

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas  
The Honorable Doyet A. Early, III, Circuit Court Judge  
The Honorable L. Casey Manning, Circuit Court Judge

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Case No. 2010-CP-40-4900

**RECEIVED**

SFP 29 2017

Appeal Tracking No. 2017-001523

**SC Court of Appeals**

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Russell L. Bauknight, as Trustee of the James Brown 2000 Irrevocable Trust and the James Brown Legacy Trust, as Personal Representative of the Estate of James Brown, and on behalf of Alan Wilson, in his capacity as Attorney General of the State of South Carolina; Tommie Rae Brown, individually and on behalf of her minor child, James B. II; Daryl J. Brown, individually and on behalf of his minor child Janise B.; Lindsey Delores Brown; Deanna J. Brown Thomas; Jason Brown-Lewis; Yamma N. Brown, individually and on behalf of her minor child Sydney L. and Carrington L.; Tonya Brown; Venisha Brown; Larry Brown; and Terry Brown

And

Alan Wilson, in his capacity as Attorney General of the State of South Carolina; Tommie Rae Brown, individually and on behalf of her minor child, James B. II; Daryl J. Brown, individually and on behalf of his minor child Janise B.; Lindsey Delores Brown; Deanna J. Brown Thomas; Jason Brown-Lewis; Yamma N. Brown, individually and on behalf of her minor child Sydney L. and Carrington L.; Tonya Brown; Venisha Brown; Larry Brown; and Terry Brown, Respondents,

v.

Adele J. Pope and Robert L. Buchanan, Jr., Defendants,

Of whom Adele J. Pope is the Appellant.

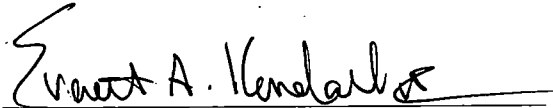
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**MOTION FOR EXTENSION TO SERVE AND FILE MEMORANDUM  
ON APPEALABILITY**

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Respondents' Memorandum Addressing the Issue of Appealability is due September 29, 2017. The letter dated September 19, 2017 was received on September 25, 2017. On that date and subsequent dates, the undersigned has been traveling, including two days in Toronto, Canada. Due to other pressing matters, counsel for Respondent Bauknight et al, need additional time to research and brief the Court on the appealability of this Appeal. Respondents request a fifteen (15) day extension to serve and file their Memorandum on or before October 14, 2017.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Kenneth B. Wingate", with a horizontal line underneath it.

Kenneth B. Wingate  
Everett A. Kendall, II, SC Bar #8450  
Mark V. Gende, SC  
Sweeny, Wingate & Barrow, P.A.  
1515 Lady Street  
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Columbia, South Carolina 29211  
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[kbw@swblaw.com](mailto:kbw@swblaw.com)  
[eak@swblaw.com](mailto:eak@swblaw.com)  
[mvg@swblaw.com](mailto:mvg@swblaw.com)

**ATTORNEYS FOR RESPONDENTS**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM RICHLAND COUNTY  
Court of Common Pleas  
The Honorable Doyet A. Early, III, Circuit Court Judge  
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**SC Court of Appeals**

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And

Alan Wilson, in his capacity as Attorney General of the State of South Carolina; Tommie Rae Brown, individually and on behalf of her minor child, James B. II; Daryl J. Brown, individually and on behalf of his minor child Janise B.; Lindsey Delores Brown; Deanna J. Brown Thomas; Jason Brown-Lewis; Yamma N. Brown, individually and on behalf of her minor child Sydney L. and Carrington L.; Tonya Brown; Venisha Brown; Larry Brown; and Terry Brown, Respondents,

v.

Adele J. Pope and Robert L. Buchanan, Jr., Defendants,

Of whom Adele J. Pope is the Appellant.

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**PROOF OF SERVICE**

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I certify that I have served the Motion for Extension to Serve and File Memorandum on Appealability by depositing a copy of it in the United States Mail, postage prepaid, on September 29, 2017, addressed to the following attorneys of record:

Other Counsel of Record:

W.H. Bundy, Jr., Esquire  
Brent McDonald, Esquire  
Bundy McDonald, LLC  
1516 Old Trolley Road, 2nd Floor  
Summerville, SC 29485

and

Daryl L. Williams, Esquire  
Gertz & Moore, LLP  
P.O. Box 456  
Columbia, SC 29202

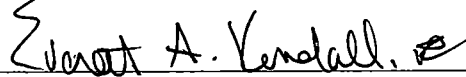
and

Adam T. Silvernail, Esquire  
Law Office of Adam T. Silvernail LLC  
1905 Marion Street (29201)  
P. O. Box 7995  
Columbia, SC 29202  
Attorneys for Appellant

C. Havird Jones, Jr., Esquire  
Office of the Attorney General  
Post Office Box 11549  
Columbia, SC 29211  
Attorney for Respondent Attorney General

Respectfully submitted,

**SWEENEY, WINGATE & BARROW, P.A.**



Kenneth B. Wingate

Mark V. Gende

Everett A. Kendall, II

Sweeney, Wingate & Barrow, P.A.

Post Office Box 12129

Columbia, SC 29211

(803) 256-2233

**ATTORNEYS FOR RESPONDENTS**

Columbia, South Carolina  
September 29, 2017

# S·W·B

## SWEENY WINGATE & BARROW P.A.

September 29, 2017

Reply to: Main Office  
Everett A. Kendall, II  
(803) 256-2233 x7130  
eak@swblaw.com

### VIA HAND-DELIVERY

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

RECEIVED

SEP 29 2017

SC Court of Appeals

RE: Russell L. Bauknight, et al. v. Adele J. Pope  
Civil Action No.: 2010-CP-40-04900/Appellate Case No. 2017-001523  
Our File: 4077-7389

Dear Ms. Kitchings:

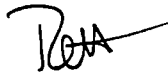
Enclosed please find the original and eight (8) copies of the Motion for Extension to Serve and File Memorandum on Appealability and Proof of Service in connection with the above-referenced matter.

Please file the original and return the clocked copy to me via our courier.

Thank you for your assistance, and should you have any questions, please do not hesitate to contact me.

Very truly yours,

SWEENY, WINGATE & BARROW, P.A.



Everett A. Kendall, II

EAK/dvy

Enclosures

cc: Adam T. Silvernail, Esquire, Law Office of Adam T. Silvernail LLC  
C. Havird Jones, Jr., Esquire, Office of the Attorney General  
M. Brent McDonald, Bundy McDonald, LLC  
Daryl L. Williams, Esquire, Gertz & Moore, LLP  
W.H. Bundy, Jr., Esquire, Bundy McDonald, LLC

**RECEIVED**

SEP 29 2017

SC Court of Appeals

**S·W·B**

SWEENEY WINGATE & BARROW P.A.

1515 LADY STREET, COLUMBIA, SOUTH CAROLINA 29201  
POST OFFICE BOX 12129, COLUMBIA, SOUTH CAROLINA 29211

**TO:**

The Honorable Jenny Abbott Kitchings  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

4077-7389