

STATE OF SOUTH CAROLINA

In the Court of Appeals

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JUL 25 2014

APPEAL FROM AIKEN COUNTY  
Court of Common Pleas

The Honorable Doyet A. Early, III Circuit Court Judge

SC Court of Appeals

Appellate Case No. 2014-000794

MICHAEL DEON BROWN, JAMES CURTIS, AND JANE DOE and JOHN DOE  
Numbers I, II, III and IV, by their proposed Guardian *ad Litem*, and Adele Pope, as  
Creditor/Proponent of Will of James Brown dated June 15, 1999 and on behalf of  
Others under S.C. Trust Code § 62-7-405 ..... Appellants,

v.

James B., Terry Brown, Tommie Rae Hynie and David Sojourner, Jr.,.....  
..... Respondents.

IN RE:  
THE ESTATE OF JAMES BROWN, A/K/A JAMES JOSEPH BROWN

RETURN OF APPELLANTS TO MOTION OF BODMAN AND BELL  
TO WITHDRAW AS COUNSEL

For the reasons set forth herein, and in the affidavit of Adele J. Pope filed  
herewith and Reply to Return of Matt Bodman, Esquire and David B. Bell, Esquire also  
filed herewith, Appellants consent to the withdrawal as Attorney of Record for  
respondent Terry Brown. They respectfully submit that the action of David Bell,  
Esquire, with Respondents Terry and Forlando Brown and Sojourner, to siphon off the  
rights of Michael and other heirs not challenging James Brown's estate plan provide

further evidence that this appeal should proceed; the Orders which are the subject of this appeal should be voided; and the matter should be remanded for all Appellants to fully participate in all matters where Tommie Rae Hynie seeks to be declared, or might be declared, the spouse of James Brown; the estate plan is being challenged; and/or there is a determination of heirs of James Brown.

Appellants adopt the Reply and Affidavit as fully as if set out herein, but also call to the Court's attention:

1. David Bell, Esquire, Terry and Forlando Brown have defrauded the State and Federal Court since 2007 under a plan Forlando understood when he and Terry hired their first attorney on January 9, 2007 to be:
  - a. Make a deal with the Cannon Trustees; or, if that fails
  - b. Manipulate the legal system.
2. Bell, Forlando and Terry elected by mid-2007 to align themselves with Respondents Cannon and Dallas.
3. By September 2007 Bell, Forlando and Terry had filed a false stipulation to entice the Attorney General to enter the James Brown proceedings; support felon Cannon; and denigrate Robert Buchanan, Jr. and Appellant Pope.
4. In January 2008 Bell and Forlando filed a baseless federal lawsuit to paralyze the 2000 Trust until the Cannon Group was reinstated; the assets could be sold for \$100 million; Forlando would own 39% of TJBL, the purchaser; and the Cannon Group would get \$15 million in commissions and options or a "kickback" from the IPO to be formed.
5. Bell, Forlando and Terry, with Cannon and Dallas, fabricated the claim that Buchanan and Pope tried to oust the innocent Cannon to get the \$5 million commission payable on Brown's \$100 million estate.
6. Forlando enticed Attorney General McMaster to appear with him on WIS-TV on February 7, 2009 claiming Buchanan and Pope acted improperly, which was false.
7. To advance their position, Forlando, Bell, Terry and a brother

filed 6 false grievances against Louis Levenson, Esq. in two states, including falsely claiming a forgery on their 30% contingency fee contract.

8. By April 8, 2008 Forlando, Bell and Terry knew that the findings in a detailed Order of Jg. Early that all of Buchanan's and Pope's service had been both ethical and appropriate was correct, and did not seek reconsideration of the April 8 Order.

9. Bell and Forlando, however, continued their false claims in the federal case until they were dismissed in 2012.

10. The Cannon Group, Bell and his clients utilized the largest and most prestigious firms and attorneys in the region to advance their agenda, including Kilpatrick Stockton, Greenberg Traurig, Powell Goldstein, Turner Padgett, Hull Towell and the firm of former Chief Justice Ernest Finney, changing attorneys as needed to cover up their wrongdoing.

11. Kilpatrick Stockton was a source of an incorrect claim about the Christie's GRAMMY sale. The sale of the GRAMMY, and the decision to withdraw it without penalty were both proper; supported by the Attorney General and Christie's; never challenged by anyone; and approved in three unappealed Court orders.

13. Attorneys at Hull Towell and Powell Goldstein joined Dallas in attempting to chill the Christie's sale. Dallas filed documents in the Court of Appeals 9 days before the sale. They were rejected.

14. Forlando abandoned the false Christie's claims, but Bell authorized Kenneth Wingate, Esquire, and Russell Bauknight to revive them in 2010 when Buchanan and Pope would not abandon the *Wilson v. Dallas* appeal. Both Wingate and Bauknight claimed to speak for the Attorney General, but neither was properly authorized to do so.

15. From January 2009 until May 8, 2013 Bell and Bodman, with knowledge of Terry and Forlando, took materially opposite position for Terry and Forlando, making repeated false claims to the Supreme Court, including:

a. Terry claimed Tommie Rae was Brown's spouse even though both knew she was not.

b. Terry told the Supreme Court Bauknight's less than \$4.7 million value of Brown's music empire was correct even though Forlando correctly said it was "bogus."

c. Terry accused Buchanan and Pope of intentionally overstating the value of Brown's music empire to the IRS by \$79 million to get a \$5 commission, a felony. Forlando correctly stated that their \$84 million sworn value (\$100,000 less the TIAA Debt) was correct and conservative.

d. Terry told the Supreme Court there were never any offers to buy the music empire, while Forlando confirmed offers of \$150 million were still available in late 2008.

e. Terry joined Bauknight in claiming that Ms. Hynie and her son controlled the termination rights to Brown's copyrights to more than 800 songs, while Forlando correctly confirmed she was entitled to nothing under the Federal Copyright Act.

12. From and after May 19, 2010 Bell, Bodman, Terry and Forlando joined with Russell Bauknight in authorizing the Wingate Suit; and interfering with FOIA compliance to cover up the Wingate Litigation Retention Agreement; the Hynie "diary;" amendments to the McMaster Legacy Trust; the \$4.7 million appraisal and other public documents.

14. The interference with FOIA, and deception of Bauknight, Bell, Forlando and Terry continued after the decision in *Wilson v. Dallas*, 403 S.C.411, 743 S.E.2d 746 (2013), and continues today.

Respectfully submitted,



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Adele J. Pope  
1228 Walnut Street  
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803-413-0753  
S.C. Bar No. 4501  
Attorney for Appellants

July 25, 2014

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MICHAEL DEON BROWN, JAMES CURTIS, AND JANE DOE and JOHN DOE  
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as Creditor/Proponent of Will of James Brown dated June 15, 1999 and on  
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PROOF OF SERVICE

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I certify that on the 25<sup>th</sup> day of July, 2014, I have served the RETURN OF APPELLANTS TO MOTION OF BODMAN AND BELL TO WITHDRAW AS COUNSEL in the above matter on Respondents as shown below by depositing a copy of same in the United States Mail, postage prepaid, addressed to them or their attorneys of record as follows:

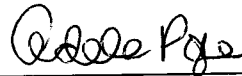
David B. Bell, Esquire  
Matthew D. Bodman, Esquire  
619 Greene Street  
Post Office Box 1011  
Augusta, Georgia 30903-1101

Robert N. Rosen, Esquire  
18 Broad Street, Suite 201  
Charleston, SC 29401

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Peter Shahid, Jr., Esquire  
89 Broad Street  
Charleston, South Carolina 29401

John F. Beach, Esquire  
Adams and Reese, LLP  
1501 Main Street, 5<sup>th</sup> Floor  
Columbia, South Carolina 29201



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S.C. Bar No. 4501  
Attorney for Appellants

July 25, 2014

**Adele J. Pope**  
**1228 Walnut Street**  
**Newberry, South Carolina 29108**  
**(803) 413-0753**

July 25, 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

Re: Michael Brown and Others v. James B.  
Appellate Case No. 2014-000794

Dear Ms. Kitchings:

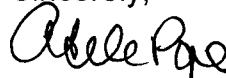
In connection with the above-referenced action, enclosed please find the following:

1. An original and seven copies of REPLY OF APPELLANTS TO RESPONSE OF BODMAN AND BELL TO FILINGS;
2. An original and seven copies of a RETURN OF APPELLANTS TO MOTION OF BODMAN AND BELL TO WITHDRAW AS COUNSEL;
3. An original and seven copies of an AFFIDAVIT OF ADELE J. POPE IN RESPONSE TO FILINGS OF BELL AND BODMAN RELATED TO RESPONDENT TERRY BROWN AND APPELLANT MICHAEL DEON BROWN; and
4. An original and one copy of Proofs of Service for each of the above.

I would appreciate your filing the original and appropriate number of copies and returning a file-stamped copy of each with the courier who delivers these.

Thank you.

Sincerely,



Adele J. Pope  
Attorney for Appellants

Enclosures  
Robert N. Rosen, Esquire  
A. Peter Shahid, Esquire  
David Bell, Esquire  
Matthew D. Bodman, Esquire  
John F. Beach, Esquire

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