- (3) Health Care Power of Attorney – William Rhett Taber, III as Primary Agent, and Ann C. Taber as Alternate Agent; and
- (4) Living Will – William Rhett Taber, III as Primary Agent, and Ann C. Taber as Alternate Agent.

In addition to our attorney's fees, you will incur additional costs for your estate plan (e.g. Register of Deeds recording fees, copy expenses, postage, etc.). We estimate that these additional costs in this matter will total approximately \$50.00.

We ask that you remit a retainer of One Thousand, Fifty (\$1,050.00) Dollars to our office at your earliest convenience. We will hold this money in trust and will withdraw monies from this account as services are rendered on your behalf.

Please acknowledge your acceptance of this agreement by signing where indicated on the copy of this letter and returning it to our office with the retainer funds.

Should you have any questions or concerns, please do not hesitate to contact me. We very much look forward to working with you.

Yours very truly,

PATTERSON & ASSOCIATES, P. A.



Jacqueline H. Patterson

JHP/lp

ACKNOWLEDGED AND AGREED TO:

DATE: \_\_\_\_\_

\_\_\_\_\_  
William Rhett Taber, Jr.

**RECEIVED**

**Oct 06 2025**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

Perry H. Gravely, Circuit Court Judge

---

Case No.: 2024-CP-23-01663

APPELLATE CASE NO.: 2025-001252

---

In the Matter of the Estate of William Rhett Taber, Jr.

William Rhett Taber, III, ..... ..Respondent,

v.

Thomas Neel Taber as Personal Representative of the Estate of William Rhett Taber, Jr., Thomas Neel Taber, individually, Anne C. Taber, Robert Fishburne Taber, Paul Kershaw Taber, Andrew Patton Taber, Micheal Tyndall.....Appellants.

---

**PROOF OF SERVICE**

---

I certify that I have served Respondent’s Motion to Hold Appeal in Abeyance or, in the alternative, Motion for Extension of Time on the below-listed Counsel of Record by electronic mail on October 6, 2025:

Jeffrey P. Dunlaevy  
Dunlaevy Law Firm  
37 Villa Road, Suite 440  
Greenville, SC 29615  
jeff@dunlaevylaw.com  
(864) 208-9305  
Attorney for Appellants

October 6, 2025



David A. Wilson (SC Bar #65273)  
Wilson & Englehardt, LLC  
200 Whitsett Street, Suite 100-B  
Greenville, SC 29601  
(864) 232-2329  
[dwilson@greenvillesclaw.com](mailto:dwilson@greenvillesclaw.com)  
ATTORNEY FOR RESPONDENT