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Sep 15 2026

SC Court of Appeals

From: [Matthew J. Myers](#)
To: [Galloway, Tiffany](#)
Cc: [Court Of Appeals Filings](#); "[Adam Silvernail](#)"
Subject: RE: In the Matter of: Emma Cook Mims 2026-001962
Date: Tuesday, September 15, 2026 12:52:50 PM
Attachments: [1869529.pdf](#)

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Dear Ms. Galloway,

I was hoping to clarify that the underlying Probate Court order (attached) was in fact a final order for purposes of SC Code Ann. 62-1-308(a). As the Probate Court indicated, it was an order regarding the final hearing (see page 1) and that the estate would be closed upon Appellant's compliance with the order (see page 6). I.e., the order is self-effectuating and final but for Appellant's appeal. In addition, the Circuit Court's order dated 9/30/25 refers to the Probate Court order as a "final order" (see page 4) and goes on to evaluate whether Appellant complied with the requirements for appealing a final order under SC Code Ann. 62-1-308(a) (see page 10).

Accordingly, when the Circuit Court affirmed the Probate Court order and "remand[ed] this matter to the Probate Court for further proceedings consistent with this Order" it was merely so that the Probate Court could close the estate once the Appellant complied with the order, which is also consistent with SC Code Ann. 62-1-308(j): "The final decision and judgment in cases appealed, as provided in this code, shall be certified to the probate court by the circuit court, court of appeals, or Supreme Court, as the case may be, and the same proceedings shall be had in the probate court as though the decision had been made in the probate court."

For the foregoing reasons, I respectfully request the Court of Appeals reconsider the nature of the underlying orders. Please let me know if a motion is needed or if you may need any additional information. Thank you.

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From: Galloway, Tiffany <tgalloway@sccourts.org>

Sent: Monday, September 14, 2026 4:30 PM

To: adam@silvernaillawfirm.com; Matthew J. Myers <mjm@swblaw.com>

Subject: In the Matter of: Emma Cook Mims 2026-001962

Good afternoon,

Attached please find correspondence from the Court of Appeals.

Any parties not included in this email will receive the attached correspondence via US Mail.

Do not respond to this email. Send all correspondence to ctappfilings@sccourts.org.



Tiffany Galloway

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