

The SC Ct. of Appeals
03/16/2026

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MAR 23 2026

SC Court of Appeals

Response to the deficiency no. I ie Judgment
of The Honorable Thomas Rode as to my single
"Motion," To Dismiss (w) prejudice case no. 2021cy
10 04058. Please find an unmarked Copy of the judg-
ment as to my "Motion." I have included copies of
my "Intent," to appeal and the dates filed before and af-
ter the hearing, v. As requested, I have submitted
the copies of those documents ie "Intent," to appeal
the judgment of Judge Thomas Rode's decision. I
received the Order judgment on Dec.
I received confirmation that my Cashier's check;
the \$250.00 fee has arrived

Carolyn T. Smith
338 Fifth Ave + 0th St
Mt. Pleasant

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MAR 23 2026

SC Court of Appeals

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

This matter came before the Court on October 8, 2025, on various motions of pro se Defendant Ms. Carolyn Tolbert Smith, including motions styled Motion for Conspiracy, and Motion for Trial on Retrieving Property. The remaining parties were represented by counsel.

By way of background, this case was before the Court in July on Plaintiff's Motion to Determine Heirs Property and Appoint an Appraiser. Prior to and subsequent to that hearing Defendant has filed numerous documents and materials. One such filing was made on March 28, 2025, and styled as a Motion to Dismiss, which was heard by the Court in July at the same time as the hearing on Plaintiff's Motion to Determine Heirs Property and Appoint an Appraiser. On August 18, 2025, this Court entered an interim order granting plaintiff's motion, and on September 9, 2025, this Court entered a final written order granting Plaintiff's Motion to Determine Heirs Property and Appoint an Appraiser. Although the granting of this Order implicitly denied Defendant's Motion to Dismiss, the Order did not explicitly deny Defendant's Motion to Dismiss. Therefore, the Court enters this Order to clarify and confirm its ruling on that motion and to address the additional matters that were before the Court on October 8, 2025.

During the hearing on October 8, 2025, the Court heard from Defendant on all outstanding issues, objections, and forms of relief she was seeking including allowing her to be reheard on Motion to Dismiss, as well as her Motion for Conspiracy, and Motion to for Trial. Upon the arguments of the parties, and specifically upon consideration of the prior Order of the Master in Equity granting summary judgment on Defendant's claims/counterclaims, the Court herein clarifies, finds and rules as follows: Defendant's Motion to Dismiss is DENIED; Defendant's Motion for Conspiracy is DENIED; and Defendant's Motion for Trial is DENIED.

ELECTRONICALLY FILED - 2025 Oct 08 1:28 PM - CHARLESTON - COMMON PLEAS - CASE#2021CP1004058

Mint



Charleston Common Pleas

Case Caption: Keith L Tolbert VS Carolyn Tolbert Smith , defendant, et al

Case Number: 2021CP1004058

Type: Order/Electronic Form 4

So Ordered

s/ T.J. Rode (#2792)

Electronically signed on 2025-10-08 13:21:46 page 3 of 3

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The Corporal N. Leroy Smith
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Mt. Pleasant, SC 29464

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SC Court of Appeals

The SC Court of Appeals
Jasmine Smith Deputy Clerk
1220 Senate St.
Columbia, SC 29201



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Second production of Carolyn Order Judgment and "Intent" Judge T. Rode Oct 8, 2025