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Phillip Moore
3401 Chantry Court
Florence, SC 29501

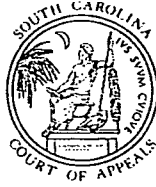
SEP 17 2018

Dear Ms. Kitchings, SC Court of Appeals 9-8-18

From the beginning of our fathers Probate in Probate Court 3 of the 5 heirs Phillip Moore, Francine Lawton and Linda Moore paid thousands of dollars retaining a attorney, Kathy Elmore for 2 years representing us until Judge Scott gave his Order. All 3 heirs are retired drawing S.S. and paid Kathy Elmore from our retirement funds. We could not afford to keep taking money from what we have saved to live on in the future. We were forced to be Pro-SE in Circuit Court in Florence, S.C. and will be forced to do the same in the S.C. Court of Appeals.

We do not know what our Court system requires. We would like to know is there any forms we will have to fill out to be Pro-SE. We do not want to present any New Evidence to the Judges at this Appeal by Dennis Moore. All we would like to do is give our response that will be on record to the issues presented by David Durant and Pierce Campbell. Again, we will not discuss anything NEW on this Appeal. Would we have to fill out any papers for our response to David Durant and Pierce Campbell's statements?

Thank you,
Pro-SE Phillip Moore



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
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www.sccourts.org

August 30, 2018

Mr. Norwood David DuRant, Jr., Esquire
Law Offices Of N. David Durant
PO Box 14722
Surfside Beach SC 29587

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SEP 17 2018

SC Court of Appeals

Re: In the Matter of the Estate of: Thomas G. Moore
Appellate Case No. 2018-001144

Dear Counsel:

Our records indicate that the transcript in the above matter should have been delivered. As of today's date, we have not received any information indicating that the court reporter has been granted an extension. Further, you have not notified us that you have failed to receive the transcript, nor have we received your initial brief.

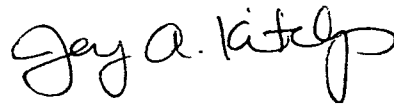
If you have not yet received the transcript, Rule 207 of the South Carolina Appellate Court Rules requires you to contact the Office of Court Administration. The address for Court Administration is as follows:

South Carolina Office of Court Administration
1220 Senate Street, Suite 201
Columbia, SC 29201

Be sure to copy the Court and opposing counsel with all correspondence concerning the transcript.

Please advise the Court of the status of the transcript within ten (10) days of the date of this letter, or your appeal may be dismissed.

Very truly yours,



CLERK

cc: C. Pierce Campbell, Esquire
Francine Laura Lawhon
Linda Kaye Moore
Phillip Frederick Moore

Pro
SE

LAW OFFICES OF N. DAVID DuRANT AND ASSOCIATES, P.A.
ATTORNEYS AT LAW

N. DAVID DuRANT, SR.
NORWOOD D. DuRANT, JR.

SURFSIDE BEACH, SOUTH CAROLINA OFFICE:
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LITIGATION EMAIL: litigation@lawofficesofdurant.com(Lynn)
PROBATE EMAIL: cjudge@lawofficesofdurant.com(Christina)
REAL ESTATE EMAIL: durantre@lawofficesofdurant.com(Stacy)

September 5, 2018

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SEP 17 2018

SC Court of Appeals

Via Facsimile to: 803-734-1839 and U.S. Mail

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

RE: Michael Dennis Moore v. Thomas Paul Moore, et al.
Case No. 2016-CP-21-03062

Dear Ms. Kitchings:

Pursuant to your correspondence dated August 30, 2018, please note that our office has this date received a pdf copy of the Transcript from the February 14, 2018 hearing from the Court Reporter, Teresa J. Bautz, in connection with the above Appeal.

In the event you require any further documentation, please do not hesitate to contact our office.

In kind regards, I remain

Sincerely yours,



Norwood D. DuRant, Jr.

NDDjr/jlj

Enclosure

cc: South Carolina Office of Court Administration (via U.S. Mail)
C. Pierce Campbell, Esquire (via email only)
Francine L. Lawhon (via U.S. Mail) P
Linda K. Moore (via U.S. Mail) SE
Phillip F. Moore (via U.S. Mail)
Desiree Allen (via facsimile 803-734-0269)

LAW OFFICES OF N. DAVID DuRANT AND ASSOCIATES, P.A.
ATTORNEYS AT LAW

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PROBATE EMAIL: cjudge@lawofficesofdurant.com(Christina)
REAL ESTATE EMAIL: durantre@lawofficesofdurant.com(Stacy)

September 5, 2018

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SC Court of Appeals

Phillip F. Moore
3401 Chantz Ct.
Florence, SC 29501

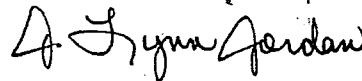
RE: Michael Dennis Moore v. Thomas Paul Moore, et al.
Case No. 2016-CP-21-03062

Dear Mr. Moore:

Enclosed please find a copy of the Transcript from the February 14, 2018 hearing in connection with the above Appeal.

In kind regards, I remain

Sincerely yours,



J. Lynn Jordan
Paralegal to Norwood D. DuRant, Jr.

Enclosure

RECEIVED

SEP 17 2018

SC Court of Appeals
In the Probate Court
2016-CP-21-03062

1

2 State of South Carolina)
3 County of Florence)

4

5 In the Matter of Thomas)
6 G. Moore, Michael Dennis)
7 Moore)

7

vs.

Transcript of Record

8 Thomas Paul Moore,)
9 Francine Laura Lawhon,)
10 Linda Kaye Moore,)
11 Phillip Frederick Moore)

Pro SE

10

11

February 14, 2018
Florence, South Carolina

12

13

14 BEFORE:

15 Honorable Thomas A. Russo, Judge.

16

17 APPEARANCES:

17

18 David DuRant, Esq.
19 Norwood DuRant, Esq.
Attorneys for the Plaintiff

20

20 C. Pierce Campbell, Esq.
21 Attorney for the Defendant

21

22

22 Mr. Phillip Moore,
23 Pro Se

23

23 Pro SE in Circuit Court for
24 3 of the 5 heirs of T. G. Moore.

24

25

25 Phillip Moore, Francine Lawhon,
and Linda Moore. Teresa J. F. Bautz, RPR
Official Court Reporter

E X H I B I T S

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NO.	DESCRIPTION	ID	EV
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	No exhibits submitted.		
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	Exhibits retained by Clerk of Court.		
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1 (WHEREUPON, the hearing commenced at approximately
2 10:36 a.m.)

3 THE COURT: Thank you, folks. Please have a seat.
4 Good morning, folks. Let's see. Mr. Campbell, do you
5 want to kind of fill me in on, this is an appeal from?

6 MR. CAMPBELL: Probate.

7 THE COURT: Probate Court; is that correct?

8 MR. CAMPBELL: Yes, Your Honor.

9 MR. WOODY DURANT: Yes, Your Honor.

10 MR. CAMPBELL: Before we start, just a couple of
11 preliminary matters. First, I want to thank you, and
12 I'm sure everybody else does, for fitting us in today.

13 THE COURT: Sure.

14 MR. CAMPBELL: Scheduling with snow storms and
15 recusals and everything else has been troubling, so we
16 appreciate you doing that.

17 THE COURT: Happy to do it.

18 MR. CAMPBELL: And I also wanted to introduce one
19 of our newest lawyers, Edward Henderson.

20 MR. HENDERSON: Good morning, judge.

21 THE COURT: Mr. Henderson, good to see you, sir.

22 MR. HENDERSON: Yes, sir.

23 MR. CAMPBELL: He just started with us, and so I
24 wanted you to know who he was.

25 THE COURT: Thank you.

1 MR. CAMPBELL: It's their appeal, so if you don't
2 mind, Your Honor, I'll let them kind of start that off.

3 THE COURT: All right.

4 MR. DAVID DuRANT: Thank you, Your Honor. I'm
5 David DuRant from Surfside Beach. And let me introduce
6 my son Woody DuRant who is practicing law with me.
7 He's going to make the bulk of the argument. And this
8 is our client, Dennis Moore, who was the personal
9 representative of the Estate of Thomas G. Moore.

10 THE COURT: Okay.

11 MR. DAVID DuRANT: ~~He's the one that's filing the~~
12 ~~appeal here today.~~ Just to give you a little bit of a
13 preliminary background, he was appointed personal
14 representative in the Estate. And the initial pleading
15 that was filed was filed back in 2014 for the removal
16 of him as personal representation -- personal
17 representative of the Estate and a substitution of him
18 for personal representative of the Estate.

19 ~~The Probate Court -- that was filed in 2014 -- the~~
20 ~~Probate Court, as I understand it now, I wasn't~~
21 ~~involved in any of the initial appearances on anything.~~
22 We've just --

23 THE COURT: Yes, sir.

24 MR. DAVID DuRANT: ~~-- came on for the appeal.~~

25 THE COURT: Right.

1 MR. DAVID DuRANT: So if I miss anything, I'm sure
 2 they will be glad to point that out. But the initial
 3 hearing in this case was on December 22nd of 2015 when
 4 my client was instructed by the Probate Court to
 5 complete a final accounting which was submitted to the
 6 Probate Court on that date, after which Mr. Phillip
 7 Moore who is seated to my right demanded a hearing on
 8 the final accounting. And that hearing was scheduled
 9 on July 27th, 2016.

10 The judge ruled on the case after which my client
 11 retained us to handle this appeal. And that's what
 12 brings us here today.

13 Just for the benefit of the Court, we --
 14 Mr. Dennis Moore was the only person who perfected the
 15 appeal of the order. Mr. Phillip Moore is here pro se,
 16 and he did not file any of the appropriate
 17 documentation to perfect an appeal by him. So I'm
 18 going to leave it up to the Court to decide what, if
 19 any, of his participation will be in this hearing
 20 today. He is here today representing himself, *Fremine Lawton*
and Linda Moore

21 THE COURT: That's Phillip Moore?

22 MR. DAVID DuRANT: He's seated to my right.

23 THE COURT: Okay.

24 MR. DAVID DuRANT: Okay. Essentially, the first
 25 issue that I would like to address with the Court, we

1 is not the truth. And that's all I got here today.

2 THE COURT: But that -- would that not have been
3 presented at the probate level?

4 MR. WOODY DuRANT: Yes, Your Honor.

5 THE COURT: Or should have been?

6 ~~MR. WOODY DuRANT: Well, our position would be,~~
7 ~~you know, under the rules of the appeal, obviously you~~
8 ~~file your designation of the matter, what would be~~
9 ~~included, none of that was filed by Phillip. So~~
10 ~~anything that would be brought today we would, you~~
11 ~~know, obviously object to as not being included on the~~
12 ~~record.~~

13 THE COURT: Yeah.

14 MR. WOODY DuRANT: We submitted a record on appeal
15 which you have quite a substantial amount of documents.
16 But a lot of the transcripts and the exhibits that were
17 presented in the original two probate hearings, that
18 would just be our position from my client's standpoint.

19 THE COURT: Mr. Campbell, do y'all have a...

20 MR. CAMPBELL: We don't really have a position --

21 THE COURT: Okay.

22 MR. CAMPBELL: -- as to it. We share some of the
23 positions he does and differ on others.

24 THE COURT: ~~Well, at least for now, Mr. Moore,~~

25 Phillip Moore, listen carefully to everything that goes

1 on. If there's something that arises that you feel you
2 need to be heard, you can let me know. I'll -- we'll
3 then rule on it and rule on your objection to that.

4 MR. MOORE: That would be fine. That's all I'm
5 here for today, you know.

6 THE COURT: All right. Woody, then, thank you for
7 that courtesy. And I'll turn it over to you now, sir.

8 MR. WOODY DURANT: Thank you, sir. Thank you,
9 Your Honor. Again, I'm here on behalf of Michael
10 Dennis Moore on an appeal of a probate order filed
11 November 29th, 2016, in the matter of the Estate of
12 Thomas G. Moore. I would like to give kind of just a
13 brief background chronologically of what took place.

14 Thomas, the decedent, passed away on December
15 20th, 2013. He left a Will dated September 27th, 1999.
16 I don't think there is any dispute as to that original
17 Will and whether or not it was properly executed. My
18 client, the appellant, was named personal
19 representative, as David presented earlier.

20 The decedent was survived by five heirs, three of
21 which are here today, the sons, Thomas Moore, ~~Philip~~
22 ~~Moore~~, and Michael Dennis Moore, and ~~two daughters,~~
23 ~~Francine Lawhon, and Linda Moore,~~ which I don't think
24 any of them came today.

25 MR. MOORE: Linda can't make it today, she's bad.

1 preserving the appeal --

2 THE COURT: Okay.

3 MR. WOODY DuRANT: -- on that issue.

4 THE COURT: All right.

5 MR. WOODY DuRANT: I appreciate it. Thank you,
6 Your Honor.

7 THE COURT: All right. Now, let me ask, and I
8 realize --- I don't even know how to ask it? Obviously
9 Mr. Phillip Moore has wanted to address the Court with
10 regards to some issue. Now, Mr. Moore, I'm inclined to
11 hear from you as far as the issues that both David,
12 Woody and Mr. Campbell discussed.

13 I'm really not -- and it wouldn't be appropriate
14 for me to hear any additional evidence that you -- I
15 mean, you mentioned earlier that you have stuff that
16 would show that what Mr. Dennis Moore said was not
17 factual or whatever. I'm not taking on any new
18 evidence or anything like that. *I did not want to submit
New Evidence or additional
evidence.*

19 MR. MOORE: No, right.

20 THE COURT: So if there's something you want to
21 address, I'll hear from you and just have to decide
22 whether or not it's something I can consider.

23 MR. MOORE: Okay.

24 THE COURT: All right?

25 MR. MOORE: That's fine. I would like to clear up



South Carolina Court of Appeals

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COLUMBIA

SC 290

30 AUG '18

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08/30/2018

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29501-734701



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