

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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OCT 16 2014

APPEAL FROM NEWBERRY COUNTY
Court of Common Pleas

SC Court of Appeals

Eugene C. Griffith, Jr., Circuit Court Judge

Case No. 2012-CP-36-688

Susan D. Summer, Respondent,

v.

Alan Wilson, in his capacity as Attorney General of South Carolina. . . . Appellant,
and Applicant for Intervention Russell L. Bauknight, as Person Representative of the
Estate of James Brown and Trustee of the James Brown 2000 Irrevocable
Trust.....Cross-Appellant.

NOTICE OF APPEAL

Alan Wilson, in his capacity as Attorney General of South Carolina, appeals from the Order of the Honorable Eugene C. Griffith, Jr., dated September 19, 2014 which substituted for the Court's previous Order of July 8, 2014 from which the State also appeals (copies attached). The State also appeals Judge Griffith's oral order of April 26, 2013 denying Appellant Wilson' Motion to Change Venue which is set forth in the September 19 and July 8 Orders.

Appellant Wilson received written notice by email of the entry of September 19 Order on that day and received a copy of the Order by the United States mail on September 22, 2014. The Appellant Wilson received written notice of the entry of the July 8 Order by

email on that day and received a copy of the Order by United States mail on July 9, 2014. The State served its Motion to Alter or Amend as to the July 8 Order on July 16, 2014, and served its Amended Motion to Alter or Amend on July 18, 2014. The September 19 Order addressed the Motion to Alter. Appellant Wilson received written notice of the denial of the venue motion in Judge Griffith's Orders of July 8 and September 19. The State received the Notice of Appeal of Applicant for Intervention on September 30, 2014.

ALAN WILSON
Attorney General

ROBERT D. COOK
Solicitor General
S.C. Bar. No. 1373

J. EMORY SMITH, JR.
Deputy Solicitor General
Post Office Box 11549
Columbia, SC 29211
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S.C. Bar No. 5262

BY: 
ATTORNEYS FOR THE ATTORNEY GENERAL

October 16, 2014

Other Counsel of Record:

Thomas H. Pope, III, Esquire
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Counsel for Respondent Summer

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Counsel for Cross-Appellant

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Estate of James Brown and Trustee of the James Brown 2000 Irrevocable
Trust.....Cross-Appellant.

CERTIFICATE OF SERVICE

I hereby certify that I have served the Respondent and Applicant for Intervention with the Attorney General's Notice of Appeal by mailing copies to each of their attorneys at the addresses below via the United States Mail this October 16, 2014.

Thomas H. Pope, III, Esquire
Pope and Hudgens, P.A.
P.O. Box 190
Newberry, SC, 29108

Jay Bender, Esquire
Baker Ravenel & Bender, LLP
P.O. Box 8057
Columbia, SC 29202

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CERTIFICATE OF SERVICE

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Mark V. Gende, Esquire
Sweeny Wingate & Barrow, P.A.
P.O. Box 12129
Columbia, SC 29211

A handwritten signature in black ink, appearing to read "J. Emory Smith, Jr.", is written over a horizontal line.

J. EMORY SMITH, JR.
Deputy Solicitor General
Bar No. 5262
Attorney for the Attorney General



ALAN WILSON
ATTORNEY GENERAL

October 16, 2014

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
HAND DELIVERED

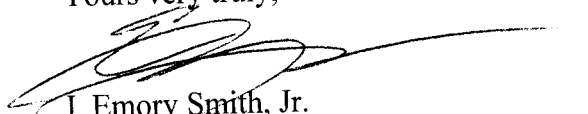
Re: Summer v. Wilson 2012-CP-36-00688

Dear Ms. Kitchings:

Enclosed for filing with your Office is the original Notice of Appeal of the Attorney General together with the certificate of service. I am filing a copy with the Newberry County Clerk of Court.

I would appreciate your confirming filing by stamping the enclosed copy of the Notice of Appeal and returning it by our courier. Thank you for your assistance.

Yours very truly,



J. Emory Smith, Jr.
Deputy Solicitor General
Counsel for Defendant Attorney General

Enclosures

cc: Thomas H. Pope, III, Esquire
Jay Bender, Esquire
Mark V. Gende, Esquire
The Honorable Jackie S. Bowers

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SC Court of Appeals



ALAN WILSON
ATTORNEY GENERAL

October 16, 2014

The Honorable Jackie S. Bowers
Clerk of Court, Newberry County
PO Drawer 10
Newberry, SC 29108-0010

Re: Summer v. Wilson 2012-CP-36-00688

Dear Ms. Bowers:

Enclosed for filing with your Office is a copy of the Notice of Appeal of the Attorney General together with a copy of the certificate of service. I am filing the original Notice at the Court of Appeals.

I would appreciate your confirming filing by stamping the enclosed copy of this letter and returning it in the enclosed envelope. Thank you for your assistance.

Yours very truly,

J. Emory Smith, Jr.
Deputy Solicitor General
Counsel for Defendant Attorney General

Enclosures

cc: Thomas H. Pope, III, Esquire
Jay Bender, Esquire
Mark V. Gende, Esquire
✓ The Honorable Jenny Abbott Kitchings

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POST OFFICE BOX 11549
COLUMBIA, SOUTH CAROLINA 29211-1549

The Honorable Jenny Abbott Kitchings
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SC Court of Appeals