

STATE OF SOUTH CAROLINA

**IN THE SOUTH CAROLINA
COURT OF APPEALS**

COUNTY OF CHARLESTON

**APPELLATE CASE NUMBER
2014-0001108**

**EVELINA BROWN MOSES, THOMAS
P. BROWN, JR., AND DAVID L. MICHEL,
as Guardian ad Litem for REBECCA
PATRICIA BROWN,**

M1509

Respondents,

VS

**NOTICE OF MOTION AND
MOTION TO DISMISS THE
PENDING APPEAL**

**SHIRLEY HAILE-HOWARD AS
PERSONAL REPRESENTATIVE
OF THE ESTATE OF MARY P. SMITH,
AND aS Personal Representative of the
ESTATE OF LUCINDA PRINGLE,
MAEZELL MITCHELL JEFFERSON,
AS PERSONAL REPRESENTATIVE of
the ESTATE OF ANNABELLE THORNTON,
SHIRRESE B. BROCKINGTON, as
Special Administrator of the ESTATE
JANINE GOURDINE, ARTHUR SMALL, as
Personal Representative of the Estate of
Emma Smalls, and any unknown persons
or entities claiming any interest in the Estates
of Mary P. Thorton, Janine Gourdine and Emma
Smalls,**

Appellants.

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MAR 10 2014

SC Court of Appeals


**TO: JONATHAN ALTMAN AND STEPHEN M. SLOTCHIVER, ATTORNEYS
FOR THE RESPONDENTS ABOVE NAMED.**

**PLEASE TAKE NOTICE that the Appellants move before
This Honorable Court to dismiss the pending appeal in the above-
entitled matter on the following ground:**

**This Honorable Court in an Unpublished Opinion No.
2011-UP-386 remanded this case to the Charleston County Probate
Court because the above-named Respondents have demonstrated
good cause to reopen the estate. In view of the fact that the estate
has not been reopened and the matter not heard on the merits, this
appeal is premature.**

**A hearing on the merits will allow the evidence to be fully
presented to the lower court, and a ruling based upon a complete
record. Therefore, in the interest of justice, the pending appeal should
be dismissed.**

Respectfully submitted,



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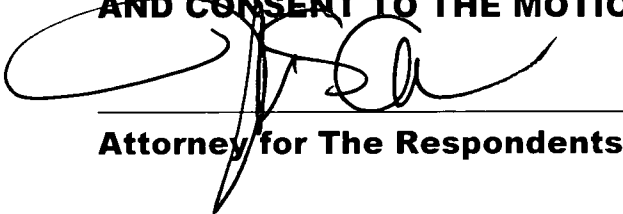
And



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Attorneys for the Appellants

February 28, 2014
Charleston, SC

THE RESPONDENTS HAVE NO OBJECTION
AND CONSENT TO THE MOTION:



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March 5, 2014

South Carolina Court of Appeals
attn: JENNY ABBOTT KITCHINGS
1015 Sumter Street
PO Box 11629
Columbia, SC 29211

Re: Appellate Case Number 2014-0001108

Dear Ms. Kitchings

I am enclosing one plus 6 copies of our motion to dismiss our appeal in the above matter, together with my check for \$25.00 as a filing fee. A self addressed stamped envelope for your convenience in returning one of the copies to me and perhaps a filed copy of the Court's order. The motion is consented to by one of the respondent's attorneys, Jonathan Altman. Thank you.

Yours very truly,

Charles S. Goldberg

CSG:tms
CC: Steven M. Slotchiver, Esq. (Via e-mail)
Jonathan S. Altman, Esq. (Via e-mail)
Edward P. Guerard, Jr., Esq. (Via e-mail)
Shirrese B. Brockington, Esq. (Via e-mail)

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