The South Carolina Court of Appeals

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September 30, 2026

The Honorable The Honorable Lindsay A. Sutcliffe
PO Box 1083
Beaufort SC 29901-1083

REMITTITUR

Re: In the Matter of The Estate of Lois Ann Neel (Decedent)
Lower Court Case No. 2021ES0700504
Appellate Case No. 2026-001098

The Honorable Lindsay A. Sutcliffe:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

Jasmine D. Smith, Deputy
CLERK

Enclosure

cc: Darrell T. Johnson, Jr., Esquire
Mills Lane Morrison, Jr., Esquire
Denise Lynn Savage, Esquire
The Honorable Jerri Ann Roseneau
The Honorable Marvin H. Dukes, III

The South Carolina Court of Appeals

In the Matter of The Estate of Lois Ann Neel (Decedent)

Amanda Leah Schlender, Personal Representative of the Estate of Lois Neel, Decendent, Respondent,

v.

Virginia Moryadas, Appellant.

Appellate Case No. 2026-001098

ORDER

On May 28, 2026, Appellant filed a motion to remand or transfer this appeal to the court of common pleas. On June 2, 2026, Respondent filed a return, opposing the motion. Further, Respondent requested this court dismiss the appeal, arguing it was not timely served or filed. After careful consideration, we grant Appellant's motion to transfer this appeal to the court of common pleas. *See* S.C. Code Ann. § 62-1-308(a) (2002) (explaining "[a] person interested in a final order, sentence, or decree of a probate court may appeal to the circuit court in the same county"); S.C. Code Ann. § 62-1-308(l) (2002) ("If the parties not in default consent either in writing or on the record at a hearing in the probate court, a party to a final order, sentence, or decree of a probate court who considers himself injured by it may appeal directly to the Supreme Court . . . ."); Rule 204(a), SCACR ("In the event that the notice of appeal is filed in the wrong appellate court, the appellate court in which the matter is filed shall issue an order transferring the case to the appropriate appellate court."); *In re Nov. 4, 2008 Bluffton Town Council Election*, 385 S.C. 632, 641, 686 S.E.2d 683, 688 (2009) (transferring an appeal to the proper forum). This court expresses no opinion on the timeliness of the appeal and leaves consideration of the timeliness of the appeal to the circuit court. Remittitur shall be sent in accordance with Rule 221(b) of the South Carolina Appellate Court Rules.

Stephanie P. McDonald J.

FOR THE COURT

FILED
Sep 11 2026

Columbia, South Carolina

cc:
Darrell T. Johnson, Jr., Esquire
Mills Lane Morrison, Jr., Esquire
Denise Lynn Savage, Esquire
Jerri Ann Roseneau
Hon. Marvin H. Dukes, III