

# EXHIBIT 1

STATE OF SOUTH CAROLINA )

COUNTY OF JASPER )

Lafayette Webber )

Plaintiff, )

vs. )

Monique Beecher Brown, Jasper County Attorney,  
and Sheriff of Jasper County )

Defendant. )

IN THE COURT OF COMMON PLEAS  
FOURTEENTH JUDICIAL CIRCUIT

CASE NO.: 2013-CP-27-645

**MOTION AND ORDER INFORMATION  
FORM AND COVERSHEET**

**RECEIVED**

DEC 05 2016

**SC Court of Appeals**

2013-CP-27-645  
10/11/16  
10/11/16

Plaintiff's Attorney:  
Gary C. Coggin, Bar No. \_\_\_\_\_  
Address:  
PO Box 7092  
Hilton Head Island, SC 29938  
Phone: (843) 689-7777 Fax (843) 689-7779  
E-mail: gcitylaw@aol.com

Defendant's Attorney:  
O. Edworth Liipfert III, Bar No. \_\_\_\_\_  
Address:  
PO Drawer 570  
Beaufort, SC 29901  
Phone: (843) 521-4242 Fax (843) 521-4247  
E-mail: wliipfert@griffithsadlersharp.com

- MOTION HEARING REQUESTED** (attach written motion and complete **SECTIONS I and III**)
- FORM MOTION, NO HEARING REQUESTED** (complete **SECTIONS II and III**)
- PROPOSED ORDER/CONSENT ORDER** (complete **SECTIONS II and III**)

**SECTION I: Hearing Information**

Nature of Motion: Motion for Summary Judgment

Estimated Time Needed: 15 min

Court Reporter Needed:  YES /  NO

**SECTION II: Motion/Order Type**

Written motion attached

Form Motion/Order

I hereby move for relief or action by the court as set forth in the attached proposed order.

Signature of Attorney for  Plaintiff /  Defendant

Date submitted

**SECTION III: Motion Fee**

PAID - AMOUNT: \$ 25.00

EXEMPT:

(check reason)

Rule to Show Cause in Child or Spousal Support

Domestic Abuse or Abuse and Neglect

Indigent Status  State Agency v. Indigent Party

Sexually Violent Predator Act  Post-Conviction Relief

Motion for Stay in Bankruptcy

Motion for Publication  Motion for Execution (Rule 69, SCRCP)

Proposed order submitted at request of the court; or,  
reduced to writing from motion made in open court per judge's instructions

Name of Court Reporter: \_\_\_\_\_

Other: \_\_\_\_\_

**JUDGE'S SECTION**

Motion Fee to be paid upon filing of the attached order.

Other: \_\_\_\_\_

JUDGE CODE \_\_\_\_\_

Date: \_\_\_\_\_

**CLERK'S VERIFICATION**

Collected by: \_\_\_\_\_ Date Filed: \_\_\_\_\_

MOTION FEE COLLECTED: \$ \_\_\_\_\_

CONTESTED - AMOUNT DUE: \$ \_\_\_\_\_

**RECEIVED**

AUG 06 2016

BY: 1011-006

STATE OF SOUTH CAROLINA

COUNTY OF JASPER

Lafayette Webber,

PLAINTIFF,

v.

Monique Beecher Brown, Jasper County  
Attorney, and Sheriff of Jasper County,

DEFENDANTS.

IN THE COURT OF COMMON PLEAS

Civil Action No. 2013-CP-27-645

NOTICE OF MOTION AND  
MOTION FOR SUMMARY

JUDGMENT

RECEIVED

DEC 05 2016

SC Court of Appeals

2013-MS-5 M 5:01  
JASPER COUNTY

TO: GARY C. COGGIN, ATTORNEY FOR THE PLAINTIFF:

The Defendants, Jasper County Attorney and Sheriff of Jasper County, will move before the Court of Common Pleas on the tenth (10th) day after service hereof or as soon thereafter as the Defendants may be heard for an order to determine the reasonableness of the Plaintiff's expert fees pursuant to Rule 26(b)(4)(C) of the South Carolina Rules of Civil Procedure.

This motion is made pursuant to the laws of the state of South Carolina and upon the Statutes and Cases of the State of South Carolina. The grounds for this motion are:

1. The Plaintiff failed to file the suit within the applicable statute of limitations.
2. The Plaintiff's claims against the Defendant Sheriff of Jasper County are for failure to enforce the laws, and Jasper County Sheriff's Office is entitled to immunity for these claims pursuant to SC Code Ann. 15-78-60(4)

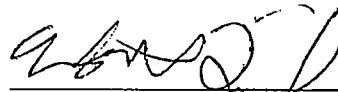
3. The Plaintiff's claims against Defendant Jasper County Attorney are for Jasper County Attorney allegedly giving incorrect legal advice to Co-Defendant Monique Brown, and as a matter of law, a Plaintiff may not bring a suit against a Defendant's purported attorney for alleged legal malpractice.

4. The Plaintiff is unable to articulate his actual damages after being deposed twice and the Plaintiff has failed to produce an expert to testify to the damages. During his second deposition, the Plaintiff agreed to sort out his damages and submit to a third deposition, but he is now objecting to being deposed again. The case should be dismissed for failure to prosecute pursuant to Rule 41(b), SCRPC.

The motion will be supported by the deposition excerpts to be submitted, and any memoranda of law, cases, or statutes presented at the hearing.

GRIFFITH, SADLER & SHARP, P.A.

By:



O. Edworth Liipfert III  
600 Monson Street  
PO Drawer 570  
Beaufort, SC 29901  
843-521-4242  
843-521-4247 (fax)  
wliipfert@griffithsadlerssharp.com

ATTORNEYS FOR JASPER COUNTY  
ATTORNEY AND SHERIFF OF JASPER  
COUNTY

August 4, 2014  
Beaufort, South Carolina



# **EXHIBIT 2**



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
www.sccourts.org

August 31, 2016

Lafayette Webber  
PO Box 2071  
Ridgeland SC 29936

Re: Lafayette Webber v. Monique B. Brown  
Appellate Case No. 2016-001790

RECEIVED

DEC 05 2016

SC Court of Appeals

Dear Mr. Webber:

Upon reviewing your notice of appeal, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or your appeal may be dismissed:

- The notice of appeal is not accompanied by the order(s) and/or judgment(s) challenged on appeal.
- A proof of service has not been provided. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.

Very truly yours,

*Jenny Abbott Kitchings*

CLERK

cc: Otto Edworth Liipfert, III, Esquire

# **EXHIBIT 3**



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
www.sccourts.org

October 04, 2016

Lafayette Webber  
PO Box 2071  
Ridgeland SC 29936

Re: Lafayette Webber v. Monique B. Brown  
Appellate Case No. 2016-001790

RECEIVED

DEC 05 2016

SC Court of Appeals

Dear Mr. Webber:

This is to acknowledge that we have received the order on appeal on September 28, 2016, and we construe this to be an attempt to correct the deficiencies outlined in the Court's letter of August 31, 2016. Please be advised that the deficiencies outlined in the Court's letter of August 31, 2016, must be corrected in their entirety before this appeal can proceed. You must serve and file a proof of service for your notice of appeal substantially in the format provided by Form 7 in Appendix C to part II of the SCACR, within ten (10) days of the date of this letter. This is the Court's second request for these corrections. Failure to comply will result in the dismissal of this appeal.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

cc: Otto Edworth Liipfert, III, Esquire

RECEIVED  
OCT 12 2016  
BY: 1011-006

# **EXHIBIT 4**

FORM 1  
NOTICE OF APPEAL IN A CIVIL CASE

IN THE STATE OF SOUTH CAROLINA  
In The Court of Appeals  
[ In The Supreme Court]

APPEAL FROM JASPER COUNTY  
Court of Common Pleas

Carmen Mullen, Circuit Court Judge

Case No. 2013-CP-27-645

Lafayette Webber,

Appellant,

v.

Monique Beecher Brown,  
Jasper County Attorney and  
Sheriff of Jasper County,

Respondent,

NOTICE OF APPEAL

Lafayette Webber appeals the order [judgment] of the Honorable Marvin H. Dukes, III Special Referee. Appellant received written notice of entry of this order [judgment] on July 31, 2016.

Lafayette Webber  
PO Box 2071  
Ridgeland, SC 29936  
(843) 255-0059  
Appellant, Pro Se

Other Counsel of Record:  
O. Edworth Liipfert, III  
Griffith, Sharp & Liipfert, LLC  
600 Monson Street  
PO Box 570  
Beaufort, SC 29901

RECEIVED

AUG 29 2016

SC Court of Appeals

RECEIVED

DEC 05 2016

SC Court of Appeals

RECEIVED

OCT 31 2016

BY: 1011-006

\* Under Rule 203(d)(B)(iii) and (d)(2)(B)(iii), SCACR, a filing fee is not required if the appeal is from a criminal case including juvenile delinquency matters, or if the appeal is taken by the State of South Carolina, its departments or agencies. Further, no filing fees are required in post-conviction relief cases. Rule 240(d), SCACR.

LETTER TO THE APPELLATE COURT CLERK  
FILING THE NOTICE OF APPEAL

FORM 10

RECEIVED  
AUG 29 2016  
SC Court of Appeals

The Honorable Tanya A. Gee  
Clerk, South Carolina Court of Appeals  
PO Box 11629  
Columbia, South Carolina 29211

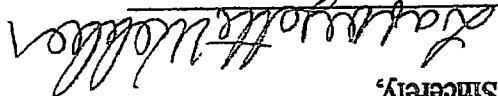
The Honorable Daniel E. Shearouse  
Clerk, Supreme Court of South Carolina  
PO Box 11330  
Columbia, South Carolina 29211

RE: Webber, Plaintiff, v. Montague Beecher Brown, Jasper County Attorney, and Sheriff of Jasper County, Defendants  
Case No. 2013-27-645  
Dear Ms. Gee [Mr. Shearouse]:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the Respondent[s].
- (2) A copy of the order[s] [judgment] which is [are] to be challenged on the appeal.
- (3) A filing fee of \$100.\*
- (4) This appeal is being filed with the Supreme Court because the Plaintiff was denied the right to submit crucial evidence in this matter, which may have brought a different outcome in this matter. (see Rule 203(d) for when an appeal can be filed with the Supreme Court.)

Sincerely,



Lafayette Webber  
PO Box 2071  
Ridgeland, SC 29936  
(843) 258-0059  
Pro Se, Appellant

cc: O. Edworth Lippert III

# **EXHIBIT 5**



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
www.sccourts.org

September 14, 2016

Lafayette Webber  
PO Box 2071  
Ridgeland SC 29936

Re: Lafayette Webber v. Monique B. Brown  
Appellate Case No. 2016-001790

**RECEIVED**

DEC 05 2016

**SC Court of Appeals**

Dear Mr. Webber:

Our records reflect that the time for ordering the transcript has expired. Within ten days of the date of this letter, you must file a copy of the letter showing that you have ordered the transcript directly from the court reporter, along with a motion requesting permission to order the transcript outside of the filing deadlines set by Rule 207 of the South Carolina Appellate Court Rules. Your appeal will be dismissed if no motion is made within ten days of the date of this letter.

Very truly yours,

*Jenny Abbott Kitchings*

CLERK

cc: Otto Edworth Liipfert, III, Esquire

**RECEIVED**  
SEP 19 2016  
BY 1011-006

# **EXHIBIT 6**



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

October 04, 2016

Lafayette Webber  
PO Box 2071  
Ridgeland SC 29936

Re: Lafayette Webber v. Monique B. Brown  
Appellate Case No. 2016-001790

**RECEIVED**

DEC 05 2016

**SC Court of Appeals**

Dear Mr. Webber:

Upon reviewing your request for the transcript, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or your appeal will be dismissed:

- The document does not show that a copy of this correspondence was provided to opposing counsel.
- A copy of this document was not provided to the Office of Court Administration as required by the SCACR. The address for Court Administration is 1220 Senate Street, Suite 200, Columbia, SC 29201.
- You must provide the Court with proof that you have timely ordered the transcript and made satisfactory payment arrangements with the court reporter.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

cc: Otto Edworth Liipfert, III, Esquire

# **EXHIBIT 7**



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
www.sccourts.org

October 25, 2016

Lafayette Webber  
PO Box 2071  
Ridgeland SC 29936

Re: Lafayette Webber v. Monique B. Brown  
Appellate Case No. 2016-001790

**RECEIVED**

DEC 05 2016

**SC Court of Appeals**

Dear Mr. Webber:

Upon reviewing your request for an extension, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or your appeal will be dismissed:

- The required filing fee has not been submitted. The correct filing fee is \$25.00.
- A proof of service has not been provided. You must serve and file a proof of service substantially in the format shown by Form 7 in Appendix C to part II of the SCACR.

Very truly yours,

A handwritten signature in cursive script, appearing to read "J. A. Kitchings".

CLERK

cc: Otto Edworth Liipfert, III, Esquire

**RECEIVED**  
OCT 27 2016

BY: 1011-006

# **EXHIBIT 8**

To Mr. O Edward Hiipfert, III Esq.

Nov. 3, 2016

I Lafayette Webber am informing you of  
my letter to the S.C. Court of Appeals  
requesting an extension on  
Appellate Case No. 2016-001790

Lafayette Webber

**RECEIVED**

DEC 05 2016

SC Court of Appeals

To: The South Carolina Court of Appeals  
10-19-16

I Mr. Lafayette Webber I'm requesting  
and extension to the Oct 14, 2016  
letter requesting documents from  
Appellate Case No. 2016-001790,  
because of delay in our mail  
service due to the storm.

Lafayette Webber  
P.O. Box 2071  
Ridgeland S.C. 29936  
Pho. 843-258-0059

# EXHIBIT 9

# The South Carolina Court of Appeals

Lafayette Webber, Appellant,

v.

Monique Beecher Brown, Jasper County Attorney and  
Sheriff of Jasper County, Respondent.

Appellate Case No. 2016-001790

The Honorable Marvin H. Dukes, III  
Jasper County  
Trial Court Case No. 2013CP2700645

**RECEIVED**  
DEC 05 2016  
SC Court of Appeals

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## ORDER

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Appellant has filed a motion for extension to correct his deficiencies outlined in the Court's letters of October 4, 2016. The motion is Granted. Appellant must file a proof of service for the notice of appeal, copy opposing counsel and The Office of Court Administration on the transcript correspondence, and provide proof that he has timely ordered the transcript and made satisfactory payment arrangements with the court reporter within ten (10) days of the date of this order. Failure to correct these deficiencies within ten days will result in the dismissal of this appeal.

FOR THE COURT

BY V. Claire Allen, Deputy  
CLERK

Columbia, South Carolina

cc:

Lafayette Webber

Otto Edworth Liipfert, III, Esquire

**FILED**

November 8, 2016 gjs



**GRIFFITH SHARP LIIPFERT**  
ATTORNEYS AT LAW

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Griffith, Sharp & Liipfert, LLC  
600 Monson Street  
PO Box 570  
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F (843) 521-4247  
W griffithsharp.com  
E worth@griffithsharp.com

E. MITCHELL GRIFFITH+  
MARY E. SHARP+\*  
O. EDWORTH LIIPFERT III+  
MICHAEL D. FREEMAN+  
KELLY DENNIS DEAN  
HILLARY G. MEYER

+ certified mediator  
\* also admitted in NC

December 2, 2016

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211

**RE: Webber v. Jasper County Attorney, et al.**  
**Appellate No: 2016-001790**  
**GS&L File No: 1011-006**

**RECEIVED**

DEC 05 2016

SC Court of Appeals

Dear Ms. Kitchings:

Please find enclosed Exhibits to Defendant Jasper County's Motion to Dismiss Appeal that were mistakenly excluded during the original filing.

If you have any further questions regarding this matter, please do not hesitate to contact me.

With kindest regards, I remain,

Very truly yours,

O. Edworth Liipfert III

OEL/an

Enclosure

cc: Lafayette Webber



**GRIFFITH SHARP LIIPFERT**  
ATTORNEYS AT LAW

Griffith, Sharp & Liipfert, LLC  
600 Monson Street  
PO Box 570 || Beaufort, SC 29901

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
PO Box 11629  
Columbia, SC 29211

**RECEIVED**

DEC 05 2016  
SC Court of Appeals

