



THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM KERSHAW COUNTY  
Court of Common Pleas  
John K. DuBose, III, Special Referee

Case No. 2011-CP-28-0073  
Appellate Case No. 2014-001012

Albert H. Hough, individually, and as Personal Representative  
of the Estate of Harold W. Hough and as Personal Representative  
of the Estate of Elizabeth P. Hough; George J. Hough; and  
Angela Hough, ..... Plaintiffs/Respondents

v.

Richard Wesley Hough, Joel Pitts Hough and  
Mary Louise Robinson, ..... Defendants

Of whom

Richard Wesley Hough is ..... Appellant

And of whom

Joel Pitts Hough and  
Mary Louise Robinson are ..... Respondents.

APPELLANT’S RETURN TO RESPONDENTS’ MOTION TO CERTIFY  
AND TRANSFER CASE FOR REVIEW BY THE SOUTH CAROLINA  
SUPREME COURT

**RECEIVED**

AUG 11 2014

**SC Court of Appeals**

On July 30, 2014, counsel for certain of the Respondents filed Respondents Albert Hough's, George Hough's, and Angela Hough's Rule 240(b) [sic] Motion to Certify and Transfer Case for Review by the South Carolina Supreme Court ("Respondents' Motion to Certify Case to Supreme Court"). Appellant Richard Hough opposes certification to the Supreme Court and requests that the Court of Appeals maintain jurisdiction of this appeal.

Certification to the Supreme Court is "normally appropriate where the case involves an issue of significant public interest or a legal principle of major importance." Rule 204(b), SCACR; *see also* S.C. Code Ann. § 14-8-210(b). The following are two examples of questions from recent decisions in cases certified to the Supreme Court:

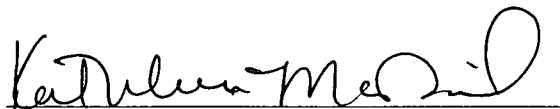
- The enforceability, in a personal injury case, of an arbitration provision requiring arbitration by the AAA following a decision of the AAA to no longer serve as arbitrator in personal injury matters where the Supreme Court noted a "substantial split of authority." *Dean v. Heritage Healthcare of Ridgeway, LLC*, 408 S.C. 371, 759 S.E.2d 727, 733 (2014).
- Whether the Gambling Cruise Act authorized an Indian tribe to offer video poker on its reservation. *Catawba Indian Nation v. State*, 407 S.C. 526, 756 S.E.2d 900 (2014).

These are the types of questions that meet the requirements of "significant public interest" or "legal principle of major importance." Applicability of S.C. Code Ann. § 15-61-25(D) does not rise to this level.

To the extent the Supreme Court believes certification may be appropriate, the most reasonable course of action would be to permit briefing to continue in the Court of Appeals and a decision on certification be made following a review of the matters addressed in briefing.

**CONCLUSION**

Based upon the foregoing, Appellant Richard Hough requests that Respondents' Motion to Certify Case to Supreme Court be denied.



Kathleen M. McDaniel  
CALLISON TIGHE & ROBINSON, LLC  
Post Office Box 1390  
Columbia, South Carolina 29202  
(803) 404-6900

**ATTORNEY FOR APPELLANT RICHARD  
HOUGH**

August 11, 2014

Columbia, South Carolina

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM KERSHAW COUNTY

Court of Common Pleas

John K. DuBose, III, Special Referee

Case No. 2011-CP-28-0073

Appellate Case No. 2014-001012

Albert H. Hough, individually, and as Personal Representative of the Estate of Harold W. Hough and as Personal Representative of the Estate of Elizabeth P. Hough; George J. Hough; and Angela Hough, ..... Plaintiffs/Respondents

v.

Richard Wesley Hough, Joel Pitts Hough and Mary Louise Robinson, Defendants

Of whom

Richard Wesley Hough is ..... Appellant

And of whom

Joel Pitts Hough and Mary Louise Robinson are ..... Respondents.

PROOF OF SERVICE

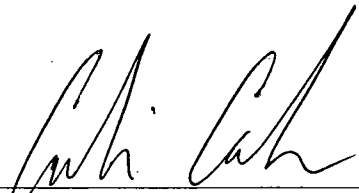
I certify that I have served Appellant's Return to Respondents' Motion to Certify and Transfer Case for Review by the South Carolina

Supreme Court on all parties by depositing a copy of it in the United States Mail, postage prepaid, on August 11, 2014 and addressed as follows:

B. Michael Brackett, Esquire  
Moses & Brackett, PC  
1333 Main Street Suite 260  
Columbia, SC 29201  
**Attorney for the Plaintiffs/Respondents**

M. Scott Rankin, Esquire  
Post Office Box 1445  
Camden, SC 29021  
**Attorney and Guardian ad Litem for Defendant/Respondent Joel Hough**

Mary Louise Robinson  
1100 Gunter circle  
West Columbia, SC 29169  
**Pro se Defendant/Respondent**

  
\_\_\_\_\_  
Carli Cochran

August 11, 2014  
Columbia, South Carolina

**Kathleen McDaniel** – Attorney  
Ph.: (803)404-6900  
Fax: (803) 404-6901  
[kathleenmcdaniel@callisontighe.com](mailto:kathleenmcdaniel@callisontighe.com)

August 11, 2014

**(Via Hand-Delivery)**

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

**RE: Albert H. Hough, individually, and as the Personal Representative of the Estate of Harold W. Hough and as the Personal Representative of Elizabeth P. Hough, George J. Hough and Angela Hough v. Richard Wesley Hough, Joel Pitts Hough and Mary Louise Robinson  
Case Number: 2011-CP-2800073  
Our Case Number: 11127.003**

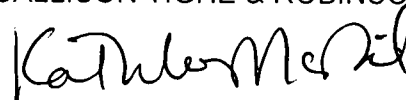
Dear Ms. Kitchings:

Enclosed please find the original and six copies of the Appellant's Return to Respondents' Motion to Certify and Transfer Case for Review by the South Carolina Supreme Court in the above-referenced matter. Please file the original and return a clocked copy to my courier.

I am by copy of this letter serving all parties with this document.

With kind regards, I am

CALLISON TIGHE & ROBINSON, LLC



Kathleen McDaniel

KMM/cnc  
Enclosure

cc: B. Michael Brackett, Esquire (Via U.S. mail w/ enclosure)  
M. Scott Rankin, Esquire (Via U.S. mail w/ enclosure)  
Mary Louise Robinson (Via U.S. mail w/ enclosure)

**RECEIVED**

AUG 11 2014

**SC Court of Appeals**