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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

The Honorable Doyet A. Early, III, Circuit Court Judge

Lower Court Case Nos. 2008-CP-02-1647; 2009-CP-02-1810; 2007-ES-02-0056

Appellate Case No. 2013-002582

Ex parte: Adele Pope,..... Appellant,
In Re: The Estate of James Brown a/k/a James Joseph Brown,..... Respondent.

RETURN TO MOTION TO HOLD APPEAL IN ABEYANCE

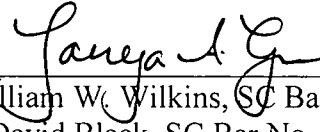
Appellant Adele Pope asks this Court to stay this appeal, and includes a request that the Court refrain from considering her petition for rehearing of the dismissal of this appeal, until the Court issues opinions in two other appeals: (1) appellate case number 2013-001649 in which initial briefs have not yet been filed; and (2) appellate case number 2014-000250, which Ms. Pope filed less than two weeks ago, on February 7, 2014. This Court dismissed Ms. Pope's appeal for two, independent reasons. First, it found she was not a party to the orders below. Second, it found the orders on appeal were temporary in nature and not immediately appealable. Unless the Court grants her petition for rehearing, which Ms. Pope asks that it not consider until months or possibly years from now, it cannot entertain her motion because she has no standing to file it.

Ms. Pope claims the stay she seeks is necessary to “protect her own rights under the Due Process and First Amendment Clauses of the United States and South Carolina Constitutions, as well as those of James Brown’s incarcerated son Michael Deon Brown, and The James Brown “I Feel Good” Trust. Importantly, Ms. Pope filed this appeal solely on her own behalf, and she signed the notice of appeal as well as this motion “*pro se*.” Thus, she cannot represent anyone’s interests but her own. Furthermore, she has been removed as the trustee of the “I Feel Good” Trust for cause, and that removal was affirmed by the Supreme Court. *Dallas v. Wilson*, 403 S.C. 411, 448-49, 743 S.E.2d 746, 767 (2013) (finding Ms. Pope’s continued service as a fiduciary was not in the best interests of the estate based on her sale of iconic assets to raise funds that first went to pay her own fees, her attempt to sell Brown’s GRAMMY award despite the longstanding policy that such an award cannot be sold, and the extreme discord between the parties). Finally, Ms. Pope’s only personal interest in the Estate litigation is her outstanding claim for fees, which has nothing to do with the orders on appeal and remains pending. Accordingly, this Court correctly dismissed the appeal, and in any event, the motion provides no compelling reason why the matter should be held in abeyance.

Motions like this one have made the orderly administration of the Estate of James Brown unnecessarily difficult and costly. Motions like this one are the reason the Supreme Court found that Ms. Pope’s continued involvement would not be in the Estate’s best interests. Motions like this one should be discouraged, and Ms. Pope should be warned that she risks being sanctioned if she continues to file motions like this one.

[Signature block on following page]

Respectfully submitted,



William W. Wilkins, SC Bar No. 6112

J. David Black, SC Bar No. 68499

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Special Administrator of the Estate of
James Brown and the Special Trustee of
the James Brown August 1, 2000
Irrevocable Trust Agreement

February 24, 2014

Columbia, South Carolina

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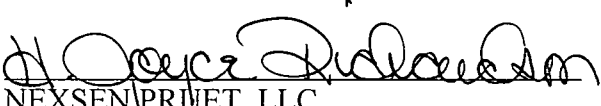
In Re: The Estate of James Brown a/k/a James Joseph Brown,..... Respondent.

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing RETURN TO MOTION TO HOLD APPEAL IN ABEYANCE has been served upon counsel of record by depositing a copy of the same first-class postage prepaid, in the United States Mail, on the 24th day of February, 2014, to the addresses shown below.

Adele J. Pope, Esquire 1228 Walnut Street Newberry, South Carolina 29108	Louis Levenson, Esquire LEVENSON & ASSOCIATES 125 Broad Street, SW Atlanta, Georgia 30303
Robert N. Rosen, Esquire S. Alan Medlin, Esquire 18 Broad Street, Suite 201 Charleston, South Carolina 29401	The Honorable Alan Wilson Attorney General of South Carolina Post Office Box 11549 Columbia, South Carolina 29211

David B. Bell, Esquire Law Office of David B. Bell Post Office Box 1011 Augusta, Georgia 30903-1011	Matt Bodman MATT BODMAN, PA 1500 Calhoun Street Columbia, South Carolina 29201
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NEXSEN PRUET, LLC

Columbia, South Carolina

Tanya A. Gee
Special Counsel

February 24, 2014

VIA HAND DELIVERY

The Honorable Jenny Abbott Kitchings
Clerk, SC Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

**Re: *Ex parte: Adele J. Pope*
Appellate Case # 2013-002582**

Dear Ms. Kitchings:

Enclosed herewith for filing in the above-referenced matter are the original and seven (7) copies of the Respondent Bauknight's Return to Appellant's Petition for Rehearing and Return to Appellant's Motion to Hold Appeal in Abeyance. Please return a received-stamped copy to me via our courier. Also enclosed is the proof of service reflecting that counsel of record have been served with copies of the same.

Charleston
Charlotte

Columbia

Greensboro
Greenville

Hilton Head

Myrtle Beach

Raleigh

Please also note that I have altered the caption so that it reflects the caption of the orders on appeal, with the addition of "Ex parte: Adele Pope," as the Appellant was not a party to the orders below. If this caption is incorrect, please let me know.

Very truly yours,

Tanya A. Gee
Tanya A. Gee
Special Counsel

Enclosures
cc (w/encl.):

Adele J. Pope, Esquire
Robert N. Rosen Esquire
David B. Bell, Esquire
Louis Levenson, Esquire
Matt Bodman, Esquire
The Honorable Alan Wilson

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