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THE STATE OF SOUTH CAROLINA
APPEAL FROM FLORENCE COUNTY PROBATE COURT
J. Munford Scott, Jr. Probate Judge

RECEIVED

SEP 07 2016

SC Court of Appeals

CA: 15-GC-21-15-01
15-GC-21-16-01

IN THE COURT OF APPEALS

John D. Elliot Petitioner/Respondent,

v.

Brenda Bryant Respondent/Appellant.

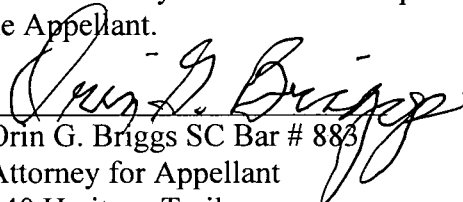
NOTICE OF APPEAL

Appellant Brenda Bryant did not receive a written copy of the attached Probate Court decision until she called E. Guy Ballenger and requested him to e-mail it to her on August 10, 2016.

John D. Elliot was appointed the Guardian ad Litem for Stephanie M. Windham, the natural daughter of Brenda Bryant for the Probate Court hearing. Mr. Elliot argued that he could accomplish service on the Appellant by publication because she could not found in South Carolina. That is not what Civil Rule Four requires; it requires proof that service cannot be accomplished within the state.

Brenda Bryant was not properly served with the Summons and Petition. Since her husband still resides in the marital home; John D. Elliot could have accomplished legal service on her by hand-delivering a copy for Ms. Bryant to Mr. Bryant at the residence. Also, she was not served with notice of the probate hearing held on July 19, 2016.

Counsel for Appellant respectfully requests an early review of this important matter for the best interest of Stephanie Windham and the Appellant.


Orin G. Briggs SC Bar # 883
Attorney for Appellant
240 Heritage Trail
Lexington, SC 29072
803/957-4383

September 7, 2016

Other Counsel of Record
E. Guy Ballenger, SC Bar # 72499
P. O. Box 107
Florence, SC 29503
Tel: 843/662-6301

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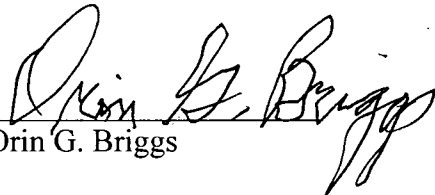
Brenda Bryant Respondent/Appellant.

Certificate of Service

The undersigned certifies that he served a copy of this Notice of Appeal on the attorney for Respondent and the attorney for Crystal Self at the following addresses:

John D. Elliot
P. O. Box 607
Columbia, SC 29202

E. Guy Ballenger, SC Bar # 72499
P. O. Box 107
Florence, SC 29503
Tel: 843/662-6301


Orin G. Briggs

September 7, 2016