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S.C. SUPREME COURT

**STATE OF SOUTH CAROLINA
In the Supreme Court**

**APPEAL FROM EDGEFIELD COUNTY
Court of Common Pleas**

The Honorable Brian M. Gibbons, Circuit Judge

Appellate Case No. 2026-000959

George William Rauton, III,

Petitioner,

v.

Patsy R. Lightle,

Respondent.

Respondent Patsy R. Lightle's Return to Petition for Writ of Certiorari

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May 18, 2026

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QUESTION PRESENTED

- I. Did the Court of Appeals err in holding that Petitioner's failure to ask the Court to recognize the tort of tortious interference with inheritance negates the need for the Court to consider the arguments raised by Petitioner, where the lower court acknowledged Petitioner's own admission that the tort has not yet been adopted by this Court?

ARGUMENT

Respondent respectfully submits that the Petition for Writ of Certiorari should be denied.

Petitioner wrongly asserts that the lower court should have made an explicit ruling that the tort of intentional interference with inheritance rights had not been recognized in South Carolina. Petitioner focuses on Respondent's acknowledgment that this Court is likely to recognize and adopt the tort, he overlooks the basic fact that both Respondent's acknowledgment and the lower court's finding regarding the likely adoption were based on Petitioner's own concession that the cause of action had not yet been recognized. Petitioner's Memorandum opposing dismissal states in part, "South Carolina has not yet explicitly recognized a cause of action for Intentional Interference with Inheritance." [R. 22]

The lower court did not need to make a ruling on that matter, because it was not in dispute. The lower court expressly noted that in its order. [R. 2]

Petitioner nonetheless failed to seek adoption of his cause of action on appeal to the Court of Appeals, and any further review of the arguments he raised on appeal would therefore be moot.

CONCLUSION

Respondent respectfully submits that the Petition for Writ of Certiorari should be denied.

Respectfully submitted,

s/Adam T. Silvernail

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