

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

) IN THE COURT OF COMMON PLEAS
) 13TH JUDICIAL CIRCUIT
)
) CIVIL ACTION NO. 2026-CP-23-000 ____

In the Matter of Duane Evans, an
allegedly incapacitated individual

)
) APPEAL FROM THE PROBATE COURT
) Case number 2025-GC-23-00023
)

Tom Vestal Evans,
Appellant,

)
) **Appeal from the Probate Court**
)

v.

)
)

Elizabeth Evans
Respondent.

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S.C. SUPREME COURT

NOW COMES the Appellant, Tom Vestal Evans, by his undersigned attorney, and appeals from the Probate Court. In support of the appeal, Appellant would show the Court as follows:

1. Plaintiff brought the action in the Probate Court requesting the appointment of himself as Guardian for his father, Duane Evans, an allegedly incapacitated individual.
2. Defendant answered and asked instead for the appointment of herself as Guardian for Duane Evans.
3. The Probate Court held a hearing and took evidence, indicated that the Court would deny the Plaintiff's petition and grant the petition of the Defendant.
4. The Plaintiff is informed and believes that the Defendant has decided to withhold all further medical care and treatment for the allegedly incapacitated individual, facilitating the harvesting of his organs, and bringing about his death.
5. Plaintiff submits to the Court in support of this Appeal the affidavit of Dr. Joseph A. Evans, Jr., physician, and brother of the allegedly incapacitated person, in which he testifies that he met with Duane Evans, and that Duane Evans definitively asserted his desire to receive

medical treatment and care with the goal of being healed and continuing to live.

6. Accordingly, based on the affidavit of Joseph Evans, the Plaintiff prays the Circuit Court to reverse the judgment of the Probate Court and grant the emergency temporary injunction forbidding the termination of medical care for Duane Evans, forbidding the harvesting of organs from Duane Evans, and requiring continuing medical treatment for and for the benefit of Duane Evans.

Respectfully submitted,
THE CARPENTER LAW FIRM, P.C.

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