

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

72875

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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**MOTION FOR AND MEMORANDUM IN SUPPORT OF EXTENSION OF TIME  
TO FILE RETURN AND OPPOSITION TO MOTION OF ESTATE OF JAMES  
BROWN AND JAMES BROWN 2000 IRREVOCABLE TRUST (“ESTATE/2000  
TRUST”) TO STRIKE DESIGNATIONS; TO FILE RELATED MOTIONS; AND  
TO FILE REPLY BRIEF OF APPELLANTS**

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Appellant, objecting to the motion to strike designations of the Estate of James  
Brown and the James Brown 2000 Trust (the “Estate/2000 Trust”) served July 7, 2014; the

July 8, 2014 Order of the Honorable Eugene C. Griffith, Jr., in Newberry County Case No. 2012 CP36-00688 (the “Summer FOIA Order”) and other recent events, moves this Honorable Court for an extension of forty-five (45) days to file her full opposition to the motion of the Estate/2000 Trust to strike; and reach a decision whether to file one or more of certain motions listed; and for an extension of fifteen days (15) after the Court has ruled on the motion to strike and other motions to file her initial reply brief in this matter.

The motions which recent events suggest may be appropriate to file, and which Appellant is studying, are:

- a. A motion to terminate David Bell, Esquire, who has actively defrauded State and Federal Courts in James Brown matters since early 2008.
- b. A motion to consolidate this case with Appellate Case No. 2014-000250, which is a complaint filed July 10, 2013 to void the *ex parte* pre-remittitur appointments of Russell L. Bauknight or remove him for cause.
- c. A possible motion to transfer the case to the South Carolina Supreme Court, and/or to reopen the *Wilson v. Dallas* decision based on fraud.
- d. A possible motion related to the Estate/2000 Trust’s continued 3-year attempt to intervene in three FOIA suits.
- e. A motion to consolidate this case with the appeal of Michael Deon Brown, Appellate Case No. 2014-000794 and others, based on the Bell firing and other facts.

This motion is supported by the memorandum set out below and the affidavit of Adele J. Pope dated July 15, 2014 filed herewith.

#### **MEMORANDUM IN SUPPORT OF EXTENSION**

This is an appeal from three orders issued on June 13, 2013 in fourteen Aiken County cases related to the estate and assets of entertainer James Brown (the “June 13 Orders”). The lower court considered the entire record in thirteen cases, some pending

since January 2007, in its June 13 Orders. The June 13 Orders were issued without notice or hearing.

One of the June 13 Orders says:

Despite the South Carolina Supreme Court's Opinion [of May 8, 2013], Ms. Pope has now filed several documents with this Court. The documents include Motions, Memoranda, and Proposed Scheduling Orders concerning the James Brown Estate and Trust litigation. These actions and filings will not be considered by this Court. The Supreme Court of South Carolina has upheld and affirmed Mrs. Pope's removal as fiduciary, denied her motions for rehearing, and the remittitur has since been filed in this Court. It is now the law of the case that Ms. Pope has been removed from her fiduciary positions and is no longer a party to the James Brown Estate and Trust litigation. It is the Order of this Court that Ms. Pope does not have standing to proceed with the motions she has filed since the Supreme Court's opinion has issued. Accordingly, this Court hereby directs the Clerk of Court to remove Ms. Pope's filings from these cases pursuant to the Supreme Court's Opinion removing her as a party to these proceedings. [Emphasis applied].

All respondents other than the Estate/2000 Trust <sup>did not</sup> file ~~an~~ initial brief. All accepted the designation and are bound by the statement of the case. No respondents other than the Estate/2000 Trust <sup>op</sup> opposed the initial brief.

The Estate/2000 Trust's initial brief claims:

- I. AS A THRESHOLD MATTER, APPELLANT ADELE POPE LACKS STANDING TO APPEAL
- II. THIS COURT LACKS JURISDICTION TO CONSIDER THE ARGUMENTS POPE MAKES ON BEHALF OF OTHER PARTIES
- III. POPE IS COLLATERALLY ESTOPPED FROM ARGUING THAT SHE SHOULD BE THE VOICE FOR THE ESTATE AND TRUST
- IV. POPE'S DUE PROCESS RIGHTS HAVE NOT BEEN VIOLATED AND NO FRAUD ON THE COURT HAS BEEN COMMITTED

Since 2011, Mr. Bauknight has covered up Bell's fraud, including material misrepresentation as follows:

Forlando/David Bell, Esq.

Terry (for Forlando)/Bell

- |   |   |
|---|---|
| 1. The \$4.7 million value is "bogus"                                       | 1. The \$4.7 million value is correct.                  |
| 2. Hynie was not Brown's spouse and knew it.                                | 2. Hynie was Brown's spouse.                            |
| 3. Buchanan/Pope's \$84 million value of the music empire was conservative. | 3. The value was a \$79 million overstatement           |
| 4. Offers of \$150 million were still available in September 2008           | 4. There were never any offers to buy the music empire. |

The Estate/2000 Trust's speaking through Bauknight is problematic because:

- a. Today he serves as Respondent Hynie's agent in the Wingate Suit; and is trying to intervene in three FOIA Suits to protect her.
- b. Today he serves as agent for Respondent James B., with no GAL, in the Wingate Suit and a FOIA Suit.
- c. Today he serves as agent for Respondent Forlando Brown, as assignee and the real party in interest of Respondent Terry Brown, in various suits.
- d. Today he continues to serve as agent for Respondent Terry Brown in the Wingate Suit and in a FOIA Suit.
- e. Today Bauknight is working to help Forlando Brown escape payment of attorneys' fees for his dismissed 4-year injunction suit.

More time is needed to respond to the motion to strike additional facts.

### CONCLUSION

The requested forty-five day extension should be granted, as should a brief delay in the time to file the reply brief after the Court has ruled on the motion to strike and others

filed within forty-five days.

Respectfully submitted,

Adele Pope

Adele J. Pope

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S.C. Bar #4501

July 15, 2014

Appellant, *Pro Se*

**RECEIVED**

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**SC Court of Appeals**

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**PROOF OF SERVICE**

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I certify that on the 15th day of July, 2014, I have served the MOTION FOR AND  
MEMORANDUM IN SUPPORT OF EXTENSION OF TIME TO FILE RETURN AND  
OPPOSITION TO MOTION OF ESTATE OF JAMES BROWN AND JAMES BROWN  
2000 IRREVOCABLE TRUST (“ESTATE/2000 TRUST”) TO STRIKE  
DESIGNATIONS; TO FILE RELATED MOTIONS; AND TO FILE REPLY BRIEF OF  
APPELLANTS on the parties described below by depositing a copy of same in the United  
States Mail, postage prepaid, addressed to their attorneys of record as follows:

**ATTORNEYS OF RECORD FOR RESPONDENTS OR RESPONDENTS**

David B. Bell, Esquire  
Matthew D. Bodman, Esquire  
619 Greene Street  
Post Office Box 1011  
Augusta, Georgia 30903-1101

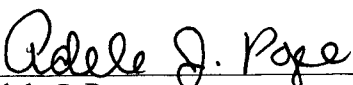
David G. Cannon  
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S.C. Bar # 4501  
*Pro Se*

July 15, 2014