

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM GREENVILLE COUNTY  
Court of Common Pleas

Perry H. Gravely, Circuit Court Judge

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Case No: 2024-CP-23-01663

Appellate Case No. 2025-001252

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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 Nee Taber, individually, Anne C. Taber, Robert Fishburne Taber, Paul Kershaw  
Taber, Andrew Patton Taber, Michael Tyndall, Appellants.

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APPELLANTS' RETURN TO RESPONDENT'S MOTION  
TO HOLD APPEAL IN ABEYANCE

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Respondent moved the Court for an order holding this appeal in abeyance.<sup>1</sup> The basis for his motion is that Respondent filed a Petition in the Probate Court several months ago requesting that Appellant Thomas Neel Taber be removed as Personal Representative. Respondent speculates that in the event his Petition is granted by the Probate Court, the new Personal Representative may

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<sup>1</sup> Respondent also seeks, "in the alternative," another extension of time to submit his Initial Brief. Appellants do not oppose the extension request, which has already been granted. This Return is submitted, out of an abundance of caution, in the event Respondent still seeks a ruling from the Court on his request that the entire appeal be held in abeyance.

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**SC Court of Appeals**

not wish to pursue this appeal, in which case, Respondent contends, this appeal would “become moot.”

A quick glance at the caption in this case establishes that Respondent’s motion is without merit. Thomas Neel Taber brought this appeal in his capacity as Personal Representative. He also brought it in his personal capacity. He was joined by two of his siblings who are beneficiaries under the will that was set aside by the Probate Court, Anne C. Taber and Robert Fishburne Taber. All three have the statutory right to pursue this appeal regardless of whether the Personal Representative chooses to bring or pursue an appeal. S.C. Code § 62-1-308(a) (authorizing appeals by “[a] person interested”). Accordingly, even if the Petition were to succeed, and even if a new Personal Representative were to renounce this appeal, it would proceed anyway. Respondent’s claim that this appeal would “become moot” is flatly contradicted by the plain language of the statute.

There is no legal basis to hold this appeal in abeyance. Respondent’s motion should be denied.

s/ Jeffrey P. Dunlaevy  
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October 14, 2025

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**PROOF OF SERVICE**

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I certify that I have served Appellants' Return to Respondent's Motion to Hold Appeal in  
Abeyance on the below-listed Counsel of Record by electronic mail on October 14, 2025.

s/ Jeffrey P. Dunlaevy  
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October 14, 2025

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