

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

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

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Appellate Case No. 2013-001649

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Alan Wilson, in his Capacity as Attorney General of  
South Carolina; and others, ..... Plaintiffs,

v.

Albert H. Dallas and others, ..... Defendants,

Of whom Adele J. Pope, Individually and on behalf of Others under South  
Carolina Trust Code Section 62-7-405, is.....Appellant,

And Terry Brown, Forlando Brown, James B., David G. Cannon, Albert H. Dallas  
and Tommie Rae Hynie are.....Respondents

And Alan Wilson in his Capacity as Attorney General of South Carolina, Deanna  
J. Brown Thomas and Robert L. Buchanan, Jr., are..... Additional Interested  
Persons.

In Re: The Estate of James Brown and The James Brown 2000 Irrevocable  
Trust u/a/d August 1, 2000, Respondents.

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**AFFIDAVIT OF ADELE J. POPE IN SUPPORT OF MOTION**

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PERSONALLY APPEARED BEFORE ME, Adele J. Pope, who beingi duly  
sworn, deposes and says:

1. This affidavit is made of my own personal knowledge.

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2. Robert Buchanan, Jr. and I faithfully served the Estate, 2000 Trust and estate plan of entertainer James Brown from March 7, 2007 until May 8, 2013.

3. I believe the facts set out in the motion dated today are correct.

4. I testified without objection as an expert in estate planning and probate in Case 2008-CP-02-1647, which became the *Wilson v. Dallas* decision.

5. The attached draft of *Private Foundations, Copyright Heirs and Musical Millionaires: Why the James Brown "I Feel Good" Trust doesn't...*, demonstrates the special knowledge I have developed about how the Federal Copyright Act termination rights provisions relate to State probate law, especially in the estate of James Brown. [See Exhibit 1]

6. Since May 8, 2013 I have offered my time and expertise *pro bono publico* in this area to the Estate, the "I Feel Good" Foundation and any heir of James Brown not challenging the estate plan and willing to take (or who has passed) the Peeples DNA Protocol.

7. I am also a creditor of the Estate/2000 Trust for my service before May 8, 2013; by counterclaim in the Wingate Suit in which the Estate/2000 and Mr. Bauknight as agent for the AG/State, Tommie Rae Hynie and others sued Robert Buchanan, Jr. and me in 2010; and for attorneys' fees in two pending FOIA cases where the Estate/2000 Trust is seeking to intervene.

8. Under a March 2008 order of the Honorable Doyet A. Early, III, Mr. Buchanan and I were poised to complete the Peeples DNA Protocol for non-

presumed heirs and make fair termination rights agreements with the HALF (or half + 1) of Brown's heirs not challenging the Will.

9. I am informed and believe that this could have been done by 2011 at a cost of less than \$100,000 per year to the Estate/"I Feel Good" Trust by agreements with Michael, La Rhonda, Jeanette, Nicole, Lisa and (subject to passing the Peeples DNA Protocol) one or more of James Curtis, Tonya and other heirs the State/AG, Mr. Bauknight and the settling parties contracted to ignore and whose interest they are working defeat.

10. In August 2013 Mr. Bauknight rejected the suggestion that our efforts which allowed the Court to decide *Wilson v. Dallas* were helpful, saying:

That's poppycock. Pure speculation from your client [Pope]. Fantasy...I'm the person who actually looked at this. And I said it was a fair and reasonable settlement. I don't know where this fantasy is that \$50 million was gone away. Number one, your client made up that number. Your client did that in a self-serving fashion so that she could take \$5 million out of this estate for her retirement. So to say that this would have diminished is a load. A total load. I looked at this. I say. You have no clue how termination rights where [sic]. You don't know the value. . . She has no clue what she was dealing with and put stuff in the paper that it's just totally fabricated untrue. It blows me away that someone with a law degree can be so dishonest and get away with it. ...You know, what? That's set aside by the Supreme Court. That's fine. I've got a new roadmap, and I'm going to follow this new roadmap to a T....

...[Y]our client raped this estate taking every dime out of it for her own fees and for Bob's fees and her lawyer's fees leaving it insolvent....Your client didn't even try. Your client didn't know the numbers. I know the numbers. There was no diminished Legacy Trust. That's fabrication from your client.

11. When he made this statement Mr. Bauknight had made a secret

\$563,00 payment from the Estate to the firm of Kenneth Wingate, Esq., in addition to the 40% contingency fee. He would pay three quarter of a million dollars in legal fees that year. By contrast, our legal fees for the 4-year *Wilson v. Dallas* defense at the trial level and on appeal were about \$200,000.

12. Our costs were contained in part by the *pro bono publico* service of lead appellate counsel James Richardson. I have worked *pro bono publico* to do what I can to save the "I Feel Good" Foundation since May 8, 2013.

13. I am informed and believe that the current professional literature supports what Mr. Buchanan and did, and that Mr. Smith and I correctly identified the problems of the McMaster Settlement in *Private Foundations*. See, for example, the *Licensing Journal* article of March 2013. [Front cover attached as Exhibit 2.]

14. From August 2008 until May 8, 2013 the State, acting through two AGs, Kenneth Wingate, Esquire and Mr. Bauknight:

- a. Attempted to convince the Courts that Ms. Hynie was Brown's spouse, and her son his son; [This has now been openly repudiated by most heirs & all fiduciaries except Mr. Bauknight.]
- b. Refused to complete the Peoples DNA Protocol or make termination right agreements with the HALF of Brown's *real* heirs necessary to protect the "I Feel Good" Trust's copyrights;
- c. Failed to protect the "I Feel Good" Trust with the 1999 backup Will;
- d. Tried to keep 2008 Gag Orders in place, concealing evidence about Ms. Hynie *known to the AG/State* and considered in his 2008 settlement;
- e. Tried to make the public McMaster Legacy Trust private;
- f. Fought FOIA compliance by all citizens in James Brown matters;

g. Sued Bob Buchanan and me to stop the *Wilson v. Dallas* decision and ruin our reputations and credibility;

h. Secretly helped Forlando Brown try to secure the music empire based on a devaluation which even Forlando termed "bogus."

15. More than a year after the first *Wilson v. Dallas* decision Mr. Bauknight, as agent for Hynie, her son and the McMaster Legacy Trust – and still acting as for AG Wilson in the Wingate Suit – continues this State action in the Wingate Suit and three FOIA suits.

16. I am informed and believe this State action, including the June 13 Orders, violates my Due Process and First Amendment rights, and Probate and Trust Code Rights, as well as those of others who seek to enforce the "I Feel Good" Foundation.

17. I am informed and believe that it would be manifestly unjust to allow Mr. Bauknight to speak for the Estate and "I Feel Good" Trust in this appeal without disclosure of these conflicts, and without requiring him to produce for the ROA the original or copy he holds or controls of:

a. The so-called Hynie "diary," and typed transcription, the contents of which are known to all respondents; AG Wilson; and scores of others;

b. The claimed \$4.7 million appraisal of Brown's music empire, which serves as the basis of the State/AG's and Bauknight's false felony claim against Bob Buchanan and me;

c. James Brown's voice tape of 1999;

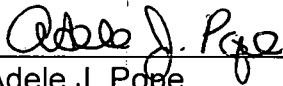
d. The Supreme Court oral arguments in *Wilson v. Dallas*;

e. The ethics opinion of Prof. Crystal he delivered to Jg. Early on July 8, 2013;

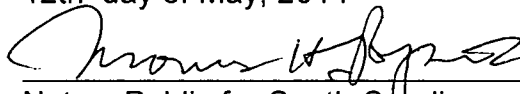
f. All fee agreement now missing from the Clerk's office, but ordered to be produced by Jg. Early in 2010.

g. The signed Legacy Trust and its amendments.

FURTHER DEPONENTS SAYETH NOT.

  
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Adele J. Pope

SWORN TO before me this  
12th day of May, 2014

  
\_\_\_\_\_  
(L.S.)  
Notary Public for South Carolina  
My Commission expires: 3-28-2022

**Law Office of Adele J. Pope, P.C.**  
**1228 Walnut Street**  
**Newberry, South Carolina 29108**  
**803-413-0753**

May 13, 2014

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1015 Sumter Street  
Post Office Box 11629  
Columbia, South Carolina 29211

BY HAND DELIVERY

Re: Wilson v. Dallas  
Appellate Case No. 2013-001649

Dear Ms. Kitchings:

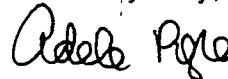
In connection with the above appeal, enclosed please find:

1. An original and seven copies of Motion and Memorandum of Appellant to Supplement and Clarify Record; Require Production and Filing of Unsealed Documents; Allow Filing of Disks; and For Related Relief;
2. An original and seven copies of Affidavit of Adele J. Pope in Support of Motion;
3. An original and one copy of proofs of service of each; and
4. My check for the filing fee.

Kindly return a file-stamped copy of each document.

Thank you.

Yours very truly,



Adele J. Pope  
Appellant, *Pro Se*  
S.C. Bar No. 4501

cc:  
Counsel as shown on proof of service

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