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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM EDGEFIELD COUNTY
Special Referee for Common Pleas

John F. Byrd, Jr., Special Referee

Case No. 2014-CP-19-097
Appellate Case # 2017-000997

Beverly Ann Gilchrist,

Appellant,

v.

Respondents,

Florence Miles, Jimmy Glover, Albert Glover, Tommy Glover, Mary M. Bibbs, Annie Jefferson, Barry Shedrick, Myra S. Padgett, Wade Shedrick, Randy Glover, Genie Miles, Freddie Glover, Jr. Aaron Glover, Steven R. Glover, Terrie G. Frazier, Odell Glover, Doretha Sander, Michael Holmes, Jackie James, Donnell Hampton, Yvonne Forrest...Including any children and heirs at law or distributees and devisees and all persons entitled to claim under or through them, and all other persons unknown claiming any right, title or interest in a lien upon the real estate described in the Complaint herein, any unknown adults being a class designated as John Doe; and any unknown infants, minors or persons under a legal disability including those in the military service of the United States of America, being a class designated as Richard Roe,

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SC Court of Appeals

**Notice of Motion and
Motion To Dismiss**


Please take notice that on December 5, 2017 the undersigned will move before the Court for the granting of the relief requested herein. Respondent Odell Glover, through his attorney, moves the Court as follows:

1. To dismiss the subject appeal on the following grounds in regards to the Appellant's Initial Brief:
 - a. Failure to provide appropriate headings in the order prescribed by Rule 208 (b)(1) SCACR, making it impossible to determine what issues are to be addressed by Respondent for a proper reply brief.
 - b. Failure to provide an appropriate table of contents as prescribed by Rule 208(b)(1)(A) SCACR, making it impossible to determine what issues are to be addressed by Respondent for a proper reply brief.
 - c. Failure to state concise and direct issues of appeal as prescribed by Rule 208(b)(1)(B) SCACR, therefore allowing any "issues" provided therein to be disregarded by the appellate court and making it impossible to determine what issues are to be addressed by Respondent for a proper reply brief.
 - d. Complete failure to state a concise history of the proceedings including statement of what is minimally required by the rule, insofar as necessary to an understanding of the appeal, Rule 208(b)(1)(C) SCACR, leaving the Respondent responsible for preparing and providing such to the Court. Referenced omissions include date of commencement of the

action, nature of the defense, the action of the special referee, the dates of hearing, the amount involved on appeal, the date of the service of the notice of appeal including service on all parties named in the Appellant's appeal.

- e. Complete lack of argument as to each issue in the manner required by Rule 208(b)(1)(D) SCACR, leaving it impossible for Respondent to properly address the contentions of such an argument if properly made.
- f. Inclusion of alleged conclusions under the heading of "Facts of the Case" that are not decided facts of the case but allegations of the Appellant therefore providing misrepresentations to the court of the actual facts of the matter.

WHEREFORE, the Respondent herein moves the Court for a dismissal of the Appellant's Appeal based on the grounds herein stated and for such other and further relief as this Court may deem just and proper.


Jennifer P. Sumner
Post Office Box 502
Edgefield, South Carolina 29824
(803) 637-7034
Attorney for Respondent Odell Glover

December 5, 2017
Edgefield, SC

MEMORANDUM OF CITATIONS

South Carolina Appellate Court Rules

Rule 208(b)

PROOF OF SERVICE OF MOTION

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM EDGEFIELD COUNTY
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Case No. 2014-CP-19-097
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Appellant,

v.

Florence Miles, Jimmy Glover, Albert
Glover, Tommy Glover, Mary M. Bibbs,
Annie Jefferson, Barry Shedrick, Myra S.
Padgett, Wade Shedrick, Randy Glover,
Genie Miles, Freddie Glover, Jr. Aaron
Glover, Steven R. Glover, Terrie G. Frazier,
Odell Glover, Doretha Sander, Michael
Holmes, Jackie James, Donnell Hampton,
Yvonne Forrest...Including any children and
heirs at law or distributees and devisees and
all persons entitled to claim under or through
them, and all other persons unknown
claiming any right, title or interest in a lien
upon the real estate described in the
Complaint herein, any unknown adults being
a class designated as John Doe; and any
unknown infants, minors or persons under a
legal disability including those in the military
service of the United States of America,
being a class designated as Richard Roe,

Respondent.

Respondents

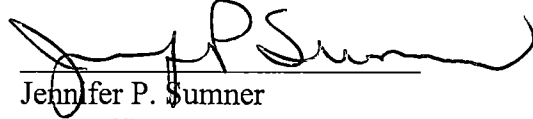
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SC Court of Appeals

PROOF OF SERVICE

I certify that I have served the Motion To Dismiss dated December 5, 2017 on the attached list of Respondents by depositing a copy of it in the United States Mail, postage prepaid, on December 5, 2017 addressed to the addresses as they appear on the attached list.



Jennifer P. Sumner
Post Office Box 502
Edgefield, South Carolina 29824
(803) 637-7034
Attorney for Respondent Odell Glover

December 5, 2017
Edgefield, SC

**PROOF OF SERVICE
RESPONDENTS**

Mary M. Bibbs
127 SE Diggs Road
Trenton, SC 29847

Aaron Glover
3312 Highway 19
Trenton, SC 29847

Annie Jefferson
3350 Highway 19
Trenton, SC 29847

Terrie Frazier
3312 Highway 19
Trenton, SC 29847

Barry Shedrick
1131 Watson Road
Trenton, SC 29847

Albert Glover
123 Diggs Rd.
Trenton, SC 29847

Myra S. Padgett
1131 Watson Road
Trenton, SC 29847

Tommy Glover
200 Greenland Drive
North Augusta, SC 29841

Wade Shedrick
1131 Watson Road
Trenton, SC 29847

Patrick A. McWilliams, Esquire
P.O. Box 521
Aiken, SC 29802

Randy Glover
325 Parker Street
Johnston, SC 29832

Freddie Glover, Jr.
325 Parker Street
Johnston, SC 29832

Florence Miles
31 Carrie Lane
North Augusta, SC 29860

Jimmy Glover
5 Yates Lane
Trenton, SC 29847

Steven Glover
3312 Highway 19
Trenton, SC 29847

PROOF OF SERVICE OF MOTION TO DISMISS

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM EDGEFIELD COUNTY
Special Referee for Common Pleas

John F. Byrd, Jr., Special Referee

Case No. 2014-CP-19-097
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Beverly Ann Gilchrist,

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v.

Respondent.

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Respondents

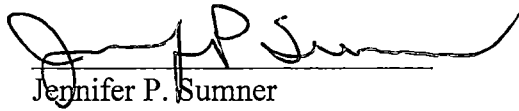
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SC Court of Appeals

PROOF OF SERVICE

I certify that I have served the Motion To Dismiss dated December 5, 2017 on Beverly Ann Gilchrist by depositing a copy of it in the United States Mail, postage prepaid, on December 5, 2017 addressed to her address of record 132 Samuel E. Diggs Rd., Trenton, SC 29847.



Jennifer P. Sumner
Post Office Box 502
Edgefield, South Carolina 29824
(803) 637-7034
Attorney for Respondent Odell Glover

December 5, 2017
Edgefield, SC

SUMNER LAW FIRM, LLC
ATTORNEY AT LAW

300 Main Street
Post Office Box 502
Edgefield, South Carolina 29824

Jennifer P. Sumner
jennifer@sumnerlawfirm.us

Telephone (803) 637-7034
Facsimile (803) 637-7117

December 5, 2017

VIA REGULAR USPS MAIL

(See attached list of Respondents)

Re: Beverly Gilchrist v. Florence Miles, et al.
Appellate Case No. 2017-000997

Dear Ladies and Gentlemen:

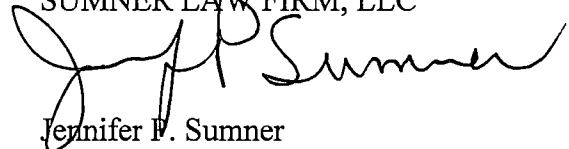
Please find enclosed on behalf of Respondent Odell Glover the following:

- Motion to Dismiss & Proof of Service thereof
- Respondent's Initial Brief and Designation of Matters, and Proof of Service thereof

Please note you are receiving copies of these documents because you are named respondents in Ms. Gilchrist's appeal.

Sincerely,

SUMNER LAW FIRM, LLC



Jennifer P. Sumner

JPS/hpk

cc: Odell Glover

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SC Court of Appeals

SUMNER LAW FIRM, LLC
ATTORNEY AT LAW

300 Main Street
Post Office Box 502
Edgefield, South Carolina 29824

Jennifer P. Sumner
jennifer@sumnerlawfirm.us

Telephone (803) 637-7034
Facsimile (803) 637-7117

December 5, 2017

VIA UPS OVERNIGHT

Jenny Abbott Kitchings
Clerk
SC Court of Appeals
1220 Senate Street
Columbia, SC 29201

Re: Beverly Gilchrist v. Florence Miles, et al.
Appellate Case No. 2017-000997

Dear Ms. Kitchings:

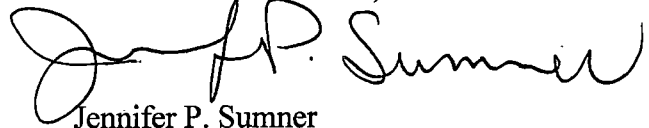
Please find enclosed on behalf of Respondent Odell Glover the following:

- Motion to Dismiss (original with 6 copies), Proof of Service thereof, filing fee
- Respondent's Initial Brief and Designation of Matters, and Proof of Service for other parties.

Please let me know if you need anything further at this time.

Sincerely,

SUMNER LAW FIRM, LLC



Jennifer P. Sumner

JPS/hpk

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SC Court of Appeals

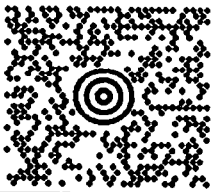
JENNIFER P. SUMNER
803-637-7034
SUMNER LAW FIRM, LLC
300 MAIN STREET
EDGEFIELD SC 29824

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1 OF 1

SHIP TO:

JENNY ABBOTT KITCHINGS, CLERK
SC COURT OF APPEAL
1220 SENATE STREET
COLUMBIA SC 29201



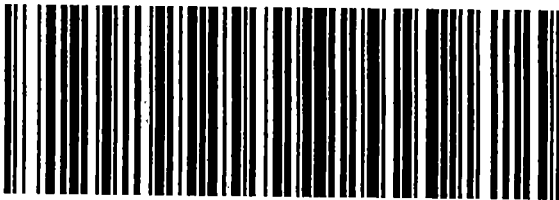
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