

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM BERKELEY COUNTY
Kristi L. Harrington, Circuit Court Judge

Case No. 2013-000457

Nancy Schaffer Turner, as Personal Representative of the Estate of Martha L. Schaffer,
Appellant

v.

Susan Linda Schaffer Sawadske, Respondent

SUPPLEMENTAL RECORD ON APPEAL

Nancy S. Turner, Pro Se
311 Claude Phillips Road
Bennett, N.C. 27208
(336)581-4009

RECEIVED
MAR 31 2015
S...

Andrew T. Shepherd, S.C. Bar No. 76859
Katherine H. Hyland, S.C. Bar No. 76436
Hart Hyland Shepherd, LLC
Post Office Box 130
Summerville, S.C. 29484
(843) 410-0711
Attorneys for Respondent

INDEX

Order received July 13, 2011 filed Aug. 24, 2011	2-3
Transcripts of Record for December 3, 2012 hearing.....	4-21
Exhibit 1 Roper Hospital Discharge Summary.....	22-30
Exhibit 2 John Abess M.D., P.A. Evaluation to Dr. DeMasi.....	31-33
Exhibit 4 Deed from Martha Schaffer to Susan Sawadske and Mark Schaffer dated March 13, 1997.....	34-37
Susan Sawadske and Richard Ferrare Deed 1787 Pg. 147 to Lot 379 Dated March 8 1997, filed July 11, 1997.....	38
Susan Sawadske and Richard Ferrari Mortgage dated July 9, 1997.....	39-40
Susan Sawadske and Richard Ferrari Title to Real Estate for sale of Lot 379 Bk 4211 Pg. 211	41
Notice of Disallowance of Claim, filed Dec. 6, 2002	42
Affidavit of Publication received May 20, 2011 filed Aug. 24, 2011	43-45
Last Will and Testament of Martha Schaffer filed Sept. 4, 2001	46-47
Inventory and Appraisement received Feb. 5, 2011 filed Aug. 24, 2011 ..	48-53
RSDI payment history, specifically the 12/09/97 payment of \$828.00 for (MCS) mental component summary	54-55
Page of Dr. Demasi, M.D. notes start date 6/26/97 end date 4/6/98	56-57
Deed Martha Schaffer selling her land in Folly Beach to Susan Sawadske and Mark Schaffer	58-59
Wachovia statement dated 7/24/01	60
Wachovia statement dated 8/23/01	61
Letter from Kristine Schaffer dated May 4, 1997	62-63
Deed of Distribution of Martin Schaffer filed March 28, 1991	64

Application for Probate of Will and Appointment of Mark Schaffer Dated Nov. 6, 2001.	65-69
Proposal for distribution filed Sept. 18, 2002.....	70-71
Accounting filed Sept. 18, 2002.....	72-73
Petition for settlement filed Sept. 18, 2002.....	74
Termination of appointment filed Jan. 31, 2002.....	75
Summons and Petition filed Jan. 7, 2011.....	76
Notice of Right to Demand Hearing filed Sept. 24, 2002.....	77
Proof of Service filed Oct. 2, 2002.....	78
Notice of appeal filed in Probate Court July 20, 2011.....	79
Proof of Service filed in Probate Court July 20, 2011.....	80
Receipt of Honorable Mary P. Brown, dated Aug. 24, 2011.....	81
Designation of Matters to be included in Record on Appeal filed Sept. 12, 2011.....	82-83
Initial Brief Nancy Turner filed Sept. 12, 2011.....	94-93
Notice of appeal filed in Circuit Court Aug. 24, 2011.....	94
Proof of Service filed in Circuit Court Aug. 24, 2011.....	95
Form 4 Order of Honorable Kristi Lee Harrington filed Feb. 1, 2013....	96-97
CD of court hearing	98
Certificate of Appellant	99

20 11 - CP - 00 - 2315

Certified True and Correct Copy
of Original Record
Keith W. Komahrens
Keith W. Komahrens, Judge of Probate
Berkeley County, SC

FILED

IN THE PROBATE COURT

2001 ES 08 411

2011 AUG 24 AM 9:50

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

IN THE MATTER OF THE ESTATE
OF MARTHA L. SCHAFFER

NANCY ELIZABETH SCHAFFER
TURNER,
Petitioner,

Vs.
SUSAN LINDA SCHAFFER
SAWADSKA,
Respondent.

CLERK OF COURT
BERKELEY COUNTY, SC

RECEIVED
2011 JUL 13 PM 4:42
BERKELEY COUNTY
S.C.
ORDER

Petitioner filed an action in this matter on January 7, 2011. The Respondent did not answer or appear.

Petitioner seeks among other relief an Order of this Court setting aside a deed conveying property owned by decedent on Folly Beach which was conveyed to Susan Schaffer Sawadske and Mark Schaffer by deed of decedent dated March 13, 1997. Plaintiff also seeks the return of personal property which she had stored at decedent's residence and her share of the profits from the sale and assets of the estate.

Petitioner contends that the Folly Beach deed was forged by her brother, Mark Schaffer or the respondent herein. Petitioner further contends that this Court addressed this issue at a hearing on October 25, 2001. She alleges that the Court issued an order requiring actions to be taken regarding the title.

After receiving testimony, reviewing the file and the taped recording of the October 25, 2001 hearing, I make the following findings and conclusions.

I find that the alleged fraud and the issue of the validity of the deed was not before the Court on October 25, 2001 and no ruling was made regarding the same.

Based upon the uncontroverted testimony of the Petitioner, I find that she is entitled to her personal property that was stored in her mother's house and she should retrieve the same if she can locate it.

Keith
1

Based upon the uncontroverted testimony of the Petitioner, I find that she did not receive her share of the estate of her mother and she is entitled to one third of any assets that she can locate and she should be appointed Personal Representative so that she can make a diligent search for said assets.

Based upon the entire record, I find that Petitioner was informed and believed that her mother's real property had been fraudulently conveyed at the time of the October 25, 2001 hearing. I find that she took no legal action to have the deed set aside until she filed the Petition herein in January, 2011. I find that she has not only failed to establish a reason the statute of limitations should not bar her action but by her own testimony it is obvious that she knew an "alleged fraud took place" and she failed to timely bring an action against the alleged perpetrators of the fraud.

Therefore, it is

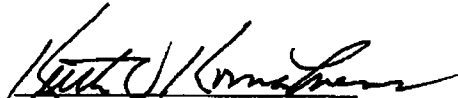
ORDERED, the Petitioner shall be entitled to her personal property which she stored at her mother's house if the same can be located and retrieved by her.

ORDERED, the Petitioner shall be appointed Personal Representative to afford her an opportunity to search for assets of decedent and if she locates and retrieves the same she shall be entitled to her share as a devisee under the will.

ORDERED, the Petitioner's cause of action to have the Folly Beach deed set aside is barred by the Statute of Limitations and same is hereby dismissed.

IT IS SO ORDERED.

July 13, 2011
Moncks Corner, SC


Keith W. Kornahrens
Judge of Probate

State of South Carolina)	
)	Court of Common Pleas
County of Berkeley)	
)	
Nancy S. Turner,)	
)	
Plaintiff,)	Case No: 2011-CP-08-02315
)	
versus)	Date: December 3, 2012
)	
Susan S. Sawadske,)	Moncks Corner, South Carolina
)	
Defendant.)	
)	

TRANSCRIPT OF RECORD

B E F O R E:

The Honorable Kristi L. Harrington

A P P E A R A N C E S:

Nancy Turner, Esquire
SELF-REPRESENTED PLAINTIFF

PROVIDED FOR: Nancy Turner, Self-Represented Plaintiff

FOR COPIES CONTACT: DeeAnne Varnadoe
Official Court Reporter
Fifth Judicial Circuit, At-Large
dvarnadoe@sccourts.org

THIS TRANSCRIPT WAS PREPARED FOR NANCY TURNER

I N D E X

HEARING 4
CERTIFICATE 17

THIS TRANSCRIPT WAS PREPARED FOR NANCY TURNER

E X H I B I T S

FOR THE PLAINTIFF:

(NONE WERE SUBMITTED FOR THIS HEARING)

FOR THE DEFENDANT:

(NONE WERE SUBMITTED FOR THIS HEARING)

THIS TRANSCRIPT WAS PREPARED FOR NANCY TURNER

P R O C E E D I N G S

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

THE COURT: Ms. Turner, you are here without an attorney; is that correct?

PLAINTIFF NANCY TURNER: Yes, ma'am.

THE COURT: And are you an attorney?

PLAINTIFF NANCY TURNER: No, ma'am.

THE COURT: Do you have any legal knowledge?

PLAINTIFF NANCY TURNER: No, ma'am.

THE COURT: And you represented yourself in front of Judge Kornahrens; is that correct?

PLAINTIFF NANCY TURNER: Yes, ma'am.

THE COURT: And you wish to proceed here today without an attorney; is that correct?

PLAINTIFF NANCY TURNER: Yes, ma'am.

THE COURT: Ms. Turner, you understand that I'm going to hold you to the same rules that I would hold another attorney; do you understand?

PLAINTIFF NANCY TURNER: Yes, ma'am.

THE COURT: All right. I can't give you any legal advice.

PLAINTIFF NANCY TURNER: Yes, ma'am.

THE COURT: I will explain to the best of my ability, but my role is -- I'm not here to give legal advice.

PLAINTIFF NANCY TURNER: Yes, ma'am.

THE COURT: I have to follow the rules. And even

THIS TRANSCRIPT WAS PREPARED FOR NANCY TURNER

1 though Ms. Sawadske ---

2 PLAINTIFF NANCY TURNER: Sawadske.

3 THE COURT: Sawadske is not here, you are the moving
4 party and you still have the burden; do you understand
5 that?

6 PLAINTIFF NANCY TURNER: Yes, ma'am.

7 THE COURT: All right. I'm going to go ahead and
8 place you under oath, Ms. Turner, if you would please stand
9 and raise your right hand.

10 Do you swear that the testimony you are about to give
11 this Court is the whole truth and nothing but the truth, so
12 help you, God?

13 PLAINTIFF NANCY TURNER: Yes, ma'am.

14 THE COURT: All right. You may have a seat. I'm
15 going to allow you just to remain seated because the
16 courtroom is so small.

17 Ms. Turner, you are appealing the ruling of Judge
18 Kornahrens. My role here today is just to listen to you
19 and for you to tell me what you believe that Judge
20 Kornahrens did wrong. This is not an opportunity to re-
21 litigate this case. Do you understand that?

22 PLAINTIFF NANCY TURNER: Yes, ma'am.

23 THE COURT: My role is only to determine if Judge
24 Kornahrens committed an error of law; do you understand?

25 PLAINTIFF NANCY TURNER: Yes, ma'am.

THIS TRANSCRIPT WAS PREPARED FOR NANCY TURNER

1 THE COURT: All right. Ms. Turner, tell me what you
2 believe that Judge Kornahrens did wrong in hearing this
3 case.

4 PLAINTIFF NANCY TURNER: I believe that he erred in
5 that he did not review the medical evaluations of my mother
6 from her stroke and from her dementia.

7 I believe that he qualified me into a timed limitation
8 frame that I did not fit into.

9 THE COURT: Say that one more time; I'm sorry.

10 PLAINTIFF NANCY TURNER: I'm -- I'm a little nervous.

11 THE COURT: All right. Take your time. Take your
12 time.

13 PLAINTIFF NANCY TURNER: He put me in a time, a
14 statute of limitations ---

15 THE COURT: All right.

16 PLAINTIFF NANCY TURNER: --- that I don't believe that
17 I -- that I fit into. Do you understand that?

18 THE COURT: Well, I understand what you said to me.

19 PLAINTIFF NANCY TURNER: Okay. All right.

20 THE COURT: What I don't understand is why you feel
21 that he erred by placing you within that statute of
22 limitations.

23 PLAINTIFF NANCY TURNER: This is a court of equity.

24 THE COURT: Right.

25 PLAINTIFF NANCY TURNER: And ---

THIS TRANSCRIPT WAS PREPARED FOR NANCY TURNER

1 THE COURT: Hold on one second. This is my court
2 reporter. She is a wonderful court reporter. She is just
3 amazing. But one of the things that she cannot do is write
4 when two people are talking at the same time.

5 PLAINTIFF NANCY TURNER: Yes, ma'am.

6 THE COURT: And we are a Court of Record, and what
7 that means is that everything that I say as well as
8 everything you say has to be written down. So, if you feel
9 that I err in my decision, then you can appeal my decision
10 just as if you -- just as you are currently appealing Judge
11 Kornahrens' decision.

12 PLAINTIFF NANCY TURNER: Yes, ma'am.

13 THE COURT: So please try and I know it's very hard,
14 but I'm going to give you all the opportunity, but again,
15 let's try to make it as easy on my court reporter as
16 possible.

17 PLAINTIFF NANCY TURNER: Yes, ma'am.

18 THE COURT: So, tell me what it is -- you indicated
19 that Probate Court is a Court of Equity, so then your
20 belief is that Judge Kornahrens should not have used any
21 statute of limitations; is that what you're saying?

22 PLAINTIFF NANCY TURNER: I think he applied the wrong
23 statute.

24 THE COURT: Okay. And tell me what statute he applied
25 and what you believe he should have applied.

THIS TRANSCRIPT WAS PREPARED FOR NANCY TURNER

1 PLAINTIFF NANCY TURNER: He applied -- I don't know
2 what he applied. I believe that the South Carolina Code of
3 Law, Title 15, Chapter 69 -- Section 15-69-210, I believe
4 that I should have had a judgement for my personal property
5 that my sister removed. He said that if I could find my
6 property that I would be entitled to have it back. I think
7 that was wrong. I think that I demonstrated that the
8 confidential relationship existed between my sister and my
9 mother and I don't feel like he applied that.

10 THE COURT: Explain to me what you mean by that term.

11 PLAINTIFF NANCY TURNER: My mother and my sister had a
12 fiduciary confidential relationship as my sister took care
13 of all of my mother's financial needs. They lived
14 together. My sister was the primary caregiver, so she had
15 -- they had a domestic relationship and they had a
16 financial relationship regarding bank accounts. And I
17 don't believe that Judge . . .

18 THE COURT: Kornahrens.

19 PLAINTIFF NANCY TURNER: Kornahrens took that into
20 consideration.

21 Also, as reflected in the doctor's notes that the
22 Court has, Susan, my sister, was exercising undue influence
23 after my mother's stroke.

24 THE COURT: And the influence that you state she was
25 exhibiting or exerting over your mother, how did that

THIS TRANSCRIPT WAS PREPARED FOR NANCY TURNER

1 affect you?

2 PLAINTIFF NANCY TURNER: It affected me by, you see,
3 everything my mother had was taken out of my mother's name,
4 and upon my mother's death there was nothing left of
5 anything my mother had.

6 THE COURT: Was there any evidence of fraud?

7 PLAINTIFF NANCY TURNER: The deed was suspicious in
8 that one of the signatures of the deed of the property of
9 Folly Beach was notarized but it was not that person's
10 signature, nor was there permission for that person's
11 signature to have been used.

12 THE COURT: And did Judge Kornahrens address that
13 issue?

14 PLAINTIFF NANCY TURNER: In his piece of paper that he
15 sent me he said something about that I recognized it to be
16 fraud. Is that what you mean by addressing?

17 THE COURT: Well, did you provide proof? Did he take
18 testimony regarding that?

19 PLAINTIFF NANCY TURNER: Yes. And the person's
20 signature, he was in the previous court and Judge
21 Kornahrens, he had access to that court tape and he
22 listened to it.

23 THE COURT: And so then I'm assuming that he found no
24 fraud; is that correct?

25 PLAINTIFF NANCY TURNER: That's -- No, he didn't say

THIS TRANSCRIPT WAS PREPARED FOR NANCY TURNER

1 that. He ---

2 THE COURT: Ms. Turner, did you present -- so you are
3 indicating to this Court that Judge Kornahrens knew ---

4 PLAINTIFF NANCY TURNER: I just said it was
5 suspicious.

6 THE COURT: So what you believe is suspicious is
7 fraudulent or not fraudulent?

8 PLAINTIFF NANCY TURNER: I believe it was fraudulent.
9 I believe there were several things that were done
10 fraudulently and to the Court.

11 THE COURT: From what you're telling me, it sounds
12 like Judge Kornahrens even went back to the previous case
13 and made a determination that it was not fraudulent.

14 PLAINTIFF NANCY TURNER: No ---

15 THE COURT: Would that be an accurate statement?

16 PLAINTIFF NANCY TURNER: --- no, no, that would not be
17 an accurate statement.

18 PLAINTIFF NANCY TURNER: Then give me an accurate --
19 Ma'am, please give me an accurate statement.

20 PLAINTIFF NANCY TURNER: I'm sorry.

21 THE COURT: I wasn't at the hearing and so I need for
22 you to explain to me to the very best of your ability so
23 that I understand.

24 PLAINTIFF NANCY TURNER: Okay. Judge Kornahrens ---

25 THE COURT: You don't get -- Just because -- And

THIS TRANSCRIPT WAS PREPARED FOR NANCY TURNER

1 sometimes during appeals people get very frustrated, but
2 just because you didn't like the judge's ruling doesn't
3 mean it's wrong. And so what I need you to explain to me
4 is what -- what did you believe that Judge Kornahrens did
5 wrong.

6 PLAINTIFF NANCY TURNER: Judge Kornahrens stated that
7 fraud was not before the Court and he made no ruling on it.

8 THE COURT: Okay. Let me ask it this way. What was
9 it that you wanted the outcome to be in that hearing?

10 PLAINTIFF NANCY TURNER: I wanted the deed to Folly
11 Beach to be set aside.

12 THE COURT: And was that before the hearing -- was
13 that before the Court at that time?

14 PLAINTIFF NANCY TURNER: Yes.

15 THE COURT: All right. And based -- and you wanted it
16 set aside because you believe that it was fraudulent.

17 PLAINTIFF NANCY TURNER: No.

18 THE COURT: No? Why do you want it set aside?

19 PLAINTIFF NANCY TURNER: I wanted it set aside because
20 of undue influence and the confidential relationship that
21 my sister and my mother shared, and then when my mother
22 became in declined mental status and declined physical
23 status that my sister began liquidating all of my mother's
24 assets. Now, there is a -- there was other pieces of
25 property, but those pieces of property were sold to people

1 in good faith. Those people bought that property in good
2 faith and they did nothing wrong.

3 THE COURT: That property was -- the Folly Beach
4 property was conveyed in 1997; is that correct?

5 PLAINTIFF NANCY TURNER: Yes, ma'am.

6 THE COURT: All right. And there was a hearing in
7 2001 that addressed in some form or fashion that transfer;
8 is that correct?

9 PLAINTIFF NANCY TURNER: No, ma'am. That's not
10 correct.

11 THE COURT: And then you had a hearing and Judge
12 Kornahrens filed his Order that you are appealing in July
13 of 2011; is that correct?

14 PLAINTIFF NANCY TURNER: Right.

15 THE COURT: So that one of the issues was this 1997
16 transfer. And so what happened between 1997 and now that
17 you -- that is different from -- is there any new evidence
18 that you have of any of this?

19 PLAINTIFF NANCY TURNER: I have -- Yes.

20 THE COURT: All right. And did you give that to Judge
21 Kornahrens?

22 PLAINTIFF NANCY TURNER: No. We went -- in 2001, it
23 was a few months after mother had died, and that was the
24 personal representative and these issues got brought up,
25 and I had asked to become my mother's representative and

THIS TRANSCRIPT WAS PREPARED FOR NANCY TURNER

1 these issues were brought up because they were suspicious.
2 And at that time no one else had asked to be my mother's
3 representative. I had asked to be. And these issues were
4 brought up.

5 THE COURT: Anything else you wish to tell me?

6 PLAINTIFF NANCY TURNER: I feel like -- I don't feel
7 like I am -- I believe that I am well within my time factor
8 because according to -- I feel like I am within my time
9 factor because of the 40-year rule. And that property was
10 my mother's and it was my father's and I am well within
11 that 40 years. I am also within that 10-year rule.

12 I have -- After I became personal representative in
13 2011, that's when I was able to get documentation. But at
14 the end of the hearing in 2001 that judge spoke to me and
15 my brother and said that a thorough examination of what
16 transpired in the lifetime of my mother regarding her
17 property would have to be examined. And if I was not going
18 to protest for my brother to be named personal
19 representative, that he had two weeks to file documents to
20 become personal representative.

21 I waited and called and wrote my brother asking him to
22 examine what happened in the lifetime of my mother to her
23 property and to her bank account; that is what the judge
24 closed that 2001 personal representative case with. None
25 of that was ever done. Nothing was re-addressed. Mark

1 never turned in any additional information to Probate Court
2 about anything of mother's. And I kept calling and waiting
3 and he kept saying that he would have to get all this
4 information from Susan, and Susan either threw it out,
5 didn't have it or wouldn't give it to him.

6 So then I re-addressed the Court to become her
7 personal representative in 2011. And once I got that, then
8 I was able to secure documents from her Social Security
9 Administration and from Wachovia bank account that supports
10 that bank account was open and the money deposited into the
11 bank was exclusively mother's money, and at the Social
12 Security Administration that mother of her own ability was
13 receiving benefits and all of that money was also going
14 into this account that mother and Susan were on.

15 THE COURT: So explain to me what took place. Your
16 mother passed away in 2001; is that correct?

17 PLAINTIFF NANCY TURNER: Yes.

18 THE COURT: And you filed this action in 2011;
19 correct?

20 PLAINTIFF NANCY TURNER: Yes.

21 THE COURT: What -- Why did it take you ten years?

22 PLAINTIFF NANCY TURNER: My brother Mark, who was her
23 personal representative, I kept asking Mark where -- what
24 happened. He kept putting me off. He never would give me
25 an answer and I kept waiting for him to do what the Court

1 instructed him to do which was to thoroughly examine what
2 happened in the lifetime of mother and to turn in that
3 paperwork to the Court. And nothing ever happened.

4 And then I got disgusted and I said, Well, I'm going
5 to apply to be her personal representative and I'm going to
6 find out just what you and Susan did.

7 THE COURT: Okay. And that was in 2011.

8 PLAINTIFF NANCY TURNER: Yes, ma'am.

9 THE COURT: All right.

10 PLAINTIFF NANCY TURNER: Actually it was in 2010. I
11 filed early in 2011.

12 THE COURT: All right. Anything else you wish to tell
13 me?

14 PLAINTIFF NANCY TURNER: No, but I feel like I'm well
15 within that 40 years. I'm well within that 10 years. And
16 I feel like there was -- I feel like Susan and Mark tried
17 to do fraud against the Court by basically saying that
18 mother had nothing, and I know better than that.

19 THE COURT: I'm going to take this matter under
20 advisement. Good luck to you.

21 PLAINTIFF NANCY TURNER: Yes, ma'am. May I add one
22 more thing? I'm sorry. I'm terribly nervous.

23 THE COURT: All right. One more thing.

24 PLAINTIFF NANCY TURNER: You will discover that this
25 Court no longer has a copy of the original tape of 2001,

THIS TRANSCRIPT WAS PREPARED FOR NANCY TURNER

1 the courthouse. I have a CD. I have a copy. Can I
2 present that to the Court?

3 THE COURT: No, ma'am.

4 PLAINTIFF NANCY TURNER: Okay.

5 THE COURT: Thank you. Good luck to you, ma'am.

6 PLAINTIFF NANCY TURNER: Is it too late?

7 THE COURT: It is too late.

8 PLAINTIFF NANCY TURNER: Okay. Thank you. Thank you
9 very much. And I'm terribly sorry.

10 THE COURT: You're fine. Thank you.

11 (WHEREUPON, THE HEARING IN THE ABOVE-
12 ENTITLED MATTER WAS CONCLUDED.)

13

14

15

16

17

18

19

20

21

22

23

24

25

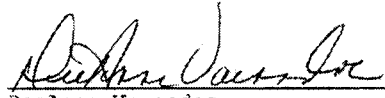
THIS TRANSCRIPT WAS PREPARED FOR NANCY TURNER

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND) CERTIFICATE

Be it known that I, the undersigned DeeAnne Varnadoe, Official Court Reporter for the Fifth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing transcript represents a true, accurate and complete transcript of record of all the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, before the Court of Common Pleas for Berkeley County, South Carolina, so given on December 3, 2012, to the best of my skill and ability;

That I am not related to nor an employee of any of the parties hereto, nor a relative or employee of any attorney or counsel employed by the parties hereto, nor interested in the outcome of this action.

IN WITNESS WHEREOF I have here unto set my hand and seal this 20th day of April, 2013.



 DeeAnne Varnadoe
 Official Court Reporter
 Notary Public for South Carolina
 My commission expires 3/15/2016.

THIS TRANSCRIPT WAS PREPARED FOR NANCY TURNER

EXHIBITS

ROPER HOSPITAL, INC.
316 CALHOUN STREET
CHARLESTON, S.C. 29401

DISCHARGE SUMMARY

SCHAFFER, MARTHA L
54-64-73
Alexander W. Demasi, M.D.

DATE OF ADMISSION: 11/19/98 *file*
DATE OF DISCHARGE: 11/25/98

History of present illness: The patient is a 59 year old white widowed female who had the abrupt onset of decreased mentation and right sided weakness while sitting at the table with her son. She initially was in normal sinus rhythm and developed atrial fibrillation and was transported by EMS. The patient had been seen the day before because the family had noted delusion, dementia, paranoid ideation. There was some element of shortness of breath. She was referred to Dr. John Abbess who evaluated her and felt that her symptoms could be organic in nature. There was no prior history of similar episodes. At the time of admission the patient did not have the ability to provide additional information. There was an episode several weeks before admission when the patient seemed confused over her burglar alarm. The patient had exhibited such signs of paranoia being fearful that the family was trying to commit her.

She had a past medical history of rheumatic heart disease with mitral stenosis, aortic insufficiency, recent atrial fibrillation with reverted to sinus rhythm, premature ventricular contraction previously, noninsulin dependent diabetes mellitus recently placed on insulin. There was also some vaginal bleeding with anemia. Medications included Digoxin, Quinidine, Humulin, Calan, and Premarin.

At the time of admission the pupils were small. She was mute. She was able to move her right leg fairly well but could not move the right arm as well. There was a soft murmur of aortic insufficiency. Detailed neurological examination is included in the note by her consultant doctor, Dr. Charles Jervey. The patient was entered into the PTA study after discussion with the family.

Hospital course: She initially had orders in the protocol of the PTA stroke study outlined by Dr. Charles Jervey. CT scan showed no evidence for hemorrhage or any infarction. Laboratory studies were conducted. She was placed on her regular home medications. She

ORIGINAL



ROPER HOSPITAL, INC.
316 CALHOUN STREET
CHARLESTON, S.C. 29401

DISCHARGE SUMMARY

SCHAFFER, MARTHA L
54-64-73
Alexander W. Demasi, M.D.

DATE OF ADMISSION: 11/19/99
DATE OF DISCHARGE: 11/25/98

- 2 -

was seen by the speech consultants as to the appropriate period of observation for the study group. She was then placed on Coumadin. She received Lasix. She was placed back on Humulin N in a smaller dose. The day after admission she felt well. She did not recall why she was in the hospital. She was followed by both Dr. Jervay and her psychiatrist Dr. John Abbess. She continued to have severe amnesia although she had some degree of confabulation. There were no apparent hallucinations or delusion. Dr. Abbess felt her disorder was compatible with cerebrovascular accident. Her atrial fibrillation had a varied ventricular response. Her IV's were discontinued. She was diuresing with Lasix which was instituted after findings of chest x-ray indicating the presence of congestive failure. By the 24th she was able to be up and about and was to continue with her treatment at home. She had some slight on the hand probably secondary to an INT.

Plans were made to see her in follow up in my office in approximately a week. Prothrombin times would be done as an outpatient as indicated.

Laboratory data: CT scan done today after admission showed a low density defect in the left parietal region suspicious for a none hemorrhagic cerebral infarction. Chest x-ray initially showed pleural effusions bilaterally and these subsequently cleared. Follow up chest x-ray would be conducted as an outpatient. Initial potassium was 2.8 rising to 5.2 after therapy. Osmole 279. BUN 19, creatinine 1.1. Glucose 84. Initial blood gases pH 7.49, pCO2 35, pO2 77. Subsequent blood gases on the 20th, pH 7.45, pCO2 36, pO2 129. Initial digoxin level was 0.5 and subsequently 1.5 nanograms/mL. Initial quinidine level was 1.5. WBC 7.3, hemoglobin 13.8, platelet count 287,000.

Final diagnoses:

1. Cerebrovascular accident (embolus).
2. Atrial fibrillation.
3. Rheumatic heart disease.
4. Insulin dependent diabetes mellitus.

ORIGINAL

ROPER HOSPITAL, INC.
318 CALHOUN STREET
CHARLESTON, S.C. 294

CHARGE SUMMARY

SCHAFFER, MARTHA L
64-64-73
Alexander W. Demasi, M.D.

DATE OF ADMISSION: 11/19/99
DATE OF DISCHARGE: 11/25/98

- 3 -



Alexander W. Demasi, M.D.

TR: drt DD: 02/27/97 TD: 02/27/97 5:38 P/DOCUMENT #: 125160

cc: Alexander W. Demasi, M.D.

ORIGINAL

7004
ROPER HOSPITAL, INC.
316 CALHOUN STREET
CHARLESTON, SC 29401

HISTORY AND PHYSICAL EXAMINATION
11/19/96

SCHAEFFER, MARTHA
54-64-73
Charles S. Jervey, M.D.

History: The patient is a 59-year-old right handed white female who was eating lunch with her son today and had sudden inability to speak. He states that she was just in the middle of replying to a question and seemed to stop in mid sentence. She also stopped eating at that time and did not seem to respond to his questions but rather stared blankly. This occurred at 12:15 this afternoon and she was brought to the Roper Emergency Room for further evaluation. She has never had any spell like this before as far as her son knows. She does have a history of diabetes and heart disease. The patient is currently unable to provide any history.

Past Medical History: Significant for atrial fibrillation and diabetes. In addition in talking with the family, she has some baseline mild memory deficit and was recently evaluated by Dr. Abess for possible dementia. Family states at baseline the patient lives at home alone and manages her own finances without any apparent difficulty, does her own grocery shopping and household chores without any difficulty and is able to drive herself around without problems. Of interest, they mention an episode of her house being broken into a few weeks ago, and when she arrived home the alarm was on but they found signs of forced entry. Her son states that the alarm has apparently been malfunctioning frequently since then and going off just about every other night and he states that he is familiar with alarm systems, and he is sure that it is a malfunctional problem but he has been unable to convince his mom of that. She seems to be convinced that every time the alarms goes off somewhat is attempting to break in. This has been causing difficulty with the neighbors who are frustrated at the frequent alarm noise, although the family is unable to convince the patient that the system needs to be checked. She also has exhibited other signs of paranoia lately such as the son stating that the patient was afraid the family was trying to commit her.

Medications: The patient is currently on Lanoxin and insulin and apparently on two pther heart medicines but the family does not know the names nor the doses.

Medication Allergies: None known.

Family History: Negative for strokes or heart attacks.

Social History: The patient is a right handed white female nonsmoker who lives alone and is a widower.

ORIGINAL

ROPER HOSPITAL, INC.
316 CALHOUN STREET
CHARLESTON, SC 29401

HISTORY AND PHYSICAL EXAMINATION
11/19/96

SCHAEFFER, MARTHA

54-64-73

- 2 -

Physical Examination: On arrival, temperature 96.8, pulse 120, respirations 20, blood pressure 134/80. Heart is irregularly irregular. The lungs are clear to auscultation. The abdomen is soft and nontender. Head is symmetric without bruises or swelling. Neck is supple with no carotid bruits. Throat without erythema or exudate. The patient is alert and attempts to follow instructions although has difficulty with some instructions. She is aphasic, although she is able to speak a few single words. She also is able to read words off a sheet without apparent difficulty. She, however, is unable to name any objects. She is able to follow most one step commands but has difficulty with two step commands and also difficulty with some one step commands. At best speech, she can speak a few sentence fragments. She is unable to tell me her name, the date or her birth date. She also is unable to tell me where she is. Her speech is articulate, however. Cranial nerves - pupils equal, round and reactive to light. Extraocular muscles intact. Muscles of facial expression demonstrate some mild right lower facial weakness. She has positive corneals, positive gag. Palate is symmetric and tongue protrudes midline. She does not seem to understand how to shrug her shoulders. Sensation is intact to noxious stimuli times four extremities and there is no extinction to double simultaneous touch. Sensation is sharp versus dull, is unreliable due to communication difficulties. Motor exam - symmetrical bulk and tone with good strength times four extremities no pronator drift. Coordination - she has some difficulty following instructions for fine motor control but there is no obvious asymmetry seen. She has good finger-to-nose and good heel-to-shin. Reflexes are symmetrical throughout and there is no Babinski.

The patient had an EKG which shows atrial fibrillation with a response rate of 142. She is being given a dose of Digoxin 2.5 and her heart rate is currently 88. Head CT scan without contrast demonstrated no evidence of hemorrhage and no acute infarct was seen.

Labs include a CPK which was 258. Digoxin level is 0.5. Quinidine level 1.5. UA was normal. PT 13.1. PTT 37.7. CBC with a white count of 7.3 thousand, hemoglobin 13.8, hematocrit 41.2, platelets 267. BCP-8 - sodium 139, potassium 2.8, chloride 104, CO2 28, BUN 19, glucose 84, creatinine 1.1. ABG - pH 7.499, pCO2 35, pO2 77, pO2 94.7.

Impression:

Patient with acute onset of aphasia and mild right lower facial droop secondary to acute stroke. This may be related to her atrial fibrillation.

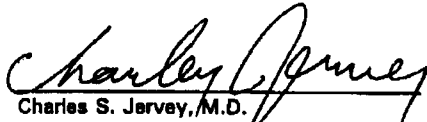
ORIGINAL

ROPER HOSPITAL, INC.
316 CALHOUN STREET
CHARLESTON, SC 29401

HISTORY AND PHYSICAL EXAMINATION
11/19/96

SCHAEFFER, MARTHA
54-64-73
- 3 -

The patient was evaluated three and a half hours after onset of her symptoms, and the option of entering the stroke study was presented to the son. He was in favor of the study, and we also, therefore, got in touch with the daughter, who is a nurse at Trident Hospital, and after a long discussion with her, she also decided in favor of the study. The case was discussed with the study director and he did not think recent events would exclude the patient from the study. She will be admitted to the Roper Intensive Care Unit as part of the study protocol. Dr. DeMasi will be consulted for general medical management.



Charles S. Jervy, M.D.

TR: ras DD: 11/19/96 TD: 11/19/96 7:32 P/DOCUMENT #: 89460

cc: Alexander W. Demasi, M.D.
Charles S. Jervy, M.D.

ORIGINAL

11-25
①

ROPER HEALTH SYSTEMS
316 CALHOUN STREET
CHARLESTON, SC 29401

EMERGENCY SERVICES
11/19/96

SCHAFFER, MARTHA
54-64-73
Patrick J. Kelly, M.D.

HISTORY

History of Present Illness: This is a 64-year-old white female who presents to the Emergency Department with a chief complaint of possible stroke. According to the son, they were sitting there eating lunch when "like a light switch shut off," his mom became nonverbal and would not respond. She stared off and seemed to be weak. Upon arrival here in the Emergency Department, she continued to be less responsive with staring off and aphasia initially. She seemed to be weaker on the right side initially and this improved later. She had symmetric weakness then. She is a diabetic and has had a previous history of atrial fibrillation. Upon arrival here, she was noted to be in atrial fibrillation. The patient reportedly was seen in Dr. DeMasi's office yesterday for change in behavior that included hallucinations. The patient was hallucinating that there was a man in their house. Dr. DeMasi did note some evidence of peripheral edema and treated her with Demodex. He sent her to Dr. Abess of Psychiatry for evaluation, who thought she might have dementia. He intended to send her to Dr. Alton Bryant for a neurological evaluation, as well.

Review of Systems: The son states that she was fine earlier this morning. Dr. DeMasi noted that she did have significant peripheral edema yesterday which seems to be improved according to him today. There has been no history of trauma to her head. No nausea or vomiting. Review of systems is otherwise negative, noncontributory or not pertinent.

Past Medical History: Positive for atrial fibrillation, but last EKG showed her to be in sinus rhythm. Also, prior vaginal bleeding, but that has not been a current problem. Also, questionable transient ischemic attacks in the past.

Family History: Per the son, mother is alive and well. The father has Alzheimer's. Neither have had strokes he does not believe.

Social History: She does not smoke, drink or do street drugs.

Physician: She is followed by Dr. DeMasi.

Medications: Lanoxin, quinidine and Calan, according to Dr. DeMasi. Also, cough syrup with codeine, which she seemed to not tolerate over the last several weeks. Also, insulin.

ORIGINAL

~~ROPER HEALTH SYSTEMS~~
316 CALHOUN STREET
CHARLESTON, SC 29401

EMERGENCY SERVICES
11/19/96

SCHAFFER, MARTHA
54-84-73

- 2 -

Allergies: None.

Immunizations: Last tetanus unknown.

PHYSICAL EXAMINATION

Vital Signs: Temperature 98.8°; pulse 120 and irregular; respirations 20; blood pressure 134/80.

Examination: She arrived via private vehicle. Upon initial examination, she appeared obtunded and would open her eyes, but had no verbal response and initially did not appear to be following commands. Pupils were reactive; extraocular movements appeared grossly intact; I do not see any lateralization; no nystagmus; funduscopic exam did not have any papilledema. TMs are clear. Throat is clear; she had a sluggish gag. Neck is supple; there are no bruits; no definite thyromegaly. Her chest revealed decreased breath sounds in the bases; greater diminishment on the left. Cardiovascular exam, an irregularly irregular rhythm that varied in rate up into the 140s. Abdomen is soft, nondistended, nontender, no hepatosplenomegaly; normal bowel sounds. Rectal exam was heme negative. Her vaginal exam did not have any blood. Extremities revealed she does have 1+ pitting edema in her lower legs. No evidence of DVT. Peripheral pulses 2+ and equal. Her neuro exam, mental status revealed she does open her eyes spontaneously. Initially she was aphasic and later attempted to make sounds. She was definitely weaker on the right side, but with weakness on the left, as well. Babinski was equivocal. DTRs 1+ and symmetric. Skin did not show any evidence of rash; no trauma.

MEDICAL DECISION MAKING

Review of Diagnostic Tests: EKG, as read by me, showed atrial fibrillation with a rate of 142. She had diffuse ST-T wave changes which may represent ischemia and/or digoxin effect. CPK was elevated at 258, with an elevated CK-MB of 5.6, but an index that was normal at 2.2. Arterial blood gas drawn on 2 to 3 liters/minute showed a pH 7.499, PCO₂ 35, PO₂ 77, bicarbonate of 28. This shows a mild metabolic alkalosis with adequate oxygenation, but requiring supplemental O₂. O₂ saturation was 95%. Her saturations were running in that range, and improved into the upper 90s after being on the nasal cannula at 3 liters for a longer period of time. SMA-8 showed a sodium of 139, potassium 2.8, chloride 104,

ORIGINAL

ROPER HEALTH SYSTEMS316 CALHOUN STREET
CHARLESTON, SC 29401**EMERGENCY SERVICES**
11/19/96SCHAFFER, MARTHA
54-64-73

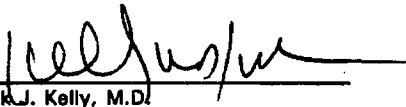
- 3 -

bicarbonate 28, BUN 19, creatinine 1.1, glucose 84. PT 13.1; PTT 37.7. Urinalysis dipped negative; this was a Foley specimen. White count 7.3; hemoglobin 13.8; platelet count normal at 267,000. Digoxin level is 0.5. Quinidine level is 1.5 with therapeutic being 2 to 5. Portable chest x-ray, as read by me, showed pleural effusions greater on the left than right.

Course in Emergency Department/Treatment: The patient was placed on supplemental O₂ upon arrival. Her Accu-Chek was 91. I discussed her case with Dr. DeMasi early on and he requested we treat her with Cardizem. She was given a 20 mg bolus of IV Cardizem over two minutes and her heart rate did slow somewhat. She was started on a 10 mg/hr drip. Once her digoxin level was known, she received 0.25 mg of IV digoxin. I contacted Dr. John Abess of Psychiatry who gave me that history of his evaluation, felt likely to be related to dementia. He did not start her on any medication. He had referred her to Dr. Alton Bryant of neurology for an evaluation. I spoke with Dr. Alton Bryant. He felt today's case did represent a stroke. He referred me to Dr. Jervy, and I spoke with the office to have Dr. Jervy notified. I finally did speak in person with Dr. Jervy, who is here in the Emergency Department to evaluate the patient for thrombolytic therapy. She is outside the three hour time frame for automatic t-PA, thus, she is being entered into the Stroke Study at this time. Dr. Jervy and his team are here in the Emergency Department to assess that, and he has discussed with the family regarding that. Clinically the patient has improved neurologically here in the Emergency Department and is attempting to follow commands and make verbal responses, although there is still impediment there. Her strength has improved. At this point, she will go to ICU after being enrolled in the Stroke Study.

- Diagnoses:
1. Acute cerebrovascular accident.
 2. Rapid atrial fibrillation.
 3. Pleural effusions bilaterally.
 4. Diabetes.

Disposition: Admission to ICU.


Patrick J. Kelly, M.D.

ORIGINAL

John F. Abess, M.D., P.A.



46-c State Street
Charleston, S.C. 29401
803-577-0303 voice 803-577-0707 data
<http://www.charleston.net/com/jfabess>

V *ia facsimile*

November 19, 1996

TO: ALEXANDER DEMASI, MD
FM: JOHN F. ABESS, MD
RE: MARTHA SCHAFFER

Al,

Thank you for referring this lady to me. I am enclosing a copy of my evaluation for your records. I referred her to Alton Bryant, MD, neurologist, for consideration of small vessel ischemic disease, multiple sclerosis, normal pressure hydrocephalus, etc.

I also heard from Patrick Kelly, Roper Hospital ER physician this afternoon. He tells me Ms. Schaffer may have suffered a massive stroke, and was currently in the emergency room. This is very disconcerting. He informs me she will be admitted to the hospital.

John



77-2

John F. Abess, M.D., P.A.



46-a State Street
Charleston, S.C. 29401
803-577-0303 voice 803-577-0707 data
<http://www.charleston.net/com/jfabess>

Patient: MARTHA SCHAFFER (and Susan, Daughter)
Date: November 18, 1996

SITUATION:

Martha was referred per Dr. Demasi for confusion.

PRESENTING ILLNESS:

According to Susan, Martha's daughter, there have been signs for the past 2 years that she was having memory problems. She would call her children to ask what day it is, what time it is. Why talking to others, she repeats what she has previously said. However, beginning this past week, she was speaking and jumping from one thought to another without much association. Also, she went to sleep in her daughter's bed as "there were ladies sleeping on the couch". She called from a mall to ask her daughter to come to the mall and driver her around in order to find where she parked her car. Sunday, she went to a neighbor's house to say there was someone in her own home trying to "put me away". Further, she had been taking cough medicine with codeins and she was taking little sips every time she had a cough. (Almost the entire bottle in 2 weeks). If she takes one glass of wine, she becomes happy and silly. She acknowledges that now when entering a place, she makes a mental note of where is the exit in order to help find her car. Susan states her mother has not appeared to have a change in personality or mood. She is pretty much happy go lucky. She goes to sleep around 11:30 PM. She sleeps through the night in general. She recalls no dreams. She gets up for the day between 8-9 AM. She keeps up her house and pays the bills. She drives where she wants. She enjoys shopping and browsing in stores. She enjoys mystery movies and an occasional novel. She takes a nap most days for 1-2 hours. She is more confused when first getting up from a long nap. She denies having been anxious or frightened. However, Susan states her security system at her home has been going off a lot lately. Further, she has been calling the police a good bit. Her property backs up to a church where there is a playground. She called the police at MN to report she saw kids playing there - but the kids checked it out and there were no kids. Susan believes there is somebody trying to break into the house as the security alarm is going off a good bit. This is occurring just about once a night.

SYMPTOM INVENTORY:

Denies panic attacks, but does get anxious when having lugh congestion from pulmonary edema due to heart disease. Denies depressive or anxious disorders. Denies symptoms suggestive of hypomania. Denies hallucinations (does not remember) but family indicates recently they have been occurring. Denies sleep or appetite disturbance. Is weak due to rheumatic heart disease, atrial fibrillation, ventricular ectopy.

PAST PSYCHIATRIC HX:

None in this individual. No episodes of self destructive behavior.
None in her family. No history of suicides in the family.

FAMILY HISTORY:

Martha's husband is deceased. He died in 1989 from a myocardial infarction. They had 4 children. Their youngest, Steve, died suddenly at age 24 in 1991 from "hypertensive cardiac disease". One daughter and son live in the Charleston area. One daughter lives in Raleigh, N.C.

SOCIAL/EDUCATION HX:

Martha has high school education. She has worked for the telephone company and for Condon's in clothing sales. She has not worked in the past 2 years.

ALCOHOL/DRUGS:

Deferred till next appointment.

MEDICAL HX:

No known allergies to medications.

Operative procedures include hysterectomy and partial thyroidectomy

Medical conditions include:

Rheumatic Heart Disease with

Mitral Stenosis, Aortic Insufficiency, Atrial Fibrillation, Ventricular Ectopy

Adult Onset Diabetes now requiring insulin replacement

History of possible TIA's

MENTAL STATUS:

She has calendar at her house. She does not know what the date is, however, she indicates today is Tuesday. The month is November and the year is 1996. Serial 7's - 93, 86, 77, (then started subtracting 6) 65. World - dlrow (with effort), d forward, 5 reverse. 0 of 3 words after 5 minutes, even with coaching. She knows the name of President Clinton, but first called him Dillon. His opponent was "Door, Gore". She denies auditory or visual hallucinations. However, her daughter informs me she has been hallucinating - this is "very new" according to her daughter. She describes her mood as "fairly good the majority of the time". Occasionally she feels a little sad when thinking of her "back to back tragedies". She has not been crying.

ASSESSMENT:

Axis I	Dementia, Undetermined Origin, with recent hallucinations R/O Vascular, Nutritional, Small Vessel Ischemia, Infectious, Metabolic
Axis II	Rule Out Hallucinations due to Codeine (excess cough syrup consumption)
Axis III	Deferred - None apparent
	Rheumatic Heart Disease with Mitral Stenosis, Aortic Insufficiency, Atrial Fibrillation, Ventricular Ectopy Adult Onset Diabetes now requiring insulin replacement History of possible TIA's

This individual provides a history of memory deterioration of a longstanding and progressive nature over the past 2 years. Within the past week, she has developed hallucinations, lost her car in a mall parking lot. Because there is no prior history of psychiatric problems, it seems most likely that her symptoms relate to a physical disorder affecting her mind such as Alzheimer's, TIA's, Diabetic Small Vessel Ischemia, Hypoxia. I will want to order blood work to rule out reversible causes of dementia. Further, she should have a neurologic evaluation and possibly a CT or MRI to rule out Normal Pressure Hydrocephalus, Multiple Sclerosis, and other CNS disease. She is advised to stop the cough syrup with codeine.

PLAN:

Discontinue codeine. Obtain free T4, TSH, RPR, Vit B12, S. Folate, Sed Rate. Referral to Dr. Thomas Dukes, neurologist for further evaluation of CNS disease. Return appointment to gauge course of disease and consider pharmacologic intervention for hallucinations.

HH 281PG303

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

TITLE TO REAL ESTATE

13 March 1997

KNOW ALL MEN BY THESE PRESENTS, THAT I, MARTHA EDGAR SCHAFFER in the State aforesaid and in consideration of the sum of TEN and NO/100 DOLLARS (\$10.00), love and affection for my son and daughter to me in hand paid at and before the sealing of these presents by SUSAN SCHAFFER SAWADSKA and MARK SCHAFFER in the State aforesaid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and released, and by these presents do grant, bargain, sell and release unto the said SUSAN SCHAFFER SAWADSKA and MARK SCHAFFER, their Heirs and Assigns forever, each an equal interest in the following described property:

ALL that lot, piece, or parcel of land situate, lying and being on Folly Beach, County of Charleston, known and designated as Lot No. 202, as shown on a "Map of Lots No. 202 and 203, West Huron Avenue, Folly Beach," surveyed by W. L. Gaillard and dated September 2, 1960, recorded in Plat Book P, Page 72; the said lot having such size, shape, and dimensions as will by reference to said plat more fully appear;

BEING a portion of the property conveyed to Martha Edgar Shaffer by Deed of Distribution from the estate of Martin Mark Schaffer dated March 26, 1991 and recorded in the R.M.C. Office for Charleston County, S.C. in Book R-203 at page 248.

TMS# 328-10-00-095

Grantees' Address: 731 Longbranch Dr.
Charleston, SC 29414

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said premises before



77-3

gx
h

BH 2878646

Registering Fee 10.00

FILED

State Fee

H281-543
97 MAR 14 PM 4:55

County Fee

CHARLIE C. LYBRAND
REGISTER
CHARLESTON COUNTY SC

Postage

TOTAL 10.00

TWS VERIFIED
DAC - *[Signature]*
DTG - 3/19/97

Recorded this 14 day of March, 1997
On Property Record Card

[Signature]
Auditor Charleston County

RECORDED
INDEXED
HESSE CONVEYANCES
DORCHESTER COUNTY

97-094P
LOAN NO. SAW10244

[Space Above This Line For Recording Data]

MORTGAGE

THIS MORTGAGE ("Security Instrument") is given on July 9, 1997. The mortgagor is SUSAN S. SAWADSKA and RICHARD M. FERRARI

("Borrower").

This Security Instrument is given to THE BANK OF SOUTH CAROLINA,

which is organized and existing under the laws of SOUTH CAROLINA, and whose address is 256 MEETING STREET, CHARLESTON, SC 29401 ("Lender").

Borrower owes Lender the principal sum of One Hundred Ninety Thousand Dollars and no/100 Dollars (U.S. \$ 190,000.00). This debt is

evidenced by Borrower's note dated the same date as this Security Instrument ("Note"), which provides for monthly payments, with the full debt, if not paid earlier, due and payable on January 9, 2028. This Security Instrument secures to Lender: (a) the repayment of the debt evidenced by the Note, with interest, and all renewals, extensions and modifications of the Note; (b) the payment of all other sums, with interest, advanced under paragraph 7 to protect the security of this Security Instrument; and (c) the performance of Borrower's covenants and agreements under this Security Instrument and the Note. For this purpose, Borrower does hereby mortgage, grant and convey to Lender and Lender's successors and assigns the following described property located in DORCHESTER County, South Carolina:

"SEE ATTACHED EXHIBIT A FOR FURTHER LEGAL DESCRIPTION"

which has the address of 4272 PERSIMMON WOODS DR. N. CHARLESTON
[Street] [City]
South Carolina 29420 ("Property Address");
[Zip Code]

TO HAVE AND TO HOLD this property unto Lender and Lender's successors and assigns, forever, together with all the improvements now or hereafter erected on the property, and all easements, appurtenances, and fixtures now or hereafter a part of the property. All replacements and additions shall also be covered by this Security Instrument. All of the foregoing is referred to in this Security Instrument as the "Property."

BORROWER COVENANTS that Borrower is lawfully seised of the estate hereby conveyed and has the right to mortgage, grant and convey the Property and that the Property is unencumbered, except for encumbrances of record. Borrower warrants and will defend generally the title to the Property against all claims and demands, subject to any encumbrances of record.

Ret: C. K. Bailey, Atty.
P.O. Box 485
S.ville, S.C.
29444

ALL that certain piece, parcel or lot of land, together with the buildings and improvements thereon, situate, lying and being in the County of Dorchester, State of South Carolina and being designated as Lot 379 on a plat entitled "FINAL PLAT SHOWING A 21.212 ACRE TRACT OF LAND BEING SUBDIVIDED INTO LOTS 370 THRU 426, PHASE 3A, COOSAW CREEK COUNTRY CLUB PROPERTY OF GREENWOOD DEVELOPMENT CORPORATION, LOCATED IN THE CITY OF NORTH CHARLESTON, DORCHESTER COUNTY, SOUTH CAROLINA", dated May 13, 1996, prepared by George A. Z. Johnson, Jr., Inc., recorded in the RMC Office for Dorchester County in File Cabinet J, at Page 60; said lot having such size, shape, dimensions, buttings and boundings as will by reference to said plat more fully appear.

THE within described property is conveyed subject to easements, restrictions, covenants, conditions and matters of record, including, without limitation, the following: matters set forth on the plat referred to above as the same may affect the within property; rules and regulations of applicable governmental authorities; real property taxes for the year of delivery hereof.

BEING the same property conveyed to Susan S. Sawedake and Richard M. Ferrari by deed of Whitehall Construction Co., Inc., dated July 9, 1997 and recorded in the RMC Office for Dorchester County simultaneously herewith.

TMS#: 163-14-05-008

BK 42116211

STATE OF SOUTH CAROLINA)
) TITLE TO REAL ESTATE
COUNTY OF DORCHESTER)

FILED-RECORDED
RMC / ROD
2004 JUN 30 AM 10: 57
LINDA T. MESSERVY
DORCHESTER COUNTY, SC

KNOW ALL MEN BY THESE PRESENTS:

That we, SUSAN S. SAWADSKÉ and RICHARD M. FERRARI, the undersigned Grantors, in the State aforesaid, for and in consideration of the sum of Four Hundred Twenty Thousand and no/100 (\$420,000.00) Dollars, paid to me in hand paid at and before the sealing of these presents by ELMER E. WENDEL, III and KRISTEN L. WENDEL, in the state aforesaid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and released and by these presents do grant, bargain, sell and release unto the said ELMER E. WENDEL, III and KRISTEN L. WENDEL, their heirs and assigns, forever, the following described real property, to-wit:

ALL that certain piece, parcel or lot of land, together with the buildings and improvements thereon, situate, lying and being in the County of Dorchester, State of South Carolina, and being designated as Lot 379 on a plat entitled, "FINAL PLAT SHOWING A 21.212 ACRE TRACT OF LAND BEING SUBDIVIDED INTO LOTS 370 THRU 426 PHASE 3A, COOSAW CREEK COUNTRY CLUB PROPERTY OF GREENWOOD DEVELOPMENT CORPORATION, LOCATED IN THE CITY OF NORTH CHARLESTON, DORCHESTER COUNTY, SOUTH CAROLINA", dated May 13, 1996, prepared by George A. Z. Johnson, Jr., Inc., recorded in the RMC Office for Dorchester County, South Carolina, in File Cabinet J, at Page 60; said lot having such size, shape, dimensions, buttings and boundings as will by reference to said Plat more fully appear.

Subject to restrictions and easements of record concerning the aforesaid lot.

Being the same property conveyed to Susan S. Sawadske and Richard M. Ferrari by deed of Whitehall Construction Co., Inc., dated 7/9/97 and recorded 7/11/97 in the RMC Office for Dorchester County in Book 1787, page 147.

TMS NO. 163-14-05-008

GRANTEES' ADDRESS: [REDACTED]

DORCHESTER COUNTY
SC Deed Rec Fee 1092.00
Dor Co Deed Rec Fee 462.00
Filing Fee 10.00
Exemption #

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances

to the said Premises belonging or in anywise incident or appertaining thereto.

TO HAVE AND TO HOLD, all and singular, the said Premises aforementioned unto the said Grantees above named, their heirs and assigns forever.

FORREST W. COMPTON
Attorney at Law
1224 Wappoo Road
Charleston, South Carolina 29407

Dec 06 02 10:37a

BERKELEY COUNTY PROBATE

B437194527

P. 2

20 11 - CP - 08 - 2315

Certified True and Correct Copy
of Original Record

STATE OF SOUTH CAROLINA
COUNTY OF Berkeley

Kelth W. Kornahrens
Kelth W. Kornahrens, Judge of Probate
Berkeley County, SC

PROBATE COURT

IN THE MATTER OF Maetha Schaffer

CASE NUMBER 2001 ES 08-411

2011 AUG 24 AM 9:47
CLERK OF COURT
BERKELEY COUNTY, SC

FILED

NOTICE OF DISALLOWANCE OF CLAIM

TO:

Name: Heartland Health Care Centre - Charleston
Address: [REDACTED]

The undersigned, as the Personal Representative(s) appointed to administer this estate, disallows (Check One) ALL
 \$ _____ of your claim for \$ 35,941.45 presented on August 27, 2001
Failure to protest this disallowance of your claim, i.e., failing to file your petition for its allowance (form #373PC) in the Probate Court and failing to commence a proceeding on the claim within thirty days after the mailing of this Notice of Disallowance of Claim, shall result in your claim or the disallowed portion of your claim being forever barred.

Executed this 6th day of December, 2002

Signature: *[Signature]*
Name: Laura Gillis
Address: PO BOX 40528
Charleston SC 29433

Signature: _____
Name: _____
Address: _____

the *James Island* 2011 - CP - 08 - 2315
messenger

829-C Savannah Hwy. • Charleston, SC 29407

AFFIDAVIT OF PUBLICATION
STATE OF SOUTH CAROLINA • COUNTY OF CHARLESTON

I, Lindsey Smith, hereby certify that the
Public Notice (attached) was published for three (3) weeks,
in the James Island Messenger newspaper, on the
following days: 4/27/11, 5/4/11, 5/11/11.

Subscribed and sworn before me this
13 day of May A.D. 2011

Katie Welles
NOTARY PUBLIC, S.C.
MY COMMISSION EXPIRES 8/2020
hio nio
Advertising Clerk

FILED
2011 AUG 24 AM 9:48
CLERK OF COURT
BERKELEY COUNTY, SC

Certified True and Correct Copy
of Original Record
Keith W. Kornahrens
Keith W. Kornahrens, Judge of Probate
Berkeley County, SC

RECEIVED
2011 MAY 20 AM 10:56
PROBATE CLERK
BERKELEY COUNTY
S.C.

STATE OF SOUTH
CAROLINA
PROBATE COURT COUNTY
OF BERKELEY
NANCY ELIZABETH
SCHAFER TURNER Plaintiff
-vs- SUSAN LINDA
SCHAFER SAWADSKA
Defendant

For its cause of action against Defendant, Plaintiff states and alleges the following:

JURISDICTION AND VENUE

1. This Court has jurisdiction over the subject matter and parties of this action.
2. Venue is proper in this county.

THE PARTIES

3. Plaintiff Nancy Elizabeth Schaffer Turner is an heir at law of Martha Leonora Edgar Schaffer and designated under the last valid Will executed by the deceased Martha Leonora Edgar Schaffer.

4. Defendant, resident of Charleston County, South Carolina occupied a fiduciary relationship with our Mother, Martha Leonora Edgar Schaffer.

FACTS COMMON TO ALL COUNTS

5. Martha Leonora Edgar Schaffer (hereafter MLES) died July 28, 2001, leaving no surviving spouse and leaving three natural born children, Susan Linda Schaffer Sawadske, Nancy Elizabeth Schaffer Turner, and Mark David Schaffer.

6. November 18, 1996 MLES was seen by her regular treating cardio physician, Dr. Demasi. Susan Linda Schaffer Sawadske brought MLES to see him ostensibly with edema, but underlying hallucination, delusions, paranoid ideation.

7. Also on November 18, 1996, upon examination from Dr. John Abess, a psychiatrist, for her apparent psychiatric disturbances, MLES was diagnosed with dementia.

8. December 16, 1996 MLES presented to Roper hospital with rapid atrial fibrillation, congestive heart failure and an embolic stroke. She was entered in the TPA Stroke Study. Despite her fiduciary relationship and MLES declining health and capacity, Susan Linda Schaffer Sawadske had an attorney draw up a Title To Real Estate, March 13, 1997, for the property known as Lot

Folly Beach. This transfer for the first time the children were treated differently and do not share substantially. This transfer was made under suspicious circumstances. The signature of Mark David Schaffer is not his signature. As he admitted in Probate Court during court for an administrator to be named. The consideration of ten dollars, love and affection, was a gross inadequacy of consideration. MLES had no independent advice. The signatures are notarized yet clearly and admittedly Mark David Schaffer's signature is not his own nor is there an affidavit for his signature to be signed by any one.

10. Throughout her lifetime, both orally and through her will, MLES repeatedly expressed her intention to dispose of her assets in substantially equal shares among her surviving children and their issue.

11. Some time after May 30, 1997, upon selling her home, Susan Linda Schaffer Sawadske, her boyfriend Richard Ferrari, and son George Martin Sawadske, moved into 1224 Raymond Way. The domicile of MLES.

12. Susan Linda Schaffer Sawadske or Richard Ferrari thereafter became active in all of the activities of MLES. Assisting MLES with financial and medical assistance.

13. Upon moving in with MLES, Susan Linda Schaffer Sawadske would not allow people to visit her mother. Later when Susan Linda Schaffer Sawadske home was built, part of the money, to build the house was MLES, Susan Linda Schaffer Sawadske became even more rigorous about whom MLES could see. This even included MLES doctors.

14. June 9, 1997, MLES was admitted to Roper after see apparently calling the police with delusional behavior. Then sometime between June 13, 1997 and June 26, 1997 was admitted to the ER two more times with delusional and paranoid behavior. Had lost 13 lbs and was difficult for her family to manage. Haldol was introduced every 8 hours or as needed to make MLES more manageable. Susan Linda Schaffer Sawadske wanted to transfer MLES into the Institute of Psychiatry at the Medical University due to

at home.

MLES does return to Dr. Demasi after several unkept appointments is noticed to be quite deficient intellectually. 16 April 14, 1998, a power of attorney was recorded in Dorchester signed by MLES giving Durable Power of Attorney to Susan Linda Schaffer Sawadske. The Durable Power of Attorney was witnessed by Susan Schaffer Sawadske long time friend Rae L. Tashakori. Mrs. Tashakori is the wife of the owner of the property Susan Schaffer Sawadske purchased then built a home.

17. On or about April 17, 1998, MLES once again with Susan Linda Schaffer Sawadske went to an attorney without any independent advice for MLES, and sold MLES home at 1224 Raymond Way, Charleston S.C. for ten's of thousands dollars less than the home was worth to the William's for \$ 83,000 dollars. Susan Linda Schaffer Sawadske was well acquainted with the William's. 1224 Raymond Way is also the same property that a portion of the home belonged to the plaintiff by Deed of Distribution dated March 26, 1991, that plaintiff deeded back to her mother, MLES. With and understanding that upon MLES death she would again own an equal portion of MLES properties. A portion of the money from the sale of MLES was used to build a home for Susan Linda Schaffer Sawadske, which MLES shared with Susan Linda Schaffer Sawadske. Upon selling the home after MLES death those moneys should have been returned to MLES estate.

FIRST CLAIM FOR RELIEF (Undue Influence and or fraud)

18. Plaintiff repeats and realleges each allegation contained in paragraphs 1 through 16 herein with the same force and effect as if fully set forth herein.

19. The transfers and changes in relation to MLES assets that are herein described were made under suspicious circumstances and are the product of undue influence was brought directly to bear upon the conveyance of Susan Linda Schaffer Sawadske who occupied a confidential and fiduciary relationship vis-à-vis MLES.

SECOND CLAIM FOR RELIEF (Incapacity)

20. Plaintiff repeats and realleges each allegation contained in paragraphs 1 through 16 with the same force and effect as if fully set forth herein.

21. MLES was 64 years old at the date of her death.

22. Throughout her adult life, MLES suffered from depression, rheumatic heart disease with mitral stenosis and insufficiency, aortic insufficiency, atrial fibrillation, diabetes mellitus, TIAs, cerebral vascular accident, thyroid nodule and anemia.

23. The diabetes disease as well as the dementia from which MLES suffered resulted in frequent fluctuations in her blood sugar levels, which in turn affected her thinking, reasoning, and analytical mental abilities.

24. As the synergistic and cumulative result of MLES age, disease, and blood sugar fluctuations, during the last several years of her life MLES was confused, easily addled, forgetful, subject to suggestion, request, influence and direction and relied increasingly on others for assistance and care.

WHEREFORE, PLAINTIFFS DEMAND JUDGMENT AS FOLLOWS:

A. For judgment under the First Claim for Relief setting aside the deed recorded in the State of South Carolina, County of Charleston Book H 281 Page 543, all that lot, piece or parcel of land situate, lying and being on Folly Beach, County of Charleston, known and designated as Lot No. 202. Present tax value of \$605,000.00 six hundred five thousand dollars.

B. Return the portion of the profit from the sale of 4272 Persimmon Wood Drive, North Charleston being the same property conveyed to Susan Schaffer Sawadske by deed of Whitehall Construction Co., owned by Mr. Tashakori, husband to the witness of the Durable Power of Attorney. The profit of 4272 Persimmon Wood Drive exceeded \$ 200,000.00, two hundred thousand dollars.

C. For judgment under the First Claim for Relief setting aside the deed recorded in the State of South Carolina, County of Charleston Book H 281 Page 543, all that lot, piece or parcel of land situate, lying and being on Folly

known and designated as Lot No. 202. And return the portion of the profit from the sale of 4272 Persimmon Wood Drive, North Charleston being the same property conveyed to Susan Schaffer Sawadske by deed of Whitehall Construction Co., owned by Mr. Tashakori, husband to the witness of the Durable Power of Attorney. The profit of 4272 Persimmon Wood Drive exceeded \$ 200,000.00, two hundred thousand dollars. D. An injunction again Susan Linda Schaffer Sawadske transferring, taking out a loan, or any thing else at the property on Folly Beach.

E. Return of the personal property that the plaintiff had stored at 1224 Raymond Way, the home of her Mother, Martha Leonora Edgar Schaffer. List to include but not limited to the following: Yearbooks from Wallace Middle School 1973-1975, Middleton High School 1976-1978, collection of Austin sculptures, classic Barbie's and classic Barbie clothes, the family Bible, Le Creuset white on white cast iron number 30 a 9 quart dutch oven, and number 24 a 5.5 quart dutch oven, a collection of plaintiffs son's baby clothes and finally a collection of Mercury dimes and silver dollars.

F. For plaintiff cost;

G. For such other and further relief as the Court may deem just and proper.

Dated December 30, 2010
Nancy E. S. Turner
311 Claude Phillips Road
Bennett N.C. 27208

STATE OF SOUTH CAROLINA COUNTY OF BERKELEY IN THE PROBATE COURT CASE NO.: 2001-ES-08-000411

SUMMONS IN THE MATTER OF THE ESTATE FOR MARTHA SCHAFFER NANCY TURNER 311 CLAUDE PHILLIPS RD. BENNETT, NC 27208 VS.

SUSAN SAWADSKA 204 W. INDIAN AVE. FOLLY BEACH, SC 29439 TO THE RESPONDENTS LISTED ABOVE: YOU ARE HEREBY SUMMONED and required to Answer the Petition in

is herewith served upon you, and to serve a copy of your Answer upon the Petitioner(s) listed above at the following address(es):

Nancy Turner 311 Claude Phillips Rd., Bennett, NC 27208

Your answer must be served on the Petitioner at the above address within thirty (30) days after the service of this Summons and Petition upon you, exclusive of the day of such service; and if you fail to Answer the Petition within that time, the Petitioner(s) will ask the Court for a judgement by default for the relief demanded in the Petition.

Nancy Turner (signed) December 20, 2010

STATE OF SOUTH CAROLINA COUNTY OF BERKELEY PROBATE COURT

IN THE MATTER OF: MARTHA L. EDGAR SCHAFFER CASE NUMBER: 2001ES08-411-2

APPLICATION/ PETITION FOR SUCCESSOR PERSONAL REPRESENTATIVE

FORMAL Applicant/Petitioner: NANCY TURNER

The previous/ original application/petition is adopted, except as noted on the attachment.

The name(s) and address(es) of the most recent duly qualified and acting Personal Representative(s) for this estate is/was: MARK DAVID SCHAFFER

If not previously filed with the Court, a copy of the above Personal Representative's death certificate, resignation or termination of appointment is attached.

The name(s) and address(es) of the proposed successor Personal Representative(s) is/are: NANCY TURNER, 311 CLAUDE PHILLIPS RD., BENNETT, NC 27208

Priority for this appointment is: other (describe): DAUGHTER

Last Will and Testament

I, Martha Leonora Edgar Schaffer

of Charleston County, South Carolina, being of sound

and disposing mind and memory and desiring to make such disposition of my worldly estate as I deem best, DO HEREBY MAKE, PUBLISH AND DECLARE THIS TO BE MY LAST WILL AND TESTAMENT, hereby revoking any and all former wills and codicils whatever by me made.

First: I direct that all my just debts and funeral expenses be paid out of my estate as soon after my decease as conveniently may be and to that end charge my whole estate, real and personal, with the same.

Second: I give, devise and bequeath to all my estate, Real, Personal, and mixed, of which I may die seized and possessed, of whatsoever kind and wheresoever situate in the following manner: To Mark David Schaffer, my son, I give my real property located at 131 Rosedale Avenue, Goose Creek, South Carolina. I give the balance of my estate to the following named persons or the survivor of them in equal shares, absolutely: My son; Steven Martin Schaffer, my son; Mark David Schaffer, my daughter; Susan Linda Schaffer Sawadske, and my daughter; Nancy Elizabeth Schaffer Turner.

Third: I nominate, constitute and appoint my son, Mark David Schaffer, Executor of this my will. In the event my said son should predecease me or be unable to serve, then I nominate, constitute and appoint Susan Linda Schaffer Sawadske Executrix of this my will in his place and stead. I further direct that One thousand dollars (\$1,000.00) of my estate be paid to him for the faithful performance of his duties before the disposition of the balance of my estate.

2011 AUG 24 AM 9:43
CLERK OF COURT
CHARLESTON COUNTY, SC

2011
AUG
24
AM
9:43

I nominate and appoint.....

to be the executor..... of this my Last Will and Testament

IN WITNESS WHEREOF, I have hereunto set my hand and seal to this my Last Will and Testament at Charleston County

this Nineteenth(19th) day of April, in the year of our Lord One Thousand Nine Hundred and Eighty nine (89)

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

IN THE MATTER OF

CASE NUMBER 01-411

Certified True and Correct Copy
of Original Record

Keith W. Kornahrens
Keith W. Kornahrens, Judge of Probate
Berkeley County, SC

2011 - CP - 08 - 2315

PROBATE COURT
BERKELEY COUNTY
S.C.

RECEIVED
FEB -5 A 11:52

INVENTORY AND APPRAISEMENT

ORIGINAL
 SUPPLEMENTAL /

Personal Representative (s): MARK D. SCHIFFER

Decedent's Social Sec. No. : _____ Was there a Will Yes No
Decedent's Date of Death: 1-28-01 Domicile at death: BERKELEY (County) SC (State)

The undersigned, being sworn, states that the following schedules contain a complete and accurate inventory and appraisal of all real and personal property of this estate so far as the undersigned is informed; that he/she has estimated and appraised all listed property at its fair market value, according to the best of his/her knowledge and ability.

SWORN to before me this 4th day of February ~~19~~ 2002

Signature: *Mark D. Schiffer*
Name: MARK D. SCHIFFER
Address: _____

Halsiele E. Neuse
Notary Public for South Carolina
My Commission Expires: 8/27/07

Telephone (O): _____
(H): _____

Attorney: _____
Address: _____
Telephone: _____

Signature: _____
Name: _____
Address: _____
Telephone (O): _____
(H): _____

For estates of decedents, the gross fair market valuation of all assets, regardless of situs, should be given on of the date of death. List all out-of-state assets on appropriate schedule. A Supplemental Inventory should be utilized for correcting, adjusting or adding to an original inventory. A qualified and disinterested appraiser may be employed to ascertain the value of any asset, the value of which may be subject to reasonable doubt. If an appraiser is employed, his/her name and address should be indicated with the items he/she appraised.

* Within Ninety (90) days following appointment, a copy of the inventory and appraisal shall be sent to each interested person who requests it, and the original inventory filed with the Probate Court.

RECAPITULATION

	Out-of-state	In-state
Schedule A - Real Estate	\$	\$
Schedule B - Stocks and Bonds		215.17
Schedule C - Mortgages, Notes and Cash		
Schedule D - Insurance on Decedent's Life: Part 1 - Payable to Estate		
Part 2 - Payable to Beneficiary		1,350.00
Schedule E - Jointly Owned Property		
Schedule F - Other Miscellaneous		
Schedule G - Transfers during Decedent's Life		
Schedule H - Powers of Appointment		
Schedule I - Annuities	\$	1,565.17
*TOTAL GROSS VALUE	(1,565.17
ENCUMBANCES	\$	
*TOTAL NET VALUE		

NOTE: WHEN COMPLETING THE FOLLOWING SCHEDULES, PLEASE REMEMBER TO LIST ALL ASSETS, REGARDLESS OF SITUS. ALL OUT-OF-STATE ASSETS MUST BE DISCLOSED.

SCHEDULE A — Real Estate (All interest in real property except those held with right of survivorship) (If none, so state.) (For jointly owned property with right of survivorship, see schedule E).

Item No.	Description	Tax Assessor's Fair Market Value for year of Decedent's Death	Appraised Value	Appraised Value of Decedent's Interest
----------	-------------	---	-----------------	--

NONR

TOTAL SCHEDULE A \$ _____
(also enter under recapitulation, page 1)

SCHEDULE B - Stocks and Bonds (If none, so state.) (For jointly owned property with right of survivorship, see schedule E)

Item No.	Description	Face Value	Appraised Value
----------	-------------	------------	-----------------

NONR

TOTAL SCHEDULE B \$ _____
(also enter under recapitulation, page 1)

SCHEDULE C - Mortgages, Notes and Cash (If none, so state.) (For jointly owned property with right of survivorship, see schedule E)

Item No.	Description	Value
1	BANK ACCOUNT (WACHOVIA/CHECKING) # 101291789	200.50
2	" " # 101318327	8.67

TOTAL SCHEDULE C \$ 215.17
(also enter under recapitulation, page 1)

(If more space is required, insert tax schedules or additional sheets of same size.)

NOTE: WHEN COMPLETING THE FOLLOWING SCHEDULES, PLEASE REMEMBER TO LIST ALL ASSETS, REGARDLESS OF SITUS. ALL OUT-OF-STATE ASSETS MUST BE DISCLOSED.

SCHEDULE A — Real Estate (All interest in real property except those held with right of survivorship) (If none, so state.) (For jointly owned property with right of survivorship, see schedule E).

Item No.	Description	Tax Assessor's Fair Market Value for year of Decedent's Death	Appraised Value	Appraised Value of Decedent's Interest
----------	-------------	---	-----------------	--

NONR

TOTAL SCHEDULE A \$ _____
(also enter under recapitulation, page 1)

SCHEDULE B - Stocks and Bonds (If none, so state.) (For jointly owned property with right of survivorship, see schedule E)

Item No.	Description	Face Value	Appraised Value
----------	-------------	------------	-----------------

NONR

TOTAL SCHEDULE B \$ _____
(also enter under recapitulation, page 1)

SCHEDULE C - Mortgages, Notes and Cash (If none, so state.) (For jointly owned property with right of survivorship, see schedule E)

Item No.	Description	Value
1	BANK ACCOUNT (WACHOVIA/CHECKING) # 101291789	206.50
2	" " # 101318327	8.67

TOTAL SCHEDULE C \$ 215.17
(also enter under recapitulation, page 1)

(If more space is required, insert tax schedules or additional sheets of same size.)

SCHEDULE F - Miscellaneous Personal Property - (tangible personal property, employment bonus or award, interest in a partnership or unincorporated business, articles or collections having either artistic or intrinsic value, etc.) (If none, so state.) (For jointly owned property with right to survivorship, see schedule E.)

Item No.	Description	Value
1.	CHEST OF DRAWERS w/ MIRROR	100.00
2.	CUSTOMIZED GERMAN MADE 8mm RIFLE	250.00
3.	MISC. CLOTHES	1000.00

TOTAL SCHEDULE F
(also enter under recapitulation, page 1)

\$ 1350.00

SCHEDULE G - Transfers During Decedent's Life - Transfers intended to take effect at death, United States Government Bonds "Payable on Death", Trust created by Decedent in which income for life was retained, Power to revoke or other incidents of ownership retained, life insurance transfers, Lifetime transfers of real property in which Decedent retained a life estate or other incidents of ownership. (If none, so state.)

Item No.	Description	Value
----------	-------------	-------

NONE

TOTAL SCHEDULE G
(also enter under recapitulation, page 1)

\$ _____

(If more space is required, insert tax schedules or additional sheets of same size.)

SCHEDULE H - Powers of Appointment - Property over which Decedent possessed a Power of Appointment both real and personal, whether Testamentary or otherwise. (If none, so state.)

Item No.	Description	Value
----------	-------------	-------

NONE

TOTAL SCHEDULE H
(also enter under recapitulation, page 1)

\$ _____

SCHEDULE I - Annuities (If none, so state.) (IRA's, Keogh, etc.)

Item No.	Description	Value
----------	-------------	-------

NONE

TOTAL SCHEDULE I
(also enter under recapitulation, page 1)

\$ _____

(If more space is required, insert tax schedules or additional sheets of same size.)

ENCUMBRANCES (e.g., mortgages, liens, judgements, etc., but not general debts of the estate) - List specific assets encumbered.

Item No.	Schedule & Item Number Encumbered Thereby	Description & Amount
----------	---	----------------------

None

TOTAL ENCUMBRANCES
(also enter under recapitulation, page 1)

\$ _____

MANIFESTLY NON-TAXABLE

(To be executed by the Probate Court Judge in those cases where it appears that the estate is not REPORTABLE to the South Carolina Tax Commission under the provisions of the Estate Tax Laws of the indicated to be less than prescribed limits.)

It appears from the foregoing record of the above captioned estate on file in the Probate Court of this County, such estate is not reportable to the South Carolina Tax Commission.

Executed this _____ day of _____, 19 _____

Probate Court Judge

(If more space is required, insert tax schedules or additional sheets of same size.)

QRY

RSDI PAYMENT HISTORY

PMTH

[REDACTED]

UNIT: TADA

BN: 050309198

MARTH SCHAFFER

BIC: D

DATE	MONTHLY BENEFIT CREDITED	ADJUSTMENT AMOUNT REASON	PAYMENT	PAYMENT INDICATORS
12/09/97			\$ 828.00	MCS
01/28/98			\$ 422.00	RCMA CHK
02/25/98			\$ 216.00	PCMA CHK
03/25/98			\$ 216.00	RCMA CHK
04/22/98	216.00		\$ 216.00	RECURR PMT
01/27/99	218.00		\$ 218.00	RECURR PMT
01/26/00	224.00		\$ 224.00	RECURR PMT
		SAME THRU	12/00	

WIDOWS

FINAL SCREEN IN PATH, NO PAY HIS FOR PART REQ PERIOD, POSS ENT 050-30-9198

SSA SSA
 401 TIFFANY DRIVE 401 TIFFANY DRIVE
 SANFORD, NC 27330 SANFORD, NC 27330

*** REC 2011213 150359 HDE614E0 BAWB CIPQYA6 POA6 (F-BAW) ***

1099 DTE:08/01/11 SSN:050-30-9198 DOC:B05 UNIT:JLT PG: 001

++++FORM SSA-1099 - SOCIAL SECURITY BENEFIT STATEMENT - 1998++++
 +PART OF YOUR SOCIAL SECURITY BENEFITS MAY BE TAXABLE INCOME FOR 1998.
 +USE \$ 4619.00 FROM BOX 5 BELOW WITH IRS NOTICE 703 TO SEE IF ANY PART
 OF YOUR BENEFITS MAY BE TAXABLE ON YOUR FEDERAL INCOME TAX RETURN.
 +ALSO SEE ATTACHED GENERAL INFORMATION.

BOX 1. NAME-MARTHA L SCHAFFER
 BOX 2. BENEFICIARY SOCIAL SECURITY NUMBER-050-30-9198 (SEE BOX 8 BELOW)
 BOX 3. BENEFITS FOR 1998-*\$ 4619.00 (SEE DESCRIPTION OF AMOUNT IN BOX 3 BELOW)
 BOX 4. BENEFITS REPAYED TO SSA IN 1998-NONE
 (SEE DESCRIPTION OF AMOUNT IN BOX 4 BELOW)
 BOX 5. NET BENEFITS (BOX 3 MINUS BOX 4) FOR 1998-\$ 4619.00
 BOX 6. VOLUNTARY FEDERAL INCOME TAX WITHHELD-NONE
 BOX 7. ADDRESS-SUSAN SAWADSKA FOR MARTHA L SCHAFFER
 4272 PERSIMONWOOD DR CHARLESTON SC 29420-7516
 BOX 8. CLAIM NUMBER-050-30-9198A (USE THIS NUMBER IF YOU NEED TO CONTACT SSA)

+++DESCRIPTION OF AMOUNT IN BOX 3+++
 ADD:
 PAID BY CHECK OR DIRECT DEPOSIT-----\$ 4619.00
 MEDICARE PART B-----\$ 0.00
 MEDICARE PART C-----\$ 0.00
 MEDICARE PART D-----\$ 0.00
 WORKERS COMPENSATION OFFSET-----\$ 0.00
 DEDUCTIONS FOR WORK OR OTHER ADJUSTMENTS-----\$ 0.00
 PAID TO ANOTHER FAMILY MEMBER-----\$ 0.00
 ATTORNEY FEES AND/OR SSI OFFSET-----\$ 0.00
 VOLUNTARY FEDERAL INCOME TAX WITHHELD-----\$ 0.00
 BENEFIT PAYMENT OFFSET - TREASURY-----\$ 0.00
 TOTAL ADDITIONS-\$ 4619.00
 SUBTRACT:
 NONTAXABLE PAYMENTS-----\$ 0.00
 AMOUNTS FOR OTHER FAMILY MEMBERS PAID TO YOU-----\$ 0.00
 TOTAL SUBTRACTIONS-\$ 0.00
 BENEFITS FOR 1998 (AMOUNT SHOWN IN BOX 3)-\$ 4619.00
 *BOX 3 INCLUDES \$ 1360.00 PAID IN 1998 FOR 1997

+++DESCRIPTION OF AMOUNT IN BOX 4+++
 ADD:
 CHECKS RETURNED TO SSA-----\$ 0.00
 DEDUCTIONS FOR WORK OR OTHER ADJUSTMENTS-----\$ 0.00
 OTHER REPAYMENTS-----\$ 0.00
 BENEFITS REPAYED TO SSA IN 1998 (AMOUNT SHOWN IN BOX 4)-\$ 0.00

Social Security Administration
 401 Tiffany Drive
 Sanford, NC 27330

Troy Greenwald
 District Manager

SCHAFFER, MARTHA

DOB: 4/30/37

11/18/96 171 Comes in today with her daughter obstensively with edema of the lower extremities, but underlying hallucinations, delusions, paranoid ideation for the last 2 -3 days. May be some shortness of breath. Wt is up 7 lb. Her BP was 150/80. Pulse rate 110. Lungs were clear. 1 to 2+ pretibial edema. She is given Demadex to take today and tomorrow. Call us Wed. for the results thereof--and she is to be seen today by Dr. John Abess for her apparent new psychiatric disturbances.

AWD

12/16/96 152. The day after her last visit she presented with rapid atrial fibrillation, congestive heart failure and an embolic stroke. She was seen in consultation by Dr. Charles Jervey who entered her in the TPA Stroke Study. She was also seen in consultation at the request of her daughter, by Dr. Bo Reeves. She was anticoagulated. She diuresed. Dr. Abess felt she had more likely organic than inorganic causes for her peculiar psychiatric behavior. In any event, she was discharged on November 25 much improved. Her daughter is now living with her. The patient herself denies any particular complaints. Her blood sugar today was 181. B. P. was 140/82. She will call us back a list of her current medications that she is taking. Her lungs were clear. She is still in atrial fibrillation. Murmurs are similar to as previously described. No edema. She has had pretty much full recovery from her right sided deficit. AWD

3/12/97 160 Recently saw Dr. Jervey today and he feels that her condition is pretty stable. She is living with her daughter, son-in-law, grandchild and a house guest. Medications are Quinidine 200 mg. and Verapamil 80 mg. qid, Lanoxin .25 mg., Premarin 0.625 mg. daily, Coumadin 5 mg. size as directed, Insulin is Humulin N 25 units each morning. Her daughter Susan who is an RN states that they check her sugars almost every day with an Accu-check and she is usually in a decent range, but occasionally she is not and this is almost always due to dietary indiscretion. She is completing her speech therapy with one more session. Does not appear that she will be capable of returning to work. She has no follow up appointment with Dr. Abess. BP today was 130/80. Atrial fibrillation. Lungs were clear. Opening snap. Diastolic rumble. Short systolic murmur and a Grade I blowing diastolic murmur along the left sternal border. Her echo was consistent with normal left ventricular systolic function, mild mitral stenosis and regurgitation, mild aortic regurgitation, mild pulmonary hypertension and right ventricular enlargement.

DIAGNOSES: 1) RHEUMATIC HEART DISEASE WITH MITRAL STENOSIS AND INSUFFICIENCY, AORTIC INSUFFICIENCY, ATRIAL FIBRILLATION. 2) ADULT ONSET DIABETES MELLITUS NOW INSULIN REQUIRING. 3) TIAs, CEREBRAL VASCULAR ACCIDENT, PROBABLY DUE TO EMBOLIZATION. 4) HISTORY OF CYSTITIS, THYROID NODULE, ANEMIA DUE TO VAGINAL BLEEDING. AWD

3/31/97 162 Brought in today by her daughter as her mother is insisting on living alone, but is unable to manage her daily affairs without difficulty. Dr. Jervey also does not feel that she is ready for independent living. Discussion with the patient herself revealed that she does not want independent living arrangement but agrees to go back to stay with her daughter. She also agrees that she will at least look at some of the assisted living facilities in the Charleston area. Apparently has not been taking her medications, etc. There is little else new on examination today. The patient seemed to indicate to me that she will go back to live with her daughter. AWD

SCHAPFER, MARTHA

DOB: 4/30/37

6/26/97 149 The patient was admitted to Roper on the 9th and discharged on the 13th of this month after she apparently called the police with delusional behavior. Nothing new was noted. She was seen by a neurologist Dr. Jervey and Dr. Abess. After discharge she apparently has made two additional trips to the ER with delusional and paranoid behavior. Has lost 13 lb. Difficult for her family to manage her. She was given Haldol 1 mg. every 8 hr. and prn. and this apparently is only time that she is quiet. Today she appears agitated continuing to pace in the room. She seems withdrawn. Her daughter was present and there had been mention made of her transfer to the Medical University by the discharge co-ordinator, but this was left in the hands of Dr. Abess. Today her daughter wants to pursue this avenue again as the patient no doubt will not be manageable at home. Her BP was 108/72. Atrial fibrillation. Nothing much different to see on examination. AWD

10/16/97 155 This is at least the second time that the patient has been recalled for not keeping her appointment. She is attending the IOP (Institute of Psychiatry at the Medical University) under the jurisdiction of Dr. Mintzer. Medications from us are as given to us with a slip of paper on her yellow sheet and include Quinidine 200 mg. and Verapamil 80 mg. qid, Lanoxin .25 mg., Premarin 0.625 mg. (25 out of 30 days), Humulin N 25 units in the morning, 2.5 mg. Coumadin as directed. She is on several medications from the IOP. She apparently is more manageable now but is still very forgetful. Still quite deficient intellectually, but her behavior has been less worrisome. Today she appeared to be in a sinus rhythm and this is confirmed on her EKG. Her blood pressure was 112/70. Her lungs were clear. No significant edema. She still appears somewhat restless to me, but nowhere near as pronounced as it has been in the past. AWD

1/8/98 156 Upper and lower respiratory symptoms has been present for several days. She is still living with her daughter who apparently works a regular job and takes care of her daughter. We have asked that have her prothrombin times done every 2-3 weeks, but it turns out to be longer than that apparently because of difficulty getting her to the laboratory anymore frequently. She seems to recall that in the past she has had hallucinations and delusions. States it has not happened recently. She does not come in with her daughter today. Her BP was 114/74. She is in a fairly regular rhythm as the moment rather than her atrial fibrillation as she has done before. Her lungs were clear. Pharynx, ears okay. She is given Ceclor 500 mg. bid for one week to use along with Robitussin DM. Her daughter has been notified about the necessity for regular protime follow up as advised. AWD

4/6/98 149 She returns again with a lower respiratory infection with her daughter-in-law not having returned or made an appointment to do so. We have sent records to the Alzheimer's Research and Clinical Programs at the Medical University. The patient apparently is attending some type of day care facility. Intellectual capacity does not seem to be any better. Temp. 96.7. Lungs were clear. Pharynx, ears unremarkable. Rhythm seemed to be regular today. She is issued prescriptions for Biaxin and Robitussin DM and asked to make an appointment to be back here in one month. AWD

WB 301pc333

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON) TITLE TO REAL ESTATE

KNOW ALL MEN BY THESE PRESENTS, THAT I, MARTHA EDGAR SCHAFFER, of the State aforesaid, for and in consideration of the sum of Eighty-three Thousand and no/100 (\$83,000.00) Dollars to me in hand paid at and before the sealing of these presents by MICHAEL A. WILLIAMS and JOANN S. WILLIAMS, in the State aforesaid, County aforesaid, the receipt whereof is hereby acknowledged, have granted, bargained, sold and released and by these Presents do grant, bargain, sell and release unto the said MICHAEL A. WILLIAMS and JOANN S. WILLIAMS, their heirs and assigns forever, the following described property, to-wit:

SEE ATTACHED EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF
GRANTEE'S ADDRESS: 1224 Raymond Way, Charleston, SC 29407

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said MICHAEL A. WILLIAMS and JOANN S. WILLIAMS, their heirs and assigns, forever.

AND I do hereby bind myself and my heirs, assigns, executors and administrators, to warrant and forever defend, all and singular, the said Premises unto the said MICHAEL A. WILLIAMS and JOANN S. WILLIAMS, their heirs and assigns, against me and my heirs, and all persons whomsoever lawfully claiming, or to claim the same or any part thereof.

P. O. BOX 706
Charleston, SC 29402 00

MARTHA SCHAFFER
SUEAN S SARDENIS
4272 PERSIMMON WOOD DR
CHARLESTON SC 29420

Ready Reserve Account 101291789
Closing Date 7-24-01
New Balance 0.00
Minimum Payment None

Amount Enclosed\$

2

101291789
CYCLE 15

TOP PORTION OF THIS STATEMENT IS YOUR PAYMENT COUPON

Checking & Line of Credit Statement

June 23, 2001 - July 24, 2001

Page 1 of 2

2 Images

Classic 50 Checking Summary

Account Number 101291789

BEGINNING BALANCE + DEPOSITS WITHDRAWALS SERVICE CHARGES = ENDING BALANCE
3,596.22 + 1,145.77 3,370.00 0.00 = 1,371.99

Checks

NUMBER	AMOUNT	DATE	NUMBER	AMOUNT	DATE	NUMBER	AMOUNT	DATE
1496	150.00	07-18	3497	3,000.00	07-18			

Described Items

DATE	DESCRIPTION	AMOUNT
07-16	ATM Withdrawal (Card # 1859) 07/14 04:00 p.m. 4929 OAD348 Festival Center-Sh N. Charleston SC	100.00
07-23	ATM Withdrawal (Card # 1859) 07/21 06:37 p.m. 8114 OAD511 Trolley Road Summerville SC	80.00
07-24	ATM Withdrawal (Card # 1859) 07/24 01:05 p.m. 7005 OAD348 Festival Center-Sh N. Charleston SC	40.00
	TOTAL CHECKS AND OTHER DESCRIBED ITEMS (Including Service Charges)	3,370.00

Deposits

DATE	DESCRIPTION	AMOUNT
06-27	Soc Sec US TREASURY 303 062701 051246191D SSA 051246191D	232.00
07-02	Civil Serv US TREASURY 312 070201 P 1826122 W C5F F 1826122	913.77
	TOTAL DEPOSITS	1,145.77

Daily Balance Summary

DATE	BALANCE	DATE	BALANCE
06-23	BEGINNING BALANCE 3,596.22	07-18	1,491.99
06-27	3,828.22	07-23	1,411.99
07-02	4,742.99	07-24	1,371.99
07-16	4,641.99	07-24	ENDING BALANCE 1,371.99

P. O. Box 700
Charleston, SC 29402

MARtha SCHAPPER
SUSAN S SANADSKR
4272 PERSIMMON WOOD DR
CHARLESTON SC 29420

00

Ready Reserve Account 101291789
Closing Date 8-23-01
New Balance 0.00
Minimum Payment None

Amount Enclosed \$

Cash Reserve

101291789
CYCLE 15

TOP PORTION OF THIS STATEMENT IS YOUR PAYMENT COUPON

1 Image Checking & Line of Credit Statement July 25, 2001 - August 23, 2001 Page 1 of 2

Classic 50 Checking Summary Account Number 101291789

BEGINNING BALANCE	+	DEPOSITS	WITHDRAWALS	SERVICE CHARGES	=	ENDING BALANCE
1,371.99		1,377.77	1,885.77	0.00		863.99

Checks

NUMBER	AMOUNT	DATE	NUMBER	AMOUNT	DATE	NUMBER	AMOUNT	DATE
1498	560.00	08-02						

Described Items

DATE	DESCRIPTION	AMOUNT
08-03	ATM Withdrawal (Card # 1859) 08/03 11:29 a.m. 9296 0A0349 Festival Center-Sh N. Charleston SC	100.00
08-13	ATM Withdrawal (Card # 1859) 08/11 04:06 p.m. 1206 0A0348 Festival Center-Sh N. Charleston SC	80.00
08-23	Miscellaneous Adjustment V4 1151235025102	232.00
08-23	Miscellaneous Adjustment V4 1151235025101	913.77
	TOTAL CHECKS AND OTHER DESCRIBED ITEMS (Including Service Charges)	1,085.77

Deposits

DATE	DESCRIPTION	AMOUNT
07-25	Soc Sec US TREASURY 303 072501 051246191D SSA 051246191D	232.00
08-01	Civil Serv US TREASURY 312 080101 F 1826122 W CSF F 1826122	913.77
08-22	Soc Sec US TREASURY 303 082202 051246191D SSA 051246191D	232.00
	TOTAL DEPOSITS	1,377.77

Daily Balance Summary

DATE	BEGINNING BALANCE	BALANCE	DATE	BALANCE
07-25		1,372.99	08-13	1,777.76
07-25		1,603.99	08-22	2,009.76
08-01		2,517.76	08-23	863.99
08-02		1,957.76	08-23	ENDING BALANCE 863.99
08-03		1,857.76		

Wacava Bank
Core Team - D1118-02D
Todd

May 4, 1997

Nancy-

How are you and your family? I wish you would make time to talk to ~~me~~ me. I'm sorry things are not better between you and your family. I always thought we would be friends. Everyone is fine here. Your mother is good. She has adjusted to living with Susan and is happy. She has spent a couple of weekends at our house. She is physically fine but not mentally. She does not remember if she took her

- 2 -

medicine or how to count money. She enjoys going out with Olive and being with people. She doesn't seem lonely or depressed. Susan is taking great care of her.

Nancy please try and remember all the good times you have shared with your mother and us. We want to have more good times with you. We love you, Robert and the kids and want to have a relationship with you. Please think about it and call me.

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

PROBATE COURT

IN THE MATTER OF MARTIN MARK SCHAFFER

CASE NUMBER 89-ES-10-01342

DEED OF DISTRIBUTION

WHEREAS, the decedent died on the 19th day of February, 1989, and

WHEREAS, The estate of the decedent is being administered in the Probate Court for Charleston County, South Carolina in File # 89-ES-10-01342 and

WHEREAS, The grantee herein is either a beneficiary or heir at law, as appropriate of the decedent and

WHEREAS, The undersigned Personal Representative is the duly appointed and qualified fiduciary in this matter, and

NOW, THEREFORE, in accordance with the laws of the State of South Carolina, the Personal Representative has sold, bargained, sold and released, and by these Presents does grant, bargain, sell and release to

Name: Martha Edgar Schaffer
Address: 1224 Raymond Way
Charleston, SC 29407

her heirs, successors, and assigns,
the following described property:

ALL that lot, piece, or parcel of land situate, lying and being in the City of Charleston, County of Charleston, State of South Carolina, known and designated as Lot 20, Block S on a plat bearing the Legend "Lenevar Subdivision, Section 10, City of Charleston, S.C., Lots 10-18, Block C, Lot 13, Block G, Lots 17, 19, and 20, and Block 1 and Block R," made by E.M. Seabrook, Jr., C.E. and L.S., dated May 21, 1965, which plat is recorded in the RMC office for Charleston County in Plat Book T at page 25;

BEING the same property conveyed to MARTIN M. SCHAFFER by deed of AIDEN S. BISHOP, dated October 12, 1967, and recorded on October 23, 1967 in the RMC Office for Charleston County at Book Z-88, page 84, and thereafter devised to the Grantee herein in the above described Estate of MARTIN MARK SCHAFFER and quit claimed to the Grantee herein by SUSAN SCHAFFER SAWADSKIE, STEVEN SCHAFFER, MARK SCHAFFER, and NANCY SCHAFFER TURNER, by deed executed on _____, and to be recorded herewith in the R.M.C. Office of Charleston County at Book _____, Page _____;

THE SAID property now being known in the present numbering system in the City of Charleston as number 1124 Raymond Way, TMS No. 352-12-00-093.

-and-

ALL that lot, piece, or parcel of land situate, lying and being on Folly Beach, County of Charleston, State of South Carolina, known and designated as Lot No. 202, as shown on a "Map of Lots No. 202 and 203, West Huron Avenue, Folly Beach," surveyed by W.L. Gaillard and dated September 2, 1960, recorded in Plat Book F, Page 72; the said lot having such size, shape, and dimensions as will by reference to said plat more fully appear;

BEING the same premises conveyed to MARTIN SCHAFFER and MARTHA SCHAFFER by deed of Russel H. Boone, dated August 20, 1986, and recorded on August 25, 1986; in the RMC Office for Charleston County at Book V-156, page 780, and the interest therein of MARTIN SCHAFFER having been devised to the Grantee herein, in the above-described Estate of MARTIN MARK SCHAFFER;
T.M.S. No. 328-10-00-095;

91 APR 28 PM 3:16
PROBATE COURT
CHARLESTON COUNTY

Certified True and Correct
of Original Record

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

PROBATE COURT

Keith W. Kornahrens
Keith W. Kornahrens, Judge of Probate
Berkeley County, SC

IN THE MATTER OF (Decedent Name)

Martha Leonora Edgar Schaffer

20 11 - CP - 08 - 236

CASE NUMBER 2001-ES-08-411

APPLICATION FOR

(check any that apply)

PETITION FOR

INFORMAL
 PROBATE OF WILL
 APPOINTMENT

FORMAL
 TESTACY
 APPOINTMENT

FILED
2011 AUG 24 PM 9:13
CLERK OF COURT
BERKELEY COUNTY, SC

Applicant/Petitioner: Mark David Schaffer

Address: [REDACTED]

Telephone: [REDACTED]

I. ALL APPLICANTS/PETITIONERS MUST COMPLETE THIS SECTION.

1. Nature of Interest of undersigned:
Designated personal representative under will. Heir under terms of the will.

2. Decedent Information
Name: Martha Leonora Edgar Schaffer
Social Security Number: [REDACTED]
Date of Birth: [REDACTED]
Date of Death: July 28, 2001
Age at date of death: 64
Domicile at date of death: [REDACTED] (Berkeley County)

3. Venue for this proceeding is proper in this county because:
 Decedent was domiciled in this county at date of death.
 Decedent was not domiciled in South Carolina, but property of Decedent was located in this county at date of death.
 Decedent has a right to take legal action in this county because:

4a. Names and addresses of devisees, including dates of birth of minors:

Name	Date of Birth	Address	Relationship to Decedent
<u>Mark David Schaffer</u>	<u>5/23/63</u>	<u>[REDACTED]</u>	<u>son</u>
<u>Susan Sawadake</u>	<u>4/13/58</u>	<u>[REDACTED]</u>	<u>Daughter</u>
<u>Nancy Turner</u>	<u>10/30/60</u>	<u>[REDACTED]</u>	<u>daughter</u>

(use additional sheet if necessary)

4b. Names and addresses of intestate heirs who are not devisees, including dates of birth of minors:

Name	Date of Birth	Address	Relationship to Decedent
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(use additional sheet if necessary)

5. Did decedent have any change of marital status or the birth or adoption of any children after execution of the Will (if one exists), or has any child of the decedent been born since his death, or is any birth of a child of the decedent anticipated? (This includes illegitimate children.)
 NO YES If yes, please explain on page 3.
6. To the best of your knowledge, was the decedent a patient in a South Carolina Mental Health facility during his/her lifetime?
 NO YES If yes, please explain on page 3.
7. Has a guardian or conservator ever been appointed for this person?
 NO YES If yes, please explain on page 3.
8. Has a personal representative of the decedent been appointed prior to this date by a Court in this state or elsewhere?
 NO YES If yes, please state details, including name and address of such Personal Representative, on page 3.
9. Have you received or are you aware of any demands for notice of any probate or appointment proceeding concerning the decedent that may have been filed in this state or elsewhere?
 NO YES If yes, please state details, including names and address, on page 3.
10. Have more than ten years passed since the decedent's death?
 NO YES If yes, please state circumstances authorizing tardy probate on page 3.
11. The decedent died with a personal estate of about the value of \$2500.00 and real estate of about the value of 0. (A full inventory and appraisal, form #350PC, must be filed within 90 days.) If decedent was a non-resident, please attach South Carolina Tax Commission form ET 101.
12. After the exercise of reasonable diligence, are you aware of any unrevoked will and/or codicil(s), other than the one(s) attached hereto, relating to property in this State?
 NO YES If yes, please explain on page 3 and then proceed to Section II.

II. IF A WILL EXISTS, PLEASE COMPLETE THIS SECTION.

1. Regarding the decedent's will:
- the original is attached
 - the original is in the Court's possession
 - an authenticated copy of a will probated in another jurisdiction is attached
 - an authenticated copy of a will not probated in another jurisdiction is attached
 - the will is lost, destroyed, or otherwise unavailable; however, a description of its contents is attached
2. Do you believe, to the best of your knowledge, the will described above was validly executed?
 YES NO If no, please explain on page 3.
3. The date of execution of the will was: APRIL 19, 1989
 codicil(s): NONE
4. Are you aware of any instrument or document amending or revoking the will?
 NO YES If yes, please explain on page 3.
5. Have you exercised reasonable diligence to determine there is no instrument or document revoking the will?
 YES NO If no, please explain on page 3.
6. Do you believe the will defined in "1" above is the decedent's last will?
 YES NO If no, please explain on page 3.

COMPLETE EXPLANATION(S) FOR QUESTIONS IN SECTIONS I AND II HERE.
 (If more space is required, use additional sheet.)

The petitioner has received notice that Nancy Turner, the sister of the petitioner, has applied for appointment as Personal Representative of the estate.

III. IF APPLYING FOR INFORMAL OR FORMAL APPOINTMENT, PLEASE COMPLETE THE FOLLOWING.

1. The name(s) and address(es) of the proposed Personal Representative(s) is/are:

Mark David Schaffer

2. Priority for this appointment is:

- named as Primary Personal Representative in will or nominee of Primary Personal Representative
 named as Alternate Personal Representative in will or nominee of Alternate Personal Representative
 surviving spouse of decedent who is devisee of decedent or nominee of said spouse
 other devisee of decedent (describe): _____ or nominee of said devisee
 surviving spouse of decedent or nominee of said spouse
 other heir of decedent (describe): _____ or nominee of said heir
 creditor (Forty-five days after death must have passed) or nominee of creditor
 other (describe): _____
 nominee of any of the above

3. List below the names of any other persons, if any, having a prior or equal right of appointment (see priority above).

None

IV. ALL APPLICANTS/PETITIONERS MUST COMPLETE VERIFICATION.

VERIFICATION

The undersigned, being sworn, states that the facts set forth in the foregoing statement are true to the best of the undersigned's knowledge, information and belief; and hereby submits to the Court's jurisdiction in this matter.

SWORN to before me this 6 day of November, 2001.

[Signature]
Notary Public for South Carolina
My Commission Expires: 11/6/08

Signature: [Signature]
Name: MARK D. SCHIFFER

Signature: _____
Name: _____

ORDER OF INFORMAL PROBATE

IT IS HEREBY ORDERED that the above application for probate of a will be GRANTED DENIED informally this 7th day of November, 2001

[Signature]

Probate Court Judge

ORDER FOR HEARING ON FORMAL PETITION

IT IS HEREBY ORDERED that a hearing on this matter be set for:

DATE:

TIME:

PLACE:

Pursuant to Section 62-1-401, the petitioner is ordered to give notice of this hearing to all interested persons at least twenty (20) days prior to the hearing.

Executed this _____ day of _____

Probate Court Judge

ORDER OF FORMAL TESTACY

On hearing of the above petition, this Court finds that the person is deceased, venue is proper, and the proceeding was commenced within appropriate time limits.

The Court further finds that

the decedent died intestate. The heirs are:

the decedent died testate. IT IS THEREFORE ORDERED, that the Last Will and Testament of the above-named decedent, dated _____ be admitted formally to probate.

Executed this _____ day of _____

SEE ATTACHED ORDER

Probate Court Judge

ORDER OF APPOINTMENT

IT IS HEREBY ORDERED that the above application/petition for appointment be granted upon the filing of a bond as appropriate, qualification and acceptance.

Executed this _____ day of _____

Probate Court Judge

QUALIFICATION AND STATEMENT OF ACCEPTANCE

I accept this appointment and agree to perform the duties and discharge the trust of the office of Personal Representative of this estate.

Signature: Mark D. Schaefer
Name: MARK D. SCHAEFER
Address: 1131 ROSEDALE AVE.

Telephone (O): _____
(H): _____

Signature: _____
Name: _____
Address: _____

Telephone (O): _____
(H): _____

Attorney
Address: _____

Telephone: _____

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

Certified True and Correct Copy
of Original Record

Kath W. Kornahrens
Kath W. Kornahrens, Judge of Probate
Berkeley County, SC

20 11 - CP - 08 - 2315

PROBATE COURT

IN THE MATTER OF Martha L. Schaffer
CASE NUMBER 2001-ES-08-000411

FILED
2011 AUG 24 AM 9:46
CLERK OF COURT
BERKELEY COUNTY, SC

PROPOSAL FOR DISTRIBUTION

Personal Representative (s): MARK D. Schaffer

Name and Address of Distributee	Amount or Item
SUSAN S. SAWASKEE [REDACTED ADDRESS]	misc. items, 1/3 of wardrobe
NANCY S. TURNER [REDACTED ADDRESS]	couch, 8mm RIFLE, misc items & 1/3 of wardrobe
MARK D. Schaffer [REDACTED ADDRESS]	misc. items, 1/3 of wardrobe DRESSER w/ mirror

Executed this 12 day of September, 2002

Signature: *Mark D. Schaffer*
Name: MARK D. SCHAFER
Address: [REDACTED]

Signature: _____
Name: _____
Address: _____

Telephone (O): [REDACTED]
(H): [REDACTED]

Telephone (O): _____
(H): _____

Certified True and Correct Copy
of Original Record

Keith W. Komahrens
Keith W. Komahrens, Judge of Probate
Berkeley County, SC

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

PROBATE COURT

IN THE MATTER OF Martha L. Schaffer

20 11 - CP - 08 2315

CASE NUMBER 2001-ES-08-000411

RECEIPT AND RELEASE

FILED
2011 AUG 24 AM 9:46
CLERK OF COURT
BERKELEY COUNTY, SC

The undersigned hereby acknowledges receipt from the Personal Representative(s) in this matter of the following property.

misc. ITEMS & 1/3 of WARDROBE

2011 SEP 18 P 2:26
PROBATE COURT
BERKELEY COUNTY, SC

In consideration of the distribution, the undersigned releases and forever discharges the Personal Representative(s) and the Estate from any and all rights and claims, which the undersigned may have against the Personal Representative(s) and the Estate.

Executed this 5th day of August

Witness: *Deborah West*

Beneficiary: *Susan S Sewald*

Waiver Request

THE RIGHT TO RECEIVING COPIES OF THE NOTICE OF RIGHT TO DEMAND HEARING, THE PROPOSAL FOR DISTRIBUTION, THE FINAL ACCOUNTING AND THE PETITION FOR DISCHARGE.

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

20 11 - CP - 08 - 2315 PROBATE COURT

IN THE MATTER OF: Martha L. Schaffer

CASE NUMBER: 2001-ES-08-000411

Certified True and Correct Copy
of Original Record

Keith W. Kornahrens

Keith W. Kornahrens, Judge of Probate
Berkeley County, SC

ACCOUNTING

FINAL
 INTERIM # _____

The undersigned Personal Representative (s) submits this accounting, which covers the period from Nov, 2001 through April 1, 2002

The documentation on the reverse side of this form sets forth a complete accounting for the period specified, which is summarized as follows:

Beginning Balance	<u>\$ 215.17</u>
Plus: Receipts	<u>0</u>
Subtotal	<u>\$ 215.17</u>
Less: Disbursements	<u>\$ 283.50</u>
Ending Balance	<u>-68.33</u>

2011 AUG 24 AM 9:46
FILED
CLERK OF DISTRICT COURT
BERKELEY COUNTY, SC
PROBATE COURT
BERKELEY COUNTY, SC

The Personal Representative declares that this account has been examined and that its contents represent a correct statement of all receipts and disbursements and are true to the best knowledge and belief of the Personal Representative (s).

SWORN to before me this 12th day of September, 2002

Peggy M. Pichay
Notary Public for South Carolina
My Commission Expires: 3/11/2007

Signature: *Martha L. Schaffer*
Name: Martha L. Schaffer
Address: _____

Telephone (O): _____
(H): _____

Signature: _____
Name: _____
Address: _____

Telephone (O): _____
(H): _____

RECEIPTS (assets received into estate)	DISBURSEMENTS (assets disbursed/paid out from estate)
	HUNTER NEW'S (NOTICE TO CREDITORS) - 51.00 PROBATE COURT - 20.00 PROBATE COURT (INVENTORY & APPRAISMENT) - 25.00 PROBATE COURT LAWYER FEE'S - 187.50
TOTAL:	\$ 0

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

20 11 - CP - 08 - 2315 PROBATE COURT

IN THE MATTER OF
CASE NUMBER

Martha L. Schaffer
2001-ES-08-000411

Certified True and Correct Copy
of Original Record

Kath W. Kornahrens

Kath W. Kornahrens, Judge of Probate
Berkeley County, SC

PETITION FOR SETTLEMENT

1. The undersigned as the Personal Representative(s) has/have collected and managed the assets of the estate: has/have paid all lawful claims against the estate: either has/have distributed assets or propose(s) to distribute as designated on the Proposal for Distribution; and has/have performed all other required acts pertaining to estate of decedent.
2. The Personal Representative(s) has/have filed:
 - Proof of Publication
 - an Inventory
 - a Proposal for Distribution
 - a Final Accounting
 - all required returns (including final income tax return, fiduciary income tax return, estate tax return, etc.) not, please explain.
3. The time period for submission of claims has expired.
4. I request that the Court issue Orders as appropriate together with such other Orders as the law may require and as the Court may deem applicable and proper.
5. I request that the Court: (check all that apply)
 - A. Consider and approve an accounting and the proposal for distribution.
 - B. Approve the distributions previously made and authorize the Personal Representative(s) to transfer title to the assets and distribute them to the distributees in the amount and manner set forth in the Proposal for Distribution (Form #410PC).
 - C. Find that the decedent died testate and make a determination of the testacy status and beneficiaries of the decedent.
 - D. Find that the decedent died intestate and make a determination of the heirs at law of the decedent.
 - E. Discharge, or set forth the conditions of the termination of the appointment of the Personal Representative, and the release of the Personal Representative's bond if any.
 - F. (Other:)
6. Notice of right to demand hearing and copies of the final accounting, the proposal for distribution, and this petition have been/are being sent to all interested persons as required by law.

2011 AUG 24 AM 9:46
FILED
CLERK OF PROBATE
BERKELEY COUNTY, SC

Executed this 12 day of September, 2002

SWORN to before me this 12th day
of September, 2002

Barbara M. Schrey
Notary Public for South Carolina
My Commission Expires: 8/11/2004

Signature: *Martha L. Schaffer*
 Name: MARtha L. Schaffer
 Address: 137 SAVANNAH RD
 Telephone(Home): (843) 821-0009
 (Office): H 343-2124
 Signature: _____
 Name: _____
 Address: _____
 Telephone(Home): _____
 (Office): _____

2011 SEP 19 P 2:16
PROBATE CLERK
BERKELEY COUNTY, SC

Certified True and Correct Copy
of Original Record

2011 - CP - 08 - 2315

Keith W. Kornahrens

Keith W. Kornahrens, Judge of Probate
Berkeley County, SC

STATE OF SOUTH CAROLINA

COUNTY OF BERKELEY

IN THE MATTER OF MARTHA LEONORA EDGAR SCHAFFER

CASE NUMBER 2001ES08-411

TERMINATION OF APPOINTMENT

FILED
2011 AUG 24 AM 9:47
CLERK OF COURT
BERKELEY COUNTY, SC

The appointment of MARK DAVID SCHAFFER

Personal

Representative(s) for the above estate is hereby terminated for the following reason(s):

- Satisfactory Completion of the Assigned Duties
- Death
- Disability
- Voluntary Resignation
- Removal
- Change of Testacy Status
- Special Administrator
- Other (specify): _____

Executed this 31ST day of JANUARY, 2003.

Keith W. Kornahrens

KEITH W. KORNAHRENS
PROBATE COURT JUDGE

Certified True and Correct Copy
of Original Record

Keith W. Kornahrens
Keith W. Kornahrens, Judge of Probate
Berkeley County, SC

STATE OF SOUTH CAROLINA)
COUNTY OF BERKELEY)

IN THE PROBATE COURT

CASE NO.: 2001-ES-08-000411

IN THE MATTER OF THE ESTATE
FOR Martha L. Schaffer

Nancy Elizabeth Schaffer
Turner
Petitioner(s),

vs.

Susan Linda Schaffer
Sawadske
Respondent(s).

2011-CP-08-2315

SUMMONS

RECEIVED
CLERK OF COURT
BERKELEY COUNTY, SC
2011 AUG 24 AM 9:29

TO THE RESPONDENTS LISTED ABOVE:

YOU ARE HEREBY SUMMONED and required to Answer the Petition in this
action, a copy of which is herewith served upon you, and to serve a copy of your
Answer upon the Petitioner(s) listed above at the following address(es):

Nancy E.S. Turner
(Name, PRINT)

[REDACTED]
(Street address or mailing address, PRINT)

[REDACTED]
(City, State, and zip code, PRINT)

RECEIVED
CLERK OF COURT
BERKELEY COUNTY, SC
2011 AUG 24 AM 9:48

FILED

Your Answer must be served on the Petitioner at the above address within **thirty (30)**
days after the service of this Summons and Petition upon you, exclusive of the day of
such service; and if you fail to Answer the Petition within that time, the Petitioner(s) will
ask the Court for a judgment by default for the relief demand in the Petition.

Nancy E.S. Turner
Signature of Petitioner(s)

Dec. 30, 2010
Date

20 11 - CP - 08 - 235

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

PROBATE COURT

IN THE MATTER OF **MARTHA L. SCHAFER**

CASE NUMBER 2001ES08-411

PROBATE COURT
BERKELEY COUNTY
2011 SEP 20 P 1:04

NOTICE OF RIGHT TO DEMAND HEARING

As an interested person in the above estate, you are hereby notified that the documents necessary to close this estate have been or are now being provided to you. These documents are the full Accounting for this estate, the Proposal for Distribution, and the Petition for Settlement. The Personal Representative is required to file with the Court proof that these documents and this Notice have been sent to you.

From the date this proof is filed with the Court, YOU HAVE 30 DAYS TO DEMAND IN WRITING A HEARING concerning any matter included in these closing documents.

If you do not file WITH THE COURT written demand for hearing within this time period, the Court may enter such orders on such conditions as may be requested and as the Court deems appropriate.

If you do file a written demand for hearing within this time period, a hearing date will be set and Notice of Hearing will be sent to you.

The address of the Court is: PROBATE COURT, 300-B CALIFORNIA AVENUE, MONCKS CORNER, S.C. 29461

2011 AUG 24 AM 9:47

FILED

Executed this 20th day of September, 2002

Signature: [Signature]

Name: David Athell Collins

Address: 7455 Cross County Rd Ste 1
N. Charleston, SC 29418

Telephone(Home) _____
(Office) 843-760-0220

Signature: _____

Name: _____

Address: _____

Telephone(Home) _____

(Office) _____

20 11 - CP - 08 - 2315
Certified True and Correct Copy
of Original Record
Keith W. Kornahrens

Keith W. Kornahrens, Judge of Probate
Berkeley County, SC

STATE OF SOUTH CAROLINA)
) IN THE PROBATE COURT
COUNTY OF BERKELEY)

IN THE MATTER OF MARTHA L. SCHAFFER

CASE NO. 2002-ES-08-411

2002 OCT -2 PM 2:22
PROBATE COURT
BERKELEY COUNTY

PROOF OF SERVICE

The Notice of Right to Demand Hearing and a copy of all documents necessary to close the Estate in the above-captioned matter were served on Nancy S. Turner on September 25, 2002, as evidenced by the attached Domestic Return Receipt form.

Peggy M. Rochay
Peggy M. Rochay

Charleston, South Carolina
October 1, 2002
01-864

FILED
2011 AUG 24 AM 9:47
CLERK OF COURT
BERKELEY COUNTY, SC

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 		<p>A. Signature X <i>Nancy Turner</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <i>NANCY TURNER</i> C. Date of Delivery <i>9/25/02</i></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p>	
<p>1. Article Addressed to:</p> <p>Ms. Nancy S. Turner [Redacted Address]</p>		<p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>2. Article Number (Transfer from service label)</p>		<p>7001 1940 0001 2361 5413</p>	

20 11 - CP - 08 - 2315

FILED

2011 AUG 24 AM 9: 50

CLERK OF COURT
BERKELEY COUNTY, SC

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED
2011 JUL 20 PM 1: 06
PROBATE COURT
BERKELEY COUNTY
S.C.

APPEAL FROM BERKELEY COUNTY
Court of Probate

Keith W. Kornahrens, Probate Court Judge

Case No. 2001 ES 08 411

Certified True and Correct Copy
of Original Record

Keith W. Kornahrens
Keith W. Kornahrens, Judge of Probate
Berkeley County, SC

Susan Linda Schaffer
Sawadske

Respondent,

v.

Nancy Schaffer Turner, as
Personal Representative of the
Estate of Martha L. Schaffer

Appellant.

NOTICE OF APPEAL

Nancy Schaffer Turner, appeals the order of the Honorable Keith W. Kornahrens, dated July 13, 2011. Appellant received written notice of entry of this order on July 16, 2011.

July 18, 2011

Nancy Schaffer Turner
Pro Se
Nancy Schaffer Turner
311 Claude Phillips Road
Bennett, N.C. 27208
(336) 581-4009

cc: Susan Linda Schaffer Sawadske
204 West Indian Ave.
Folly Beach, S.C. 29439

Mary P. Brown, Clerk of Courts, Berkeley County
300-B California Ave.
Moncks Corner, S.C. 29461

FILED

2011 AUG 24 AM 9:50

CLERK OF COURT
BERKELEY COUNTY, SC

20 11 CP 2315

RECEIVED

2011 JUL 20 PM 1:08

PROBATE COURT
BERKELEY COUNTY
S.C.

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BERKELEY COUNTY
Court of Probate

Keith W. Kornahrens, Probate Court Judge

Case No. 2001 ES 08 411

Susan Linda Schaffer
Sawadske,

Respondent,

v.

Nancy Schaffer Turner, as
Personal Representative of the
Estate of Martha L. Schaffer

Appellant.

Certified True and Correct Copy
of Original Record

Keith W. Kornahrens
Keith W. Kornahrens, Judge of Probate
Berkeley County, SC

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Susan Linda Schaffer Sawadske by depositing a copy of it in the United States Mail, postage prepaid, on July 18, 2011 addressed to , Susan L. S. Sawadske, 204 West Indian Ave, Folly Beach, South Carolina 29439.

July 18, 2011

Nancy Schaffer Turner
Pro Se
Nancy Schaffer Turner
311 Claude Phillips Road
Bennett, N.C. 27208
(336) 581-4009

Common Pleas
 Clerk : Mary P. Brown
 300 B California Avenue
 Moncks Corner, SC 29461
 (843) 718-4400

Received From: Turner, Nancy Schaffer
 Date: 8/24/2011
 RECEIPT # 6032333
 Clerk: COCENW

Paying for: Self
 Transaction Type: Payment
 Reference # 50758383958
 Comment:

Payment Type: Money Order \$150.00
 Total Paid \$150.00

<u>Case #</u>	<u>Caption</u>	<u>Previous Balance</u>	<u>Amount Paid</u>	<u>Balance Due</u>
2011CP0802315	Nancy Schaffer Turner VS Susan Linda Schaffer Sawadske	\$150.00	\$150.00	\$0.00
Total Cases: 1		\$150.00	\$150.00	\$0.00

THE STATE OF SOUTH CAROLINA
In The Court Of Common Pleas

APPEAL FROM BERKELEY COUNTY
Court of Probate

Keith W. Kornahrens, Probate Court Judge

Case No. 2011 CP 082315

FILED
2011 SEP 12 11:25
MARY P. BROWN
CLERK OF COURT
BERKELEY COUNTY, SC

Susan Linda Schaffer
Sawadske,

Respondent,

v.

Nancy Schaffer Turner, as
Personal Representative
of the Estate of Martha L.
Schaffer

Appellant.

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

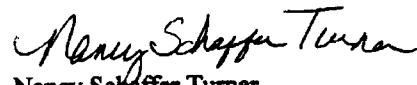
Appellant proposes the following be included in the Record on Appeal:

1. Tape recording of Probate Hearing October 25, 2001.
2. Petitioners Exhibits of Probate Hearing October 25, 2001
 - a. Exhibits: 1,2,3, and 4
3. Proposal of distribution dated September 12, 2002.
4. Petition to Probate December 30, 2010
5. Tape recording of Probate Hearing June 29, 2011
6. Order of July 13, 2011.

7. Martha L.E. Schaffer Certificate of Death dated July 28, 2001.
8. Martha L.E. Schaffer's Last Will and Testament, dated April 19, 1989.

I certify that this designation contains no matter which is irrelevant to this appeal.

September 9, 2011


Nancy Schaffer Turner
Pro Se
311 Claude Phillips Road
Bennett, N.C. 27208
(336) 581-4009

THE STATE OF SOUTH CAROLINA
 In The Court Of Common Pleas
 APPEAL FROM BERKELEY COUNTY
 Probate Court
 Keith W. Kornahrens, Judge of Probate
 Case No. 2011 CP 082315

J
FILED
 2011 SEP 12 AM 11:25
 MARY E. BROWN
 CLERK OF COURT
 BERKELEY COUNTY, SC

Susan Linda Schaffer Sawadske Respondent

v.

Nancy Elizabeth Schaffer Turner, as
 Personal Representative of the Estate
 of Martha L. Schaffer, Appellant

INITIAL BRIEF OF APPELLANT

Nancy E. Schaffer Turner
 Nancy E. Schaffer Turner
 Pro Se
 311 Claude Phillips Road
 Bennett, N.C. 27208
 (336) 581-4009

TABLE OF CONTENTS

Table of Authorities..... ii

Statement of Issues on Appeal..... 1

Statement of Cases..... 2

Facts..... 3

Arguments

- 1. THE PROBATE JUDGE ERRED IN BARRING THIS ACTION BY STATUTE OF LIMITATION.**
- 2. THE PROBATE JUDGE ERRED WHEN HE DID NOT TAKE INTO CONSIDERTION THE WEAKEN CAPACITY OF MARTHA L.E. SCHAFER.**
- 3. THE PROBATE JUDGE ERRED WHEN HE DID NOT PROVIDE AN ALTERNATIVE RELIEF FOR THE RETURN OF PERSONNEL PROPERTY.**

Conclusion..... 7

TABLE OF AUTHORITIES

CASES

Anderson v. Purvis, 211 S.C. 255, 44 S.E. 2d 611 (1947)..... 4

Anderson v. Purvis, 220 S.C. 259, 67 S.E. 2d 80 (1951)..... 5

Atlas Food Sys. And Servs. v. Crane Vendors Div of Unidynamics Corp., 319 S.C. 556, 462 S.E. 2d 858 (1995)..... 4

Baynard v. Ulmer, 153 S.C. 100, 150 S.E. 610 (1929)..... 5

Brooks v Kay, 339 S.C. 479, 490 S.E.2d 120, 125-26 (2000).. 5

Emery v. Smith, 361 S.C. 207, 220, 603 S.E.2d 598, 605 (Ct. App. 2004)..... 6

Fox v. Moultrie, 379 S.C. 609, 613, 666 S.E.2d 915, 917 (2008).... 4

Keane v Lowcounty Pediatrics, 372 S.C. 136, 148, 641 S.E.2d 53, 60 (Ct. App. 2007)..... 6

Parr v. Parr, 268 S.C. 58, 67, 231 S.E.2d 695, 699 (1977)..... 4

Sheppard v. Green,48 S.C. 165, 26 S.E. 224, (1896)..... 6

STATUTES

S.C. Code Ann. 15-3-340 (2005)..... 4

S.C. Code Ann. 15-69-210 (1976)..... 6

S.C. Code Ann. 15-67-770..... 5

S.C. Code Ann. 15-3-380 (2005)..... 4

STATEMENT OF ISSUES ON APPEAL

1. DID THE PROBATE JUDGE ERR IN FINDING THE ACTION TO SET ASIDE A DEED IS BARRED BY STATUTE OF LIMITATION?
2. DID THE PROBATE JUDGE ERR WHEN HE DID NOT TAKE INTO CONSIDERTION THE WEAKEN CAPACITY OF MARTHA L.E. SCHAFFER?
3. DID THE PROBATE JUDGE ERR WHEN HE DID NOT PROVIDE AN ALTERNATIVE RELIEF FOR THE RETURN OF PERSONNEL PROPERTY?

STATEMENT OF THE CASE

On January 7, 2011, Nancy Schaffer Turner, plaintiff, brought this action alleging undue influence and or fraud, against Susan Linda Schaffer Sawadske, defendant, this action was unopposed by the defendant.

On October 25, 2001, Turner brought an action to be named as personal representative before the court this action was denied. Turner believed the Court had charged the yet to be named personal representative, with supplying the court with an explanation as to what happened to the property and assets of Martha L. E. Schaffer. On January 7, 2011, Turner again brought an action to be named as personal representative before the court as well as a petition for fraud, to have the deed of Folly beach set aside, and the return of her personal belongings. The Court did name her personal representative but denied the action to set aside the deed, if she could locate her property she could have it returned.

On August 11, 2011, Turner served the Notice of Appeal on Sawadske.

FACTS

This appeal is from the Berkeley County Probate Court and involves the estate of Martha L.E. Schaffer (Mother) it is an heir's dispute. During her life Martha L.E. Schaffer devised a will which upon her death her property was to be distributed to each of her remaining three children: Susan L.S. Sawadske, Mark David Schaffer, and Nancy E.S. Turner. The will of Martha L.E. Schaffer was properly admitted to probate. Prior to the transaction from which this controversy arose, the property at Folly Beach was owned by Martha L.E. Schaffer, mother of Turner, Sawadske, as well as Mark Schaffer. Martha L.E. Schaffer conveyed by deed of descent the property at Folly Beach to Susan Sawadske and Mark Schaffer March 13, 1997, and further described as:

All that lot, piece, or parcel of land situated, lying and being on Folly Beach, County of Charleston, known and designated as "Map Lot No. 202 and 203, West Huron Avenue, Folly Beach" surveyed by W.L. Gaillard and dated September 2, 1960, recorded in Plat Book P, Page 72: the said lot having such size shape and dimensions as will by reference to said plat more fully appear;

Being a portion of the property conveyed to Martha Edgar Schaffer by Deed of Distribution from the estate of Martin Mark Schaffer dated March 26, 1991 and recorded in the R.M.C. Office for Charleston County, S.C. in Book R-203 at page 248. TMS 328-10-00-95.

Martha L.E. Schaffer presented to Roper Hospital on November 19, 1996 with an embolic stroke, atrial fibrillation, and congestive heart failure. She had also been diagnosed with dementia in 1996, suffered with a history of memory deterioration and developing hallucinations. Martha L.E. Schaffer, was unable to maintain her affairs following her stroke. She was under going speak therapy, being seen by a neurologist, and psychiatrist. Since Martha Schaffer was no longer capable of taking care of her own affairs. Her daughter, Susan Sawadske, her son and her boyfriend all moved in with Martha

Schaffer, from then on Susan Sawadske was in complete control of Martha Schaffer. Susan Sawadske discouraged any visitor including her sister, Nancy Turner. Susan Sawadske had complete custody of Martha L.E. Schaffer, to insure she had taken her medicines, ate, and to take Martha to and from doctor appointments, do laundry, measure Martha L.E. Schaffer blood sugar, grocery shop, and other household responsibilities. Martha L.E. Schaffer was no longer capable of driving. Susan Sawadske and Martha Schaffer opened two joint account allowing Susan Sawadske to pay bills. Susan Sawadske took complete charge of those bank accounts. Martha Schaffer trusted Susan Sawadske in handling the bank accounts for her. Martha Schaffer signed a Power of Attorney to Susan Sawadske. When Susan Sawadske took Martha Schaffer to an attorney to convey the property on Folly Beach it was March 13, 1997, less than four months from having a massive stroke. Susan Sawadske took Martha L. E. Schaffer to an attorney she was never furnished with any independent advice concerning the transfer of the property, and did not fully understand the nature of the conveyance or its legal effect. The consideration was ten dollars, and for love and affection grossly inadequate and ambiguous. The forged signature of Mark David Schaffer was notarized by the attorney. Mark Schaffer signature was not authorized.

After Susan Sawadske moved in with Martha Schaffer she began liquidating all of Martha Schaffer's assets. Susan Sawadske gave Martha Schaffer car to her teenage son. Martha Schaffer home was sold to a friend of Susan Sawadske.

Susan did build a new home in a gated community and in the planning of the house did provide a room for Martha Schaffer.

Martha Schaffer had suffered from a massive stroke and several other strokes. Her condition continued to deteriorate; she was confused much of the time and had hallucinations at other times. Her condition was complicated by diabetes. When Susan Sawadske found Martha to be unmanageable she then treated Martha Schaffer with Haldol. She was unable to be left alone, if no one was available to be with Martha L.E. Schaffer, she attended some sort of daycare facility. She was admitted into a nursing home due to her dementia where she later died of a cerebral vascular accident and atrial fibrillation.

ARGUMENT

1. THE PROBATE JUDGE ERRED IN BARRING THIS ACTION BY STATUTE OF LIMITATION.

Nancy Turner is the daughter of Martha L.E. Schaffer who owned and was in possession of the Folly Beach property. Under S.C. Code 15-3-340, "No action for the recovery of real property or the recovery of the possession of real property may be maintained unless it appears that the plaintiff, his ancestor, predecessor, or grantor, was seized or possessed of the premises in question within ten years before the commencement of the action." Again in S.C. Code Ann. 15-3-380, "No action shall be commenced in any case for the recovery of real property or for any interest therein against a person in possession under claim of title by virtue of written instrument unless the person claiming, his ancestor or grantor, was actually in the possession of the same or a part thereof within forty years from the commencement of such action. And the possession of a defendant, sole or connected, pursuant to the provisions of the section shall be deemed valid against the world after such a period." If there is even a question of statute of limitation, in *Anderson v. Purvis*, 211 S.C. 255, 44 S.E.2D 611 (1947); *Anderson v. Purvis*, 220 S.C. 259, 67 S.E.2d 80 (1951) holds the Court's power to do equity transcends the limitations of the statute of limitations. To quiet title is in equity and statutes of limitations are not generally applicable to equitable action, citing *Fox v. Moultrie*, 379 S.C. 609, 613, 666 S.E.2d 915, 917 (2008) ("An action to quiet title is one in equity.") *Parr v Parr*, 268 S.C. 58, 67, 231 S.E.2d 695,699 (1977) states statutes of limitation are generally not applicable in equitable actions). Nancy Turner was not even aware that her sister, Susan Sawadske had even taken their mother to an attorney for the property to be conveyed to Susan Sawadske and Mark Schaffer until after their mothers' death in July of 2001. According to *Atlas Food Sys. And Servs. v. Crane Vendors Div. of Unidynamics Corp.* 319 S.C. 556, 462 S.E.2d 858 (1995). The discovery rule provides that the statute of limitations does not begin until a person

using reasonable diligence knew or should have know the existence of the claim. In Section 15-67-770 in part reads ... "shall be entitled to recover as damages for such unlawful holding the full value of the profits received during such wrongful possession, and recovery may be had against the person hold over or his executors or administrator."

2. THE PROBATE JUDGE ERRED WHEN HE DID NOT TAKE INTO CONSIDERTION THE WEAKEN CAPACITY OF MARTHA L.E. SCHAFFER?

Martha L.E. Schaffer had recently been hospitalized from having a massive stroke, she was still under treatment for the event. The Supreme court holds an inference of undue influence will arise upon showing a great mental weakness of the grantor and gross inadequacy of consideration as it did in *Brooks v. Kay* 339S.C. 479, 490, 530 S.E.2d. 120, 125-26 (2000). The court explained:

It is not necessary, in order to secure the aid of equity, to prove that the deceased (grantor) was at the time insane, or in such a state of mental imbecility as to render her entirely incapable of executing a valid deed. It is sufficient to show that from her sickness and infirmities she was at the time in a condition of treat mental weakness, and that there was gross inadequacy of consideration for the conveyance. From these circumstances imposition of undue influence will be inferred.

Id. At 490, 530 S.E.2d at 125-126. The court recognized this inference applies even absent a confidential relationship.

In *Baynard v. Ulmer*, 153 S.C. 100, 150 S.E. 610 (1929) the court said "It is an established principle of equity that acts and contract of persons who are of weak understanding , and thereby subject to imposition, will closely scrutinized by the courts to discover wheather or not undue influence was exerted or and confidence betrayed to prejudice of the weaker party or of the one reposing such trust and confidence. Martha L.E. Schaffer put her confidence in Susan Sawadske to take care of her needs both physically and financially. Susan Sawadske immediately began to condense all Martha L.E. Schaffer assets up to and including her clothes and furniture.

3. THE PROBATE JUDGE ERRED WHEN HE DID NOT PROVIDE AN ALTERNATIVE RELIEF FOR THE RETURN OF PERSONNEL PROPERTY?

Nancy Turner had no way to know her sister, Susan Sawadske was giving away, getting rid of, selling or liquidating their mother, Martha L. E. Schaffer belonging, as well as her own that had been in their mother home, the same home the children grew up in. In Sheppard v Green 48 S.C. 165, 26 S.E. 224, (1896) it states "It is well settled that the plaintiffs may obtain any relief appropriate to the case made by the pleadings and evidence, without regard to the form of the prayer for relief." In Keane v Lowcounty Pediatrics, 372 S.C. 136, 148, 641 S.E.2d 53, 60 (Ct. App. 2007) Punitive damages may only be awarded upon underlying finding of actual damages. Section, 15-69-210, 1976 Code of Laws of South Carolina ("In an action to recover possession of personal property judgment for the plaintiff may be for the possession, for the recovery of possession or for the value thereof in case a delivery cannot be had and for damages, both punitive and actual, for the detention.") Nancy Turner as a result of Susan Sawadske concealing what she was doing with their mother and Nancy's belongings had no way to retrieve her items in their mothers home. As a direct result of the concealment Nancy Turner lost expensive Le Creuset cookware she brought to her mothers home to cook for her mother. Her grown sons outfits when an infant, a collection of Mercury dimes, and silver dollars that included Liberty dollars as well as Walking dollars, and various vintage Barbie dolls and vintage Barbie clothes. Nancy Turner did not receive any family pictures that would have included photos of their deceased brother, mother and father. Susan Sawadske has never come to court she has no clean hands as one must according to Emery v Smith, 361 S.C, 207, 220, 603 S.E.2d 598, 605 (Ct. App. 2004).

CONCLUSION

For these reason stated, this court should reverse the judgment of the Probate Court Judge. Find for this appellant The eleven thousand dollars it would take to replace her cookware, Barbie's, and coin collection, the clothing from her son as an infant are not replaceable, and nothing is ask to replace them. It is asked to set the deed of Folly Beach aside or grant Nancy Turner her fair share that would have been three hundred and twenty seven thousand dollars, and any damages the Court finds appropriate.

Respectfully submitted,



Nancy E. Schaffer Turner
Pro Se
311 Claude Phillips Road
Bennett, N.C. 27280
336-581-4009

September 9, 2011

20 11 - CP - 08 - 2315

FILED

2011 AUG 24 AM 9: 50

CLERK OF COURT
BERKELEY COUNTY, SC

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

RECEIVED
2011 JUL 20 PM 1: 06
PROBATE COURT
BERKELEY COUNTY
S.C.

APPEAL FROM BERKELEY COUNTY
Court of Probate

Keith W. Kornahrens, Probate Court Judge

Case No. 2001 ES 08 411

Certified True and Correct Copy
of Original Record

Keith W. Kornahrens
Keith W. Kornahrens, Judge of Probate
Berkeley County, SC

Susan Linda Schaffer
Sawadske

Respondent,

v.

Nancy Schaffer Turner, as
Personal Representative of the
Estate of Martha L. Schaffer

Appellant.

NOTICE OF APPEAL

Nancy Schaffer Turner, appeals the order of the Honorable Keith W. Kornahrens, dated July 13, 2011. Appellant received written notice of entry of this order on July 16, 2011.

July 18, 2011

Nancy Schaffer Turner
Pro Se
Nancy Schaffer Turner
311 Claude Phillips Road
Bennett, N.C. 27208
(336) 581-4009

cc: Susan Linda Schaffer Sawadske
204 West Indian Ave.
Folly Beach, S.C. 29439

Mary P. Brown, Clerk of Courts, Berkeley County
300-B California Ave.
Moncks Corner, S.C. 29461

FILED

20 11 CP 2315

RECEIVED

2011 AUG 24 AM 9:50

2011 JUL 20 PM 1:06

CLERK OF COURT
BERKELEY COUNTY, SC

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

PROBATE COURT
BERKELEY COUNTY
S.C.

APPEAL FROM BERKELEY COUNTY
Court of Probate

Keith W. Kornahrens, Probate Court Judge

Case No. 2001 ES 08 411

Certified True and Correct Copy
of Original Record

Susan Linda Schaffer
Sawadske,

Keith W. Kornahrens
Keith W. Kornahrens, Judge of Probate
Berkeley County, SC

Respondent,

v.

Nancy Schaffer Turner, as
Personal Representative of the
Estate of Martha L. Schaffer

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Susan Linda Schaffer Sawadske by depositing a copy of it in the United States Mail, postage prepaid, on July 18, 2011 addressed to , Susan L. S. Sawadske, 204 West Indian Ave, Folly Beach, South Carolina 29439.

July 18, 2011

Nancy Schaffer Turner
Pro Se
Nancy Schaffer Turner
311 Claude Phillips Road
Bennett, N.C. 27208
(336) 581-4009

STATE OF SOUTH CAROLINA
COUNTY OF Berkeley
IN THE COURT OF COMMON PLEAS

FORM 4

JUDGMENT IN A CIVIL CASE

CASE NO. 2011 CP-08-2315

Nancy Schaffer Turner, as Personal Representative of

Susan Linda Schaffer Sawadske (Respondent)

the Estate of Martha L. Schaffer (Appellant)

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	OR
	<input type="checkbox"/> Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other

- DISPOSITION OR APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court: This Court affirms The Honorable Keith W. Kornahrens on all matters raised on appeal by Nancy Schaffer Turner, as Personal Representative of the Estate of Martha L. Schaffer.

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk :

FILED
 FEB - 1 AM 10:00
 HARY P. BRAY
 CLERK OF COURT
 BERKELEY COUNTY SC

INFORMATION FOR THE PUBLIC INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
N/A	N/A	\$N/A
		\$
		\$
If applicable, describe the property, including tax map information and address, referenced in the order: N/A		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

2/6/13
 mail
 5/2/13
 NOT
 Probate court

Circuit Court Judge

SCRPC Form 4C (10/2011)

2151

Judge Code

2/6/13
Date

8

For Clerk of Court Office Use Only

The judgment was entered on the 1 day of Feb 2013 and a copy mailed first class or placed in the appropriate attorney's box on this 1 day of Feb 2013 to attorneys of record or to parties (when appearing pro se) as follows:

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)
Mary J. Braun
CLERK OF COURT

Court Reporter:

Nancy Schaffer Turner certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

March 25, 2015


Nancy Schaffer Turner
Pro Se
311 Claude Phillips Road
Bennett N.C., 27208
(336) 581-4009

②

Certificate of Service

I certify that I have served the appellant's Supplemental Record on Appeal request for extension on the Respondent, by depositing a copy of it in the United States Mail, postage prepaid March 28, 2015, addressed to HHS, Post Office Box 130, Summerville SC 29484.

Case No. 2013-000457

Nancy Schaffer Turner, as Personal Representative of the estate of Martha L. Schaffer,
Appellant

v

Susan Linda Schaffer Sawadske, Respondent

Nancy Schaffer Turner

Nancy Schaffer Turner
311 Claude Phillips Road
Bennett, NC 27208

*P.O. Box 111629
Columbia, SC 29211*

RECEIVED
MAR 31 2015
SC Court of Appeals