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**MAY 24 2018**

**S.C. SUPREME COURT**

THE STATE OF SOUTH CAROLINA

In the Supreme Court

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Thomas L. Hughston, Jr., Circuit Court Judge

Circuit Court Case No. 2009-CP-10-3010  
Appellate Court Case No. 2018-000566

Betty Fisher and Lisa Fisher, .....Appellants

v.

Bessie Huckabee, Kay Passailaigue Slade and Sandra Byrd,.....Respondents

In the Matter of the Estate of Alice Shaw-Baker.

**SUPPLEMENTAL AFFIDAVIT OF LISA FISHER  
IN SUPPORT OF PETITION FOR WRIT OF SUPERSEDEAS AND FOR  
EMERGENCY/ INTERIM RELIEF**

PERSONALLY APPEARED before me LISA FISHER, who being first duly sworn,  
stated as follows:

1. My name is LISA FISHER, and I am over the eighteen and of sound mind. I am  
one of the plaintiffs in this case.

2. I have personal knowledge of the matters set forth herein and if called and sworn to testify, I could and would competently do so.

3. I am filing this affidavit in support of Petition for Writ of Supersedeas and for Emergency/ Interim Relief ; Request for Expedited Appeal; Joinder by Betty Fisher in Petition.

4. I am aware that without notice to me, Respondents obtained an order which allowed Alice Shaw Baker's monies to be released to them. Based on an ex parte order, the bank transferred \$106,731.19 and \$20,534.26 presumably to Attorney W. Westbrook Wills, who does not represent Respondent Huckabee as personal representative. Respondent Huckabee admitted at trial, she can not be bonded.

5. Also, the trial court ordered the release of \$22,642.76, \$2,189.36, \$4,000.00, and \$75, 246.24, plus interest in the amount of \$935.86, totaling \$105,014.22 to Respondent Slade. These monies are not protected, in the event that we are successful on Appeal. The Court also ordered ejectment proceedings, despite the current appeal of improper ejectment proceedings initiated by Counsel Jessica Crowley and set for hearing before the appellate division of the magistrates court, Circuit court. Case no. 2017CP1006629. An appeal bond was filed in this case. As will be shown, by seeking relief in all of these courts, including the probate court, my mother and I will be subject to double and triple damages without notice. Additionally, Respondents have involved an innocent person in this case to deprive me of the right to object and protect the property.

6. This certifies that all of the Exhibits made part of the Writ are true and correct copies.

7. It is urgent that this Supreme Court consider this Writ immediately. The facts and issues that give rise to this immediate writ include that Judge Hughston heard the Motion for New Trial, authorized by this Court, on May 21, 2018. At that hearing, the Court admitted that:

a) On April 3, 2018, a hearing/meeting/event (“hearing”) took place where an order was issued to allow for the ejectment of the caretaker of the real property owned by Alice Shaw Baker by Judge Hughston. This hearing was conducted without notice to Appellants, with the presence of W. Westbrook Wills, attorney for Respondents.

b) It was also admitted on April 12, 2018, the day after this Supreme Court issued its order that Appellants were granted leave to file a motion to stay and Rule 59 motion that it had direct communications on the phone with Mr. Wills.

8. Respondents filed a related ejectment matter to evict the innocent caretaker of the real property belonging to Alice Shaw Baker. They took this action, despite knowing that I was in control of and maintaining the property. In fact, I had spent \$58,000.00 to protect the property pending resolution of the appeals in this action. They also did this in spite of knowing that there is a Petition for Writ of Certiorari before this court. They filed a Motion to Expedite the Appeal. Nevertheless, they took self help methods to evict the caretaker, Candace Rickborn with full knowledge that she was there solely to protect the property.

9. On May 22, 2018, Respondents obtained an ejectment order, when the circuit court denied my motion to intervene. Judge Goodstein did so despite my informing her that there was an appeal, a Petition for Writ of Certiorari dealing with the appropriate person to

deliver the property. I also requested that the matter be stayed pending hearing from Judge Hughston in response to the Motion for new trial. She did not allow me to intervene.

10. There are no protections for my mother and I. Respondents have lied about the status of the property. They have claimed that Ms. Rickborn destroyed the property. They used self-help methods where they misrepresented the status of Ms. Rickborn, and claimed that she was an tenant at will in a pleading before the magistrate, and thereafter before Judge Goodstein. They sought damages even though the pleading only sought possession. They are seeking attorney fees against Ms. Rickborn from the bond, and additional damages. All of this is contrary to the facts of the case, and will allow for triple dipping as they seek damages from me, damages from me again in the accounting matter before Judge Fulp, and damages against Ms. Rickborn. These are attorneys, and yet they refuse to inform the court of the facts of the case and try and obtain damages for which they are not entitled. I am at grave risk if this court allows the flagrant “judge” shopping that they continue to engage in.

11. This court ordered the probate court disqualified in Charleston county, and my previous complaint at beginning of trial of the prejudice in Charleston was completely ignored.

12. The circuit court hearing the Rickborn appeal in Case no. 2017-CP-1006629 made this order after denying intervention. It is essential that the court decide this immediately, so that I can continue the property and that the self-help methods of Attorney Crowley and Wills are not condone. Respondent obtained an order from the Circuit Court giving the caretaker 24 hours notice to leave the property. These orders were obtained after they had previously obtained an order from Judge Hughston for ejectment, which was stopped based on this Court's

order to allow a motion for new trial. They will get their order from any judge they can, however this deprives me of important rights to notice and a right to be heard.

13. Counsel for Respondent claimed that the caretaker was subject to the Residential Landlord and Tenant Act, S.C. Code § 27-40-10, and refused to inform the court of the fact that her alleged facts were disputed. Respondents were present at the hearing on May 21, 2018 and knew that the orders on which they were relying were potentially going to be changed.

14. Respondents' counsel have knowingly lied and stated that there has been damage to the real property, that the caretaker used Alice Shaw Baker's car, and took pictures inside the house in violation of the peeping tom law under S.C. Code § 16-7-470.

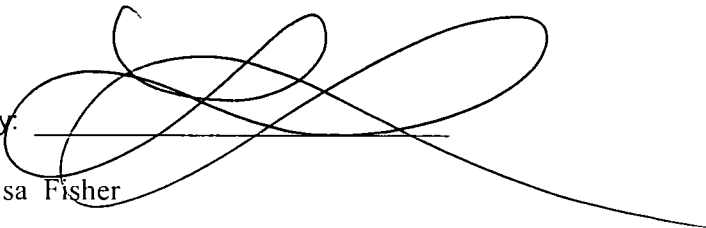
15. The property is not damaged at all. I have taken care of it for the intended beneficiaries. I have set forth all of the violations which warrant reversal. As set forth below, there were no less than 19 separate violations warranting reversal in this case. Respondents knew that the caretaker was not the tenant of the property, and any orders had to be directed toward me. They wanted the keys left under the mat. None of this appropriate, and it deprives me of protections as fiduciary.

16. Most important it deprives Alice Shaw Baker of her right to have her monies go to animal charities. If Respondents are allowed to spend all of this money, there will be no chance to recoup the money. We loved Alice and her desires have been the only reason for this case. Her property must be safeguarded.

17. I am requesting that the court preserve the status quo to protect Alice Shaw Baker's property, pending resolution of these motions and subsequent appeal. These serious problems at trial will mandate reversal

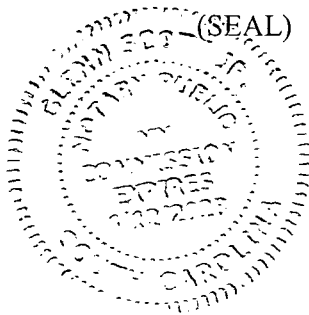
18. I verify that all the statements herein are true and correct and that I know or believe the contents and allegations are true to the best of my knowledge except for those matters stated which are alleged on information and belief.

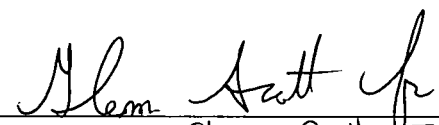
19. FURTHER, AFFIANT SAYETH NAUGHT.

By:   
Lisa Fisher

Subscribed and sworn to before me

This 23rd day of May, 2018.



  
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Glenn Scott Jr.  
Notary Public

My Commission Expires: My Commission Expires 4/12/2028

