

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM AIKEN COUNTY
Court of Common Pleas

Doyet A. Early III, Circuit Court Judge

Appellate Case No. 2015-002417

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MAY 11 2016
SC Court of Appeals

Tommie Rae Brown,.....Respondent,

v.

David C. Sojourner, Jr., in his capacity as Limited Special Administrator and Limited Special Trustee, Deanna Brown-Thomas, Yamma Brown, Venisha Brown, Larry Brown, Terry Brown, and Daryl Brown, Respondents below,

of whom David C. Sojourner, Jr., in his capacity as Limited Special Administrator and Limited Special Trustee, Deanna Brown-Thomas, Yamma Brown, Venisha Brown, Terry Brown, Michael Deon Brown, and Daryl Brown are the Appellants.

APPELLANT DAVID C. SOJOURNER, JR.'S, IN HIS CAPACITY AS LIMITED SPECIAL ADMINISTRATOR OF THE ESTATE OF JAMES BROWN, A/K/A JAMES JOSEPH BROWN AND LIMITED SPECIAL TRUSTEE OF THE JAMES BROWN IRREVOCABLE TRUST, U/A/D AUGUST 1, 2000 DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

Appellant David C. Sojourner, Jr., in his capacity as Limited Special Administrator of the Estate of James Brown, a/k/a James Joseph Brown and Limited Special Trustee of the James Brown Irrevocable Trust, u/a/d August 1, 2000, proposes that the following is included in the Record on Appeal:

1. Order granting Tommie Rae Brown's Motion for Summary Judgment and denying Limited Special Administrator's Motion for Summary Judgment, filed January 13, 2015;
2. Order denying Motions to Alter, Amend or Reconsider, filed October 26, 2015;
3. Transcript of March 31, 2014 Hearing before the Honorable Doyet A. Early, III;
4. Transcript of November 24, 2014 Hearing before the Honorable Doyet A. Early, III;
5. Transcript of June 30, 2015 Hearing before the Honorable Doyet A. Early, III;
6. Joint Stipulation of Facts, filed September 5, 2014;
7. Tommie Rae Brown's Motion for Summary Judgment, filed April 28, 2014;
8. Limited Special Administrator's Motion for Summary Judgment, filed June 2, 2014;
9. Memorandum in Support of Tommie Rae Brown's Motion for Summary Judgment, filed September 24, 2014;
10. Daryl Brown's Brief in Opposition to Tommie Rae Hynie's Motion for Summary Judgment, filed October 3, 2014;
11. Memorandum of Law Supporting Limited Special Administrator's Motion for Summary Judgment and Opposing Tommie Rae Brown's Motion for Partial Summary Judgment on the Issue of Surviving Spouse, filed October 6, 2014;

12. Memorandum of Law in Opposition to Petitioner's Motion for Partial Summary Judgment and in Support of Respondent Terry Brown's Counterarguments, filed October 6, 2014;

13. Jeanette Mitchell and Amicus Curiae Return to Motion for Summary Judgment of Tommie Rae Hynie Brown, filed October 16, 2014;

14. Larry Brown, Venisha Brown, Deanna Brown-Thomas, Jason Brown Lewis and Yamma Brown's (individually and on behalf of her minor children Sydney Lumar and Carrington Lumar) Motion Supporting Limited Special Administrator's Motion for Summary Judgment and Opposing Tommie Rae Brown's Motion for Partial Summary Judgment and Supporting Respondent Terry Brown's Memorandum of Law in Opposition to Petitioner's Motion for Partial Summary Judgment, filed October 20, 2014;

15. Reply Memorandum in Support of Tommie Rae Brown's Motion for Partial Summary Judgment, filed October 20, 2014;

16. Reply Memorandum Supporting LSA's Motion for Summary Judgment and Opposing Tommie Rae Brown's Motion for Partial Summary Judgment, filed November 3, 2014;

17. Reply Memorandum of Law in Opposition to Tommie Rae Brown's Motion for Partial Summary Judgment and in Support of Terry Brown's Counterarguments, filed November 3, 2014;

18. Limited Special Administrator's Motion to Alter, Amend and Reconsider, filed January 26, 2015;

19. Respondents Larry Brown, Venisha Brown, Deanna Brown-Thomas and Yamma Brown's Motion to Alter or Amend Judgment and/or for Reconsideration, filed January 26, 2015;

20. Daryl Brown's Motion to Alter, Amend and Reconsider, filed January 28, 2015;

21. Jeanette Mitchell, Sarah LaTonya Brown Fegan and Ciara Petitt and Cheriarius Williams' Motion to Reconsider, Alter, Amend January 13, 2015 Order, filed January 29, 2015;

22. Michael Deon Brown's Motion to Alter, Amend and Reconsider, filed February 2, 2015;

23. Terry Brown's Motion to Alter, Amend and Reconsider, filed February 2, 2015;

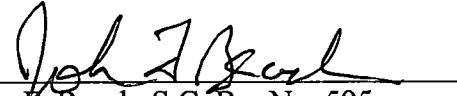
24. Tommie Rae Brown's Return in Opposition to Respondents' Motions to Alter, Amend or Reconsider, filed July 6, 2015;

25. Memorandum of Limited Special Administrator on Issue of Application of *Lukich v. Lukich*, dated July 30, 2015; and

26. Terry Brown's Supplemental Brief in Support of Motion to Alter, Amend and Reconsider, filed August 3, 2015.

The undersigned hereby certify that this designation does not include any matter which is irrelevant to this appeal.

Respectfully submitted,



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James Brown and Limited Special Trustee of the
James Brown Irrevocable Trust, u/a/d August 1,
2000*

May 11, 2016.

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of whom David C. Sojourner, Jr., in his capacity as Limited Special Administrator and Limited Special Trustee, Deanna Brown-Thomas, Yamma Brown, Venisha Brown, Terry Brown, Michael Deon Brown and Daryl Brown are the Appellants.

PROOF OF SERVICE

The undersigned hereby certifies that she has served the foregoing Initial Brief of the Appellant David C. Sojourner, Jr., in his capacity as Limited Special Administrator of the Estate of James Brown, a/k/a James Joseph Brown and Limited Special Trustee of the James Brown Irrevocable Trust, u/a/d August 1, 2000 and Designation of Matter to be Included in the Record on Appeal by depositing a copy of same in the United States Mail, postage prepaid on May 11, 2016 and addressed as follows:

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and Ciara Petitt and Cherquarius Williams
for LaRhonda Petitt*

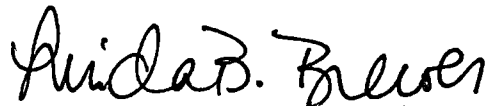
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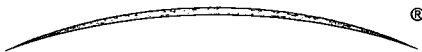
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Trustee of the James Brown Irrevocable
Trust, u/a/d August 1, 2000*

May 11, 2016

ADAMS AND REESE LLP



May 11, 2016

Attorneys at Law
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Via Hand Delivery

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
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SC Court of Appeals

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In Re: The Estate of James Brown a/k/a James Joseph Brown
Tommy Rae Brown v. David C. Sojourner, Jr., et al.
Appellate Case No. 2015-002417
A&R File No. 022853-000001

Dear Ms. Kitchings:

Enclosed for filing is an original and one copy of the Initial Brief of the Appellant David C. Sojourner, Jr., in his capacity as Limited Special Administrator of the Estate of James Brown, a/k/a James Joseph Brown and Limited Special Trustee of the James Brown Irrevocable Trust, u/a/d August 1, 2000 and Designation of Matter to be Included in the Record on Appeal in the above-referenced matter together with a Proof of Service. Please file the original and return the clocked-in copy with our courier.

By copy of this letter, I am serving a copy of these documents on all attorneys of record.

Thank you for your assistance in this matter. Please contact me with any questions or concerns.

Sincerely,

John F. Beach

JFB/lbb

Enclosures

cc: David C. Sojourner
All parties of Record