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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM KERSHAW COUNTY
Circuit Court

Honorable Daniel Coble, Circuit Court Judge

Appellate Case No. 2026-001664

In Re: Estate of M.K. Jennings 2010ES2800169

Beverly Hennager.....Appellant

Mary E. Dearden, Personal Representative of the Estate of M.K.Jennings.....Respondent

**DESIGNATED MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL**

Appellant proposes the following be included in the record on Appeal:

Orders and Notices

1. June 13, 2013 Order of the Probate Court removing Dearden as Personal Representative.
2. October 27, 2016 probate court order reinstating Dearden as Personal Representative.
3. Probate Court communication to Appellant dated July 20, 2021 stating: "Your Motion to Compel Production is being returned" because "there is no pending litigation."

4. Probate Court communication to Appellant dated July 29, 2021 stating: “Your Motion to Compel Complete Evidence Pursuant to Rule 106 is being returned to you” because “there is no pending litigation.”
5. September 3, 2021 probate court order finding the promissory note owed to decedent by Michael Jennings was satisfied before decedent’s death, Estate of M.K. Jennings, Case No. 2010-ES-28-00169.
6. June 19, 2024 circuit court order concluding that Appellant’s allegations regarding an unpaid promissory note were first raised on appeal, and should have been investigated in discovery.
7. June 11, 2025 Court of Appeals opinion holding Appellant’s subject-matter-jurisdiction and due-process claims were not preserved for appellate review (citing Wilder Corp. v. Wilke) and stating the probate court’s 2016 order is the law of the case.
8. June 24, 2025 letter from Ginger Farmer, Clerk of Court, returning Appellant’s Rule 60(b) (4) motion and check for filing with notation: “Your case here is ended.”
9. September 6, 2025 Form 4 entered by the circuit court in response to Appellant’s September 3, 2025 Rule 60(b)(4) filing: “My decision was appealed to the Court of Appeals where the lower court was upheld, order attached. There is no judgment in this case and no paperwork will be added to this ended appeal.”
10. September 9, 2025 Motion for Formal Ruling on Rule 60 Motion (citing SCRCP 7(b), Elam v. S.C. Dep’t. of Trans., and Siau v. Kassel) — returned.
11. December 9, 2025 letter from the Circuit Court Clerk returning a Rule 60 submission stating the case is closed and nothing further will be accepted.
12. December 16, 2025 letter from the Court of Appeals Clerk stating the Court’s jurisdiction ended on remittitur (11/19/25) and no further action will be taken on a Motion to Expedite.
13. July 14, 2026 Form 4 entered by the circuit court stating: “This case is closed based on the Court of Appeals opinion filed June 11, 2025, and this court will not accept any more filings.”

Pleadings

14. Appellant's August 11, 2023 Motion for Relief from Judgment pursuant to Rule 60(b)(3) and 60(b)(4).
15. Appellant's May 13, 2024 Agreement to Consolidate Appellate Hearing with Rule 60(b)(3) Motion Hearing.
16. Appellant's Objections to Proposed Order (SCRCP 46) transmitted June 25, 2024 and acknowledged by chambers.
17. Appellant's July 9, 2026 Motion to Vacate Void Orders pursuant to Rule 60(b)(4), SCRCP (filed July 9, 2026).
18. Appellant's July 9, 2026 Motion for Written Order on Pending Rule 60(b)(4) Motion — returned.

Exhibits

19. Moultrie Burns April 7, 2021 post-hearing memorandum stating “the Court decided to consider whether the promissory note owed to the Decedent by Michael Jennings was satisfied” prior to the Decedent's death. 19.b Moultrie Burns attachment to April 7 memo showing Decedent's partial tax returns with payment of principal on the promissory note.
20. On July 9, 2026, Deputy Clerk Cheryl Truesdale informed Respondent's counsel and Appellant that, “[p]er Chief Administrative Judge Daniel Coble's instruction, he would like a written response to this motion before ruling on it.”

On July 13, 2026, Respondent's counsel emailed chambers and counsel attaching the Court of Appeals' June 11, 2025 opinion, and stating in substance that the opinion disposed of the issues on appeal, including Appellant's failure to preserve issues, and that the 2010 estate was closed.

Later that day, Appellant emailed chambers and counsel asking the court to accept and adjudicate the Rule 60(b)(4) motion on its merits.
21. USPS Tracking June 18, 2024 showing signature for package.
22. Minnie Katherine Jennings Virginia Death Certificate.

Transcript

23. May 29, 2024 Hearing transcript; p. 4; lines 10-11; Moultrie Burns tells the court he does not know how to adjust the volumn of his computer.
24. May 29, 2024 hearing transcript; p. 22; lines 24-25; Appellant tells the court she could not hear respondent and does not know how to respond

I certify that this designation contains no matter which is irrelevant to this appeal.

S/Beverly Hennager
315 Wood Lane
Corvallis, MT 59828
hennagerbev@gmail.com
406-361-0796

August 5, 2026

Pro Se Appellant