

# State of South Carolina



THOMAS L. HUGHSTON, JR  
CIRCUIT JUDGE, RETIRED

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May 30, 2018

Chief Justice Donald W. Beatty  
South Carolina Supreme Court  
PO Box 3543  
Spartanburg, SC 29304

Re: Fisher vs. Huckabee, et al., Case # 2018-000566

Dear Chief Justice Beatty:

I received your Order of May 24, 2018, and write to suggest you modify your Order.

There are two "pots" of money involved. \$105,025.14 came from the deceased's life insurance, deferred compensation and retirement accounts, and was paid into the Court and had been held by the Clerk of Court. These were by contract to go to Kay Passailaigue Slade, and are not a part of the Estate. I found against Plaintiffs trust claims and Ordered this be paid to her since by Statute and Rule orders involving personal property are not automatically stayed by an appeal. This money was never part of the Conservatorship.

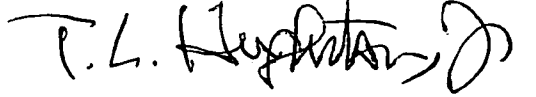
The second "pot" of money is money that was left over at the end of the Conservatorship ended by Order of Judge Curry in 2009. This money belongs to the Estate and not Lisa Fisher under any theory of this case. I have a check from the bank payable to Alice Shaw-Baker Conservatorship for \$127,265.45, and without a doubt this belongs to the Estate, not Lisa Fisher. She is not the Personal Representative.

If your desire is to preserve the status quo pending an appeal, I respectfully suggest you Order Kay Passailaigue Slade to return the money she has in the amount of \$105,025.14 to the Clerk of Court, and not to Lisa Fisher who has never had it, and allow me to deposit the check from the ended Conservatorship with the Clerk in a separate account. All the money will be held by the Clerk pending the appeal and further Order.

Regarding the lack of a bond by the Personal Representative, the Will specifically says the Personal Representative shall serve without bond, and the Personal Representative has had no Estate money to purchase a bond since Lisa Fisher has kept all the money belonging to the Estate for over nine years.

I respectfully suggest to you the above as a way to preserve the status quo if that is your desire. I did what I thought proper under the Statute and Rule regarding personal property and an appeal. I will await your further Order, or if you prefer, by letter or email to me.

Respectfully,

A handwritten signature in black ink, appearing to read "T. L. Hughston, Jr.", with a stylized flourish at the end.

Thomas L. Hughston, Jr.

cc: Mr. W. Westbrook Wills, III, Attorney at Law  
Ms. Jessica Crowley, Attorney at Law  
Ms. Lisa Fisher, Attorney at Law