

**RECEIVED**  
**Mar 18 2026**  
**SC Court of Appeals**

IN THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY  
CIRCUIT COURT

Frank R. Addy, Circuit Court Judge

Case No. 2024-CP-32-02187  
Appellate Case No. Pending

Robert William Addy.....Appellant,

v.

Taylor Nicole Pickett and Albert Eugene Baker.....Respondents.

**MOTION TO DISMISS APPEAL AS BEING INTERLOCATORY**

Respondents, by and through their undersigned attorney hereby moves this Honorable Court to dismiss this appeal as being interlocutory and not immediately appealable. An interlocutory order not governed by a specialized appealability statute is not immediately appealable unless it fits into one of the categories listed in S.C. Code §14-3-330. *Ex Parte Capital U-Drive-It, Inc.*, 369 S.C. 1, 6, 630 S.E.2d 464, 467 (2006).

In this case, Plaintiff raised five causes of action in its complaint: resulting trust, constructive trust, declaratory judgment, betterment, and unjust enrichment. Defendant filed a summary judgment motion for each of these causes of action. The Circuit Court granted summary judgment as to one of these causes of action and denied summary judgment as to the remaining four causes of action (see order attached as Exhibit "A").

A case not fully adjudicated at summary judgment is interlocutory and not immediately appealable. SCRCF Rule 56, Thornton v. South Carolina Electric & Gas Corp., 391 S.C. 297, 705 S.E.2d 475 (S.C. App. 2011). In this case, summary judgment was only granted as to one of the five causes of action. In addition, this case does not fit into any of the categories of cases listed in S.C. Code §14-3-330. As a result, this appeal is interlocutory and should be immediately dismissed.

Respectfully submitted,

**GOODWYN LAW FIRM, LLC**

/s/ T. JEFF GOODWYN, JR.

T. Jeff Goodwyn, Jr. (73789)

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*Attorney for Respondents*

March 18, 2026  
Columbia, South Carolina

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**PROOF OF SERVICE**

I certify that I have served a copy of **Respondent's Motion to Dismiss Appeal** on the following via **EMAIL** at the address below, on March 18, 2026.

Tobias G. Ward, Jr., Esquire  
J. Derrick Jackson, Esquire  
PO Box 50124  
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Respectfully submitted,

**GOODWYN LAW FIRM, LLC**

/s/ T. JEFF GOODWYN, JR.

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*Attorney for Respondent*

March 18, 2026

Columbia, South Carolina

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**VIA E-FILING AND MAIL**

The Honorable Jenny Abbott Kitchings  
Clerk of Court, South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

RE: ***Robert William Addy v Taylor Nicole Pickett and Albert Eugene Baker***  
*Circuit Court Case No.: 2024-CP-32-02187*  
*Appellate Case No.: Pending*  
*Our File No.: 3000-0915*

Dear Ms. Kitchings:

Enclosed please find an original and one (1) copy of Respondent's Motion to Dismiss Appeal, along with a Proof of Service, for filing in connection with the above-referenced matter. A check in the amount of \$50.00 is being placed in today's mail.

As evidenced by the Proof of Service, I have served all interested parties, with a copy.

Thank you for your attention to this matter and should you have any questions, please do not hesitate to contact me.

Sincerely,



T. Jeff Goodwyn, Jr.

TJG:cnc

Enclosures

cc: Tobias G. Ward, Jr., Esquire  
J. Derrick Jackson, Esquire  
(all via email)