

**LETTER TO THE APPELLATE COURT CLERK  
FILING THE NOTICE OF APPEAL**

JANUARY 15, 2016

The Honorable David Hamilton  
Clerk, York County  
Post Office Box 649-1675  
1G York Highway  
York, South Carolina 29745

**RECEIVED**

JAN 20 2016

**SC SUPREME COURT**

The Honorable Daniel E. Shearhouse  
Clerk, Supreme Court of South Carolina  
Post Office Box 11330  
Columbia, South Carolina 29211

RE: Mary Jean Tucker Swiger, by and through her Attorney in Fact and Daughter, Carol DeHaven, Appellant, v. Ben R. Smith and Margaret Kelly, as Personal Representatives of the Estate of Vinton Willis Tucker, Case No. 2015-CP-46-00466

Dear Mr. Shearhouse and Mr. Hamilton:

Enclosed for filing is a notice of appeal to the Supreme Court of South Carolina. Also enclosed are the following:

1. Proof of Service of the notice of appeal on the respondents.
2. A copy of the orders/judgments (Judge Rogers and Judge Sprouse) which are to be challenged on appeal.
3. A filing fee of \$100.
4. This appeal is being filed with the Supreme Court because the laws of York County and the laws of South Carolina failed to provide protection for my uncle, Vinton Willis Tucker, after he was taken from his State of Residence, North Carolina, for medical and rehabilitation care, allowed his legally prepared Will to be torn up before a replacement was done by the Power of Attorney, Ben Smith, allowed for his isolation from his blood relatives, and allowed for undue influence through allowing a Will to be determined legal done within a few hours of losing consciousness and discussion of life limiting diagnosis, disregard of his stated and written wishes after Will was done, and failing to protect the Will and assets of a man determined to be of a very fragile state physically and mentally and in his last months of life. Also the economic benefit to South Carolina may be affected if North Carolina

residents in the vicinity of Charlotte realize their Wills and other legal documents may be invalid if they should come there for rehabilitation after surgery or injury and die there. We also contend that Respondents witnessed and wrote a Will that my uncle was unaware existed.

Sincerely,

A handwritten signature in black ink, appearing to read "Carol DeHaven", written over a horizontal line.

Carol DeHaven

6600 Hawkins Gate Road

La Plata, Maryland 20646

240-687-0220

Attorney/Daughter of Appellant

Cc: Michael Brackett  
Post Office Box 100261  
Columbia, South Carolina 29202  
Attorney for the Respondents



# The Supreme Court of South Carolina

Carol DeHaven

01/20/2016

## RECEIPT #78472

<b>Fee Type:</b>	Case Initiation Fee
<b>Amount:</b>	\$100.00
<b>Payment Type:</b>	Money Order
<b>Reference No:</b>	23276751761
<b>Check/Money Order Date:</b>	01/15/2016
<b>Comments:</b>	Mary Jean Tucker Swiger v Ben R. Smith, et al