

THE STATE OF SOUTH CAROLINA
In the Supreme Court

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JUL 10 2018

ON CERTIORARI TO THE COURT OF APPEALS

S.C. SUPREME COURT

APPEAL FROM CHARLESTON COUNTY

Court of Common Pleas
J.C. Nicholson, Jr., Circuit Judge

Appellate Case No. 2017-000640
Common Pleas Case Nos. 2010-CP-10-9096 & 2011-CP-10-8840

Frank Gordon, Jr., Individually and as Trustee of the Dorothy S.
Gordon (Deceased) Trust,.....Respondent,

v.

Donald W. Lancaster,.....Petitioner.

MOTION OF ADRIANE LIVINGSTON RADEKER
TO FILE BRIEF AS *AMICUS CURIAE*

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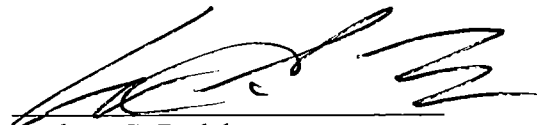
Proposed *amicus curiae* Adriane Livingston Radeker hereby moves pursuant to Rule 213, SCACR, for leave to submit a brief as *amicus curiae* to this Court in this case. Her proposed *amicus curiae* brief is attached hereto and conditionally filed herewith.

As further detailed in her brief, Mrs. Radeker is the sole devisee of her father and the personal representative of his estate. Her father died during the pendency of a lawsuit seeking to have land sold to enforce a judgment against him that is over ten years old. To maintain its argument that it can prosecute such an action, the plaintiff in that lawsuit has relied upon a broad reading of a narrow exception to the ten-year limitation on judgment collection that was announced by a majority of this Court in Linda Mc Co. v. Shore, 390 S.C. 543, 703 S.E.2d 499 (2010). In the instant case, the Court of Appeals' opinion also read this narrow exception broadly.

Mrs. Radeker has an interest in the outcome of these certiorari proceedings reviewing the Court of Appeals' decision in Gordon v. Lancaster, 419 S.C. 48, 795 S.E.2d 857 (Ct. App. 2016). Mrs. Radeker – along with an unknown number of people throughout this state who find themselves facing proceedings in which an opposing party is attempting to force collection of a judgment more than ten years old – is very interested in this case insofar as it involves how this Court treats the very limited exception made in Linda Mc, 390 S.C. at 553-55, to the 10-year limitation on judgment collection and the Court of Appeals' expansion of that exception. Gordon, 419 S.C. at 58.

WHEREFORE Adriane Livingston Radeker prays for an order granting her leave to submit a brief as *amicus curiae* to this Court in this case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. S. Radeker', written over a horizontal line.

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PROOF OF SERVICE

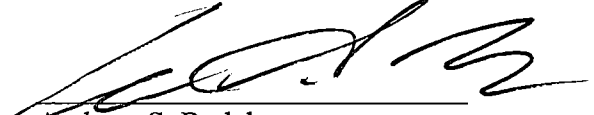
I certify that I served the foregoing motion for leave to file a brief as *amicus curiae* and its accompanying conditionally filed brief in this case by depositing a copy thereof on the date shown below in the United States Mail, postage prepaid, addressed as follows:

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July 10, 2018



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