

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)
)
Piedmont Natural Gas Company,)
)
Condemnor,)
)
vs.)

IN THE COURT OF COMMON PLEAS
CA No. 2012-CP-23-4064

RECEIVED
SEP 28 2015
SC Court of Appeals

Richeous Smith, Worthly Smith)
a/k/a, Worley Smith, Pearl Terry,)
Ethel Butler, Tweety Smith a/k/a)
Tweety Smith Harris, Doreth Smith,)
Fletcher Lee Harris, Alma Williams)
Smith, James R. Smith, Loree Smith,)
Gene A. Smith, Adolf Smith, Janie)
Sue Smith, Samuel Paul Smith,)
Ruby Smith Mansell, Buford)
Mansell, Ethel Mae Smith, Wilson)
Smith, Patrick R. Smith, Reginald)
Lamont Smith, Eric Smith,)
Christine Smith Dawkins, William)
G. Dawkins, Alma Renee Smith)
Murry, Sharai Smith Brock, Robert)
Lee Smith, Melissa F. Smith,)
Rosalyn Annette Steven, Edith)
Smith Foster, George Waymon)
Foster, Bridgette Smith)
Blassingame, Tara Smith, Waymon)
Odell Smith, Martha Miller Smith,)
Calvin Lee Smith, Reece W. Smith,)
Raymond Eddie Smith, Michael)
Smith, Odell Smith, Dorothy Smith)
Pearson, Gary Pearson, Jerome)
Smith, Jaygo Terry, Ida Terry,)
Mack Terry, Zone Terry, Leola)
Terry Smith, James Smith, J. P.)
Terry, David Brayville Terry, Ettie)
Pearl Booker, Tecora O. Terry)
Mason, Odell Mason, Lenora)
Holley, Dorothy Terry Sheppard,)
Orangelee Sheppard, Vernon)
Sheppard, Kasandra Sheppard)
Jenkins, Karen Sheppard Spates,)
Theodore Terry, Sr., Gracie Terry,)

ORDER FOR SUBSTITUTION
OF PARTIES

FILED-CLERK OF COURT
GREENVILLE CO. S.C.
PAUL B. WICKENSIMMER
2014 DEC 23 AM 10 08

ENTERED COMPUTER

Kelvin F. Terry, Theodore Terry, Jr.,)
Keith Terry, Leola Terry Daniels,)
Wilford Daniels, Terrance Leslie,)
Sr., Derrick McGee, Jr., Fred Smith,)
Jr., Mannell Terry, Patricia Terry,)
Sheila Terry, Barbara Evans,)
Leonard Evans, Linda Evans,)
Thomas Evans, Johnny R. Williams,)
Latonya Gilliam, Porsha Williams,)
Chavonte Gilliam, Lakisha Gilliam,)
Derrick Gilliam, Rodney Gilliam,)
Donald Ray Gilliam,)
Connie Evans, Michael Evans, Iola)
Terry Cox, William Henry Cox,)
Johnny F. Cox, Joyce A. Smith,)
Anthony Cox, Alfred Cox, J. Henry)
Cox, Charlette J. Cox, Charles J.)
Cox, Michael Cox, Supearl Terry)
Gilliam a/k/a Supearl Terry Gilliam)
Miranda, Eugene Gilliam, Terry)
Gilliam, Jerry Gilliam, Warren)
Gilliam, Eugene Gilliam, Jr., Mattie)
Gilliam, Ira K. Carroll, Demetrius J.)
Gilliam, Kehiminnie S. Gilliam,)
Bianca S. Gilliam, Melvin Gilliam,)
Rodney Gilliam, Cindy Gilliam,)
Shakima Gilliam, Carmella Cottom,)
Nina Gilliam, Vermell Gilliam)
Phillips, Shaynise Alston, John)
Gilliam, Donald Gilliam, Sr.,)
Leunette Gilliam, Donnette Gilliam)
Ortchere, Leslie Gilliam Peter,)
Angela Gilliam, Donald E. Gilliam,)
Raymond T. Gilliam, Juan Miranda,)
Carmen Miranda a/k/a Carmen)
Miranda Glavin, John Glavin, Sr.,)
John Glavin, Jr., Miranda Glavin,)
Jeffrey Glavin, Yolanda Glavin,)
Ezell Terry, Magaline Terry, Leroy)
Terry, Kenneth Terry, James)
(Jimmy) Terry, Pearlie Mae Terry,)
Winnie L. Terry Anderson, Furman)
Anderson, Tommy Anderson,)
Abigail Dodd, Angela Reid, Sandra)
McDowell, Harold Anderson, Mary)
Ann Davis, Charlene Peake, Albert)

Anderson, Paul Terry, Betty Jo)
Terry, Donald E. Terry, Deloris I.)
Terry, Paul A. Terry, Mark G. Terry,)
Terry Sholer, Jamie Terry, James O.)
C. Smith, Pauline Smith, Gloria)
Gore, Paul Smith, Ethel Allen,)
Desiree Golden, Pauline Workman,)
Brenda Moulhem, and if any)
of the aforementioned be deceased,)
then their heirs, successors, devisees,)
distributees, Administrators,)
Executors and Personal)
Representatives, and any party)
claiming by or through them,)

Landowners,)

and)

The United States of America,)
acting by and through its agency, the)
Internal Revenue Service, The)
United States of America, acting by)
and through its agency the United)
States Department of Justice, The)
South Carolina Department of)
Revenue, The South Carolina)
Department of Mental Health, The)
State of South Carolina, Bullhead)
Investments, LLC, Arrow Financial)
Services, LLC, Sharonview Federal)
Credit Union, Discover Bank,)
Zachery Arnold, GE Commercial)
Finance Business Property)
Corporation, Midland Funding,)
LLC, and Greenville County,)

Other Condemnees,)

and)

John Doe and Mary Roe, being)
fictitious names used to represent all)
persons and condemnees whose true)
names are not known, including the)
heirs, successors, devisees,)



original grantee Pearl Terry. Subsequent to the commencement of this action, Terrance Leslie, Sr., passed away on March 15, 2014, leaving as his heirs his children Terrance Leslie, Jr., Terrell Leslie, Sr. and Teaira Leslie.

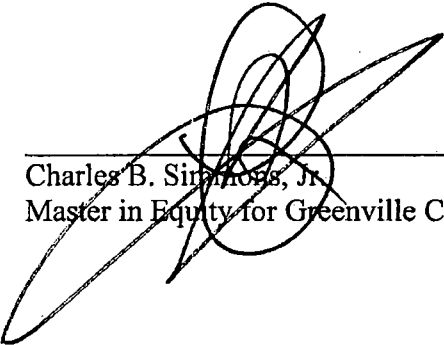
Rule 25(a), SCRPC, provides that, if a party dies and the claim is not thereby extinguished, the court may order substitution of the proper parties. I find and conclude that Terrance Leslie, Jr., Terrell Leslie, Sr., and Teaira Leslie are the proper parties to be substituted for deceased Landowner Terrance Leslie, Sr., because they should inherit his undivided interest in the subject real property.

NOW, THEREFORE, based upon the foregoing,

IT IS ORDERED that Terrance Leslie, Jr., Terrell Leslie, Sr., and Teaira Leslie be, and hereby are, substituted as Landowners herein in the place of deceased Landowner Terrance Leslie, Sr.

IT IS SO ORDERED

Date: 12/23/14
Greenville, South Carolina



Charles B. Simmons, Jr.
Master in Equity for Greenville County



Kevin A. Dunlap
Partner
Telephone: 864.253.6105
Direct Fax: 864.591.2050
kevindunlap@parkerpoe.com

Charleston, SC
Charlotte, NC
Columbia, SC
Raleigh, NC
Spartanburg, SC

September 28, 2015

RECEIVED
SEP 28 2015
SC Court of Appeals

Via Hand Delivery and E-mail (dgreene@sccourts.org)

Diane Greene
South Carolina Court of Appeals, Clerk's Office
Post Office Box 11629
Columbia, South Carolina 29211

Re: ***Piedmont Natural Gas Co. v. Richeous Smith, et al.***
Appellate Case No. 2015-001909
Complete Case Caption

Dear Ms. Greene:

In response to the South Carolina Court of Appeals' letter request dated September 16, 2015, the Appellant Piedmont Natural Gas Company ("PNG") is hereby providing a copy of an Order for Substitution of Parties entered by the trial Court on December 23, 2014 (the "Order"). The Order provides that the deceased Landowner Terrance Leslie, Sr. be substituted by his living heirs, Terrance Leslie, Jr., Terrell Leslie, Sr. and Teaira Leslie (the "Substituted Parties"). However, the Order's caption lists Terrance Leslie, Sr. as a party and omits the Substituted Parties. PNG is preparing an Amended Notice of Appeal that will list the Substituted Parties in the caption. Further, PNG notes that the Substituted Parties were served with the Notice of Appeal on September 9, 2015.

PNG also is informed and believes that the following respondents listed on the trial court case caption as party-landowners may be deceased:

Richeous Smith, Worthy Smith a/k/a Worley Smith, Pearl Terry, Ethel Butler, Tweety Smith a/k/a Tweety Smith Harris, Doreth Smith, Fletcher Lee Harris, Alma Williams Smith, Adolf Smith, Janie Sue Smith, Samuel Paul Smith, Ruby Smith Mansell, Buford Mansell, Ethel Mae Smith, Wilson Smith, Christine Smith Dawkins, Robert Lee Smith, Edith Smith Foster, George Waymon Foster, Waymon Odell Smith, Dorothy Smith Pearson, Gary Pearson, Jaygo Terry, Ida Terry, Mack Terry, Zone Terry, Leola Terry Smith, James Smith, J.P. Terry, David Brayvell Terry, Tecora O. Terry Mason, Odell Mason, Dorothy Terry Sheppard, Theodore Terry, Sr., Leola Terry Daniels, Mannell Terry, Barbara Evans, Leonard Evans, Johnny R. Williams, Donald Ray Gilliam, Connie Evans, Iola Terry Cox, William Henry Cox, J. Henry Cox, Charlette J. Cox, Charles J. Cox, Michael Cox, Supearl Terry Gilliam a/k/a Supearl Terry Gilliam Miranda, Eugene Gilliam, Eugene Gilliam, Jr., Melvin Gilliam, Rodney Gilliam, Vermell Gilliam Phillips, Donald Gilliam, Sr., Juan Miranda, Carmen Miranda a/k/a


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Carmen Miranda Glavin, Ezell Terry, Magaline Terry, Kenneth Terry, Winnie L. Terry Anderson, Furman Anderson, Albert Anderson, Paul Terry, James O.C. Smith, and Pauline Smith

PNG is also informed and believes that the known living heirs of the deceased party-landowners are also listed in the caption as party-landowners. In addition, unknown claimants including, but not limited to, unknown heirs, successors, devisees, distributees, Administrators, Executors and Personal Representatives of the named party-landowners, are named as Respondents and are represented by Kelley Y. Woody as Guardian *ad litem*.

Sincerely,

 with permission
by Amber Blevins
Kevin A. Dunlap
S.C. Bar No. 13081

Attorney for Piedmont Natural Gas Co.

KAD:fap

Enclosure

cc: David B. Ward
Erin Culbertson
Paul Andrew McKee, III
Kelley Y. Woody, Esquire
A. Lance Crick, Esquire
Wylie W. Clarkson, Esquire
Charles N. Griffin, III, Esquire
Mary Elizabeth (Mary Beth) Campbell, Esquire
Jeffrey D. Wile, Esquire
Alan Wilson, South Carolina Attorney General
John H. Magill, State Director of the South Carolina Department of Mental Health
Trace M. Dillon, Esquire
Ahmad S. Washington, Esquire
Richard L. Jackson, Esquire
CT Corporation System, Registered Agent for Discover Bank and GE Commercial
Finance Business Property
Melissa F. Smith
Jerome Smith
Ettie Pearl Booker
Wilford Daniels
Terrance Leslie, Jr.
Terrell Leslie, Sr.
Teaira Leslie
Patricia Terry
Sheila Terry
Johnny F. Cox
Terry Gilliam
Jerry Gilliam

Diane Greene
September 28, 2015
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Ira K. Carol
Demetrius J. Gilliam
Kehimonnie S. Gilliam
Bianca S. Gilliam
Donnette Gilliam Ortchere
Angela Gilliam
John Glavin, Sr.
John Glavin, Jr.
Miranda Glavin
Jeffrey Glavin
Yolanda Glavin
James (Jimmy) Terry
Pearlie Mae Terry
Zachery Arnold