

THE STATE OF SOUTH CAROLINA  
In The Supreme Court

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**RECEIVED**

**OCT 15 2018**

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

**S.C. SUPREME COURT**

Thomas L. Hughston, Jr., Circuit Court Judge

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Case No. 2009-CP-10-3010

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Ex Parte:

John Hughes Cooper,

Appellant,

In Re:

Betty Fisher and Lisa Fisher

Plaintiffs,

v.

Bessie Huckabee, Kay Passailaigue  
Slade, and Sandra Boyd,

Respondents.

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**Appendix to Record on Appeal**

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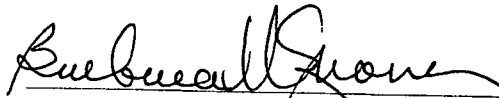
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**Certificate of Counsel**

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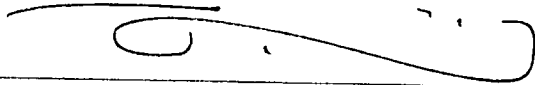
The undersigned hereby certifies that the Supplemental Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

October 12, 2018

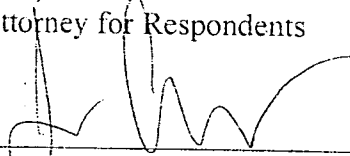


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We consent to supplement the Record on Appeal with this Appendix.



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OCT 15 2018

S.C. SUPREME COURT

STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON )

IN THE COURT OF COMMON PLEAS  
CASE NO. 2009-CP-10-3010

BETTY FISHER and LISA FISHER, )  
As Conservator for ALICE SHAW- )  
BAKER, )

Plaintiffs, )

vs. )

BESSIE HUCKABEE, et al. )

Defendants. )

ORDER

2018 APR 29 PM 2:19

This case is before me following a jury verdict upholding the Will of Alice Shaw-Baker, and my verdicts against the equitable claims of the Plaintiffs. I wrote my Order affirming the jury's decision and ruling against Plaintiffs' claims and filed it on March 21, 2018, and it was available on-line on March 22, 2018. I issued my next Order more than 10 days later on April 3, 2018, without Plaintiffs filing any post-trial motions. The Supreme Court issued its Order on April 10, 2018, and I conducted a hearing pursuant to it on May 21, 2018. I took additional testimony following another review by me of the entire record pertaining to this dispute beginning with the filing for a Conservatory/Guardian on July 31, 2008. One cannot fully comprehend the total waste of time and expense in this case without reading everything including all the discovery of each side. It takes me two days to read these voluminous files, and I have read them two times trying to fully understand this case, and particularly, the claims of the Plaintiffs. The bottom line of it all is that there are no facts supporting these claims made up by essentially strangers to Alice Shaw-Baker and her friends.

#9  
T.L.H.

Prior to the non-jury trial, Defendants moved to dismiss this case following the Supreme Court's decision in the companion case involving these parties filed 2/28/18. I should have granted this. However, out of an abundance of caution, and my own preference for a full factual development, and since the parties were present and ready to proceed, I reserved ruling and took testimony. I now grant Defendants' Motion to Dismiss these equitable claims for lack of standing. Plaintiffs do not own these claims for "animal welfare" interests. One can only imagine the scope of additional litigation and attorneys fees if I should mandate a constructive trust to benefit "animal welfare and rescue organizations." Plaintiffs do not represent such groups. They have no standing to bring these claims.

Alice Shaw-Baker was a 79 year old lady suffering from undisputed physical and mental problems. Friends became concerned about her welfare and contacted an elder support hotline through the City of Charleston. Plaintiffs were notified in writing and this nightmare began. Plaintiffs had practically no contacts with Alice Shaw-Baker prior to this. Lisa Fisher successfully maneuvered the professional elder care Co-Conservator/Guardian, Jane Orenstein out, and her actions as sole Conservator/Guardian begin and continue to this day according to her. It is important to read the Order of Judge Curry of November 19, 2008, for it is dispositive of Plaintiffs' contention that Alice Shaw-Baker revoked her Will. She was an "Incapacitated Person". Section 62-5-101 (1) S.C. Code of Laws. Among other things, Judge Curry Ordered, "neither Alice Shaw-Baker nor anyone on her behalf may revise or revoke her Will or execute a new Will, unless specifically ordered by this Court." No one sought to change this Order. This alone should have told Plaintiffs not to claim the Will was revoked under extremely suspicious and questionable circumstances shown in the record and recited in my prior Order. This Order is in addition to the settled law that a

#2  
T.H.H.

mentally incompetent person lacks capacity to revoke a Will. Without question, Alice Shaw-Baker lacked capacity to revoke her Will.

“The one who first states a case seems right, until the other comes and cross-examines.” Proverbs 18:17. Or as C. Tolbert Goolsby, Jr. says in Sweet Potato Biscuits and Other Stories, p. 113, “A man’s story seems right, until you look into it.”

In Plaintiffs twenty six page Verified Complaint they allege eleven causes of action in one hundred and forty six paragraphs. However, at the non-jury trial Plaintiffs only claimed and presented evidence in an attempt to support a constructive trust over her entire estate. Since the Will has been upheld, this claim relates to the non-probate assets being Alice Shaw-Baker’s deferred compensation, pension and life insurance. Plaintiffs claim a constructive trust to “go to animal welfare and rescue projects only.” It is true that Alice Shaw-Baker had dogs as her family, and wanted to ensure that any that survived her were taken care of by Kay Passailaigue Slade. None survived her, the last pre-deceasing her in 2008. This was very upsetting to her, and is reflected in various ways in the record. However, she never changed her Will leaving the residue of her estate (after specific bequests) to Kay Passailaigue “to be hers in fee simple absolute, to include the care of my dogs....” It is hard to imagine anything more clear than that. Further, it is clear that Alice Shaw-Baker through notes and records regarding her deferred compensation, retirement and insurance, discussed leaving these to various “animal welfare” organizations by Will and/or by contract. However, it is finally established clearly by the memorandum of a call from her to her insurance company: “I have received your letter dated March 6, 1996 and the beneficiary forms naming the John Ancrum Society for the Prevention of Cruelty to Animals and have discussed this with my attorney. We have decided not to change the beneficiary and name my estate as beneficiary. Ok. I

\*3  
T.L.B.

will order the file to make sure your estate is named as beneficiary and if it isn't, I will prepare beneficiary forms accordingly." Likewise, the beneficiary of her deferred compensation was shown on a form of 2/14/01 to be "Kay Passailaigue, Relationship Custodian of Pets and Rescue— Governed by Will." Also, a prior form of 7/24/90 had her estate as beneficiary. The combination of her Will and these contracts are entirely contrary to Plaintiffs claims of a constructive trust to benefit unnamed "animal welfare" organizations. The course of these contracts might be somewhat confusing, but the final result is not. After consulting with her attorney, she decided to leave these to her estate as governed by her Will, that is, Kay Passailaigue. As much as Plaintiffs profess it should be otherwise, it is not so by Alice Shaw-Baker's own words spoken prior to her dementia.

I again address the issue of sanctions for this soon to be nine years old frivolous suit. The standard for determining this is an objective one. Plaintiffs may subjectively say, "We are just doing what Alice Shaw-Baker wanted us to do." Intent and result are shown by their acts, not their words.

This should have been a simple guardian/conservator/personal representative case. Instead it has by Plaintiffs' frivolous acts gone on for nine years and counting. This is unconscionable and an abuse of the court system. Every avenue available to delay has been used and abused by Plaintiffs for no good reason.

I have condensed the history of this case as follows: Over the past nine years, in this and other related cases, Plaintiffs have appealed and asked for reconsideration of almost every decision of every Court. They have filed nine appeals, four Writs of Certiorari, three petitions for rehearing, and seven motions for reconsideration. To date, they have not prevailed on any substantive matters with the exception of one remand on the issue of conservator fees.

7-2-16

I now turn to the monetary figures used in factoring my sanctions award. According to Family Services' inventory and appraisal, The Estate of Alice Shaw-Baker was originally valued at \$388,055.63. That figure includes the value of real estate, investments, life insurance, annuities, and anticipated annual receipts. After subtracting anticipated receipts, the Estate's initial value was \$353,746.81. According to Lisa Fisher's own accounting, \$39,549.43 was spent following Judge Curry's May 11, 2009 Order terminating her conservatorship. She also unreasonably spent \$25,000 for an air ambulance on the day of Alice Shaw-Baker's death, after being told by a medical doctor that she would not survive the trip, and violated § 62-5-424(C)(9) by making twenty unauthorized charitable donations in the amount of \$2,555, and of this \$105 came before the termination of the conservatorship.

The Probate Court has approved fees amounting to \$67,185.92. An additional \$20,621.34 was spent on unapproved fees, \$13,941.59 coming before the termination of the conservatorship, totaling \$87,807.26 in paid fees, which amounts to 25% of the Estate's value. However, there remains pending requests for approval of fees totaling \$74,422.00. Assuming those requests are approved, the total fees paid would amount to \$162,229.26 or 46% of the Estate. As it currently stands, a total of \$173,148.66 from the Estate has been spent, which represents 49% of the Estate. Approval of the outstanding fee request would almost completely deprive the Estate of its value. That comes without any consideration of the amount of attorney's fees accumulated from Feb. 2009–Feb. 2018 which totals \$314, 837.35 or 89.25% of the Estate. After totaling all the paid, unpaid, requested, and accumulated fees, the total amounts to \$564,873.87, which represents 160% of the Estate.

\*5  
T.H.K.

Despite the many egregious acts that occurred in this case, Lisa Fisher did care for Alice Shaw-Baker and her home by employing caregivers, landscapers, and by continuing to pay the taxes and insurance. For this, I credit her \$11,462.85 towards the sanctions award—\$1,000 for the caregiver expenses after the date of Alice Shaw-Baker’s death, \$200 for hair charge, \$2,370 for lawn care, and \$7,892.85 for taxes and insurance. I have also decided to remove the \$7,000 loss of opportunity costs and treble damages against Lisa Fisher. As a result, the new sanctions award comes from \$13,941.59 spent of unapproved fees after the termination of the conservatorship, \$39,549.43 for monies spent after the termination of the conservatorship, \$13,941.59 for unapproved fees prior to termination of conservatorship, \$25,000 for an air ambulance on day of Alice Shaw-Baker’s death, and \$105 for unauthorized charitable contributions before the order terminating the conservatorship. I have also decided to award the Defendants their reasonable attorney’s fees in this action. Factors to be considered by the trial court in making a determination as to attorney’s fees are: (1) the nature, extent and difficulty of the legal services rendered; (2) the time and labor necessarily devoted to the case; (3) the professional standing of counsel; (4) the contingency of compensation; (5) the fee customarily charged in the locality for similar legal services; and (6) the beneficial results obtained. After careful consideration of these factors, I find Defendants’ attorney’s fees in the amount of \$157,539.93 are, unfortunately, justified under that analysis. As a result, I am imposing judgment against Plaintiffs for a total of \$236,135.95, jointly and severally, in favor of Defendants and their attorneys.

Again, I reference Bleak House. Jarndyce vs. Jarndyce ended when the money in the estate was consumed by attorneys’ fees, etc., after many years of litigation. I now doubt if even that would stop Plaintiffs from pursuing this frivolous litigation given what has now “boxed them in”

#6  
T.L.H.D.

...sanctions, damages, and costs which they must pay unless somehow they are successful on their appeals for the first time in nine years.

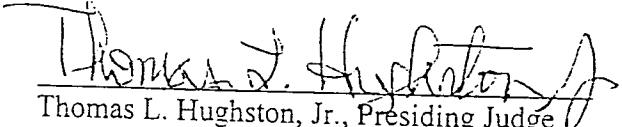
I cannot conclude without saying that I have sympathies for Lisa Fisher. It is painful for me to see and hear her put herself and others through this. She is well educated with a law degree and other degrees. She can do much that is worthwhile and of benefit to her clients and herself. Something has happened to throw her off track, and to, I can only conclude, become obsessed with this and other situations. This is indeed unfortunate, and I can only hope that something will happen to help her move on and away from this. She needs help—legal and perhaps otherwise. I hope she gets it.

Plaintiffs are in Contempt of Court for repeatedly refusing to supply Ordered financial information. I Order them confined in the Charleston County Detention Center and fined \$100.00 per day starting today until they comply. I have never in 33 years held an attorney or party in Contempt of Court. I stay this during the Plaintiffs' appeal.

Plaintiffs' post-trial motions are denied and my previous Order affirmed except as modified herein.

IT IS SO ORDERED.

#7  
May 29, 2018  
Charleston, South Carolina

  
Thomas L. Hughston, Jr., Presiding Judge

STATE OF SOUTH CAROLINA )  
COUNTY OF CHARLESTON )

IN THE COURT OF COMMON PLEAS  
FOR THE NINTH JUDICIAL CIRCUIT  
CASE NO. 2009-CP-10-3010

BETTY FISHER, etal., )  
Plaintiffs, )

v. )

BESSIE HUCKABEE, etal., )  
Defendants. )

In the Matter of the Estate of )  
Alice Shaw-Baker. )  
Charleston County Probate No.: )  
2009-ES-10-0378 )

MOTION FOR MODIFICATION  
AND  
MOTION FOR RECONSIDERATION

2009 MAY 28 AM 9:46  
JULIE J. ARMSTRONG  
CLERK OF COURT

FILED

09-08-09

COMES NOW Defendant Bessie Huckabee, as Personal Representative for the Estate of Alice Shaw-Baker, Charleston County Probate Court Estate Number 2009-ES-10-0378 and hereby moves this Court for modification and reconsideration of the previous Order dated May 22, 2009 granting Temporary Restraint of the Personal Representative dated. This Motion is presented timely and within statutory time limits upon receipt of the aforesaid Order. The statute states that "no restraining order or temporary injunction shall issue except upon the giving of security by the applicant" and permits Motion for Modification. Defendant seeks immediate hearing to repair the defect and modify the Court's Order of May 22, 2009.

**Motion to Reconsider**

The legal standard for grant of injunctive relief under Rule 65 of the South Carolina Rules of Civil Procedure requires that the Plaintiff show the clear immediate and irreparable injury that they prevent by issuance of the temporary injunction. Plaintiffs failed to detail with specificity the immediate and/or irreparable harm that would occur if the Personal Representative was not temporarily restrained as required by SCRCPro 65(b).

The Court failed to require a surety bond from the Plaintiffs upon restraint. SCRCPro Rule 65(c) states that no temporary injunction shall issue without the giving of security by the applicant(s).

The Court failed to set forth the reasons for issuance and was not specific in detail as to the acts restrained and the duration of the restraint as required by SCRCPro 65(d).

The estate remains unprotected and has no one with the authority to continue to ensure the proper administration of the estate to include providing timely filings as required by the Court and to receive and continue to marshal and secure assets of the estate. We ask the Court to limit the restraint on the Personal Representative to the least restrictive as necessary to satisfy the ends of justice.

#### **Motion for Modification**

Defendants seek expeditious modification under SCRCPro 65(b). In the event that that Court does not grant reconsideration and therefore DENY the MOTION for Temporary Restraint, Defendants seek modification. The Court has the authority to modify the previous Order to specify which acts and duties the Personal Representative may continue to perform.

Personal Representative requests authority to:

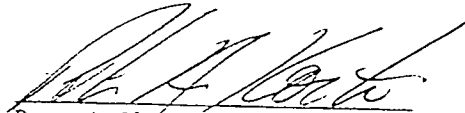
- i. receive assets into the estate account;
- ii. continue to account for estate assets;
- iii. preserve the estate and file necessary documents, so long as the authority is limited and does not include any disbursements or distributions until such time as all matters regarding the temporary restraint have been heard

The Court has the authority to allow the Personal Representative to continue in all duties and acts of estate administration with the Court's temporary restraint on any disbursements or distributions from the estate of any assets without prior order of the Court.

WHEREFORE, Defendants seek

- a. specific reasons detailing immediate and/or irreparable harm that is the basis of the temporary restraint as required by Rule 65(d),
- b. Defendants seek specific reasons for the issuance of the temporary restraint and details which include the duration of restraint and specific acts that are restrained as required by Rule 65(d),
- c. Defendants seek a surety bond provided by Plaintiffs in an amount sufficient to protect all Defendants in the event that the injunction is ultimately deemed improper. Defendants seek the surety bond amount of 1 ½ times the value of the estate. The estate is considered to be approximately \$350,000.

Attorney for Defendants



Peter A. Kouten, Esquire  
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North Charleston, SC 29418  
843-767-5284

Candace Rickborn - Cross-Examination by Mr. Wills

1 the Plaintiff, Your Honor.

2 THE COURT: All right. Anybody on the  
3 jury need a break at this point?

4 (Laughter)

5 THE COURT: Anybody out there need a  
6 break?

7 We need to let the court reporter take  
8 a break.

9 (Jury out, 3:41 p.m.)

10 (A recess transpired.)

11 (Jury in, 3:46 p.m.)

12 THE COURT: Cross-examination.

13 CROSS-EXAMINATION

14 BY MR. WILLS:

15 Q. Ms. Rickborn, when was it that you  
16 first started staying with Alice?

17 A. I don't remember the exact date. I  
18 know that I was with her for the last three to  
19 five months of her life.

20 Q. Three to five?

21 A. Yes. It kind of all goes together when  
22 you're there for more than 24 hours.

23 Q. Did you start in November?

24 A. I believe so. That sounds correct, and  
25 she passed in February.

1 Q. And you started there as a result of  
2 her being deemed incapacitated by the court; is  
3 that correct?

4 A. I did.

5 MR. COOPER: Objection.

6 THE COURT: Did you say yes or no?

7 THE WITNESS: I said yes, sir.

8 BY MR. WILLS

9 Q. So you didn't know Alice Shaw-Baker  
10 before her incapacitation, then; is that correct?

11 A. I did not.

12 Q. And you don't have any knowledge about  
13 what her relationship was like with her friends,  
14 Bessie and Kay, before her incapacitation; is that  
15 correct?

16 A. I was never a witness to it.

17 Q. Okay. Thank you. You say that Lisa  
18 Fisher is your employer?

19 A. Yes.

20 Q. She pay your checks?

21 A. She signed my checks, I'm pretty sure.

22 Q. Where are you living right now?

23 A. I live in Alice's home.

24 Q. Do you pay rent?

25 A. No, but I'm not paid to stay there.

1 MR. WILLS: That's all the questions I  
2 have, Your Honor. Thank you.

3 THE COURT: You can return to your  
4 place or be excused.

5 MR. COOPER: Redirect, Your Honor?

6 THE COURT: Oh, okay.

7 REDIRECT EXAMINATION

8 BY MR. COOPER:

9 Q. Mr. Wills asked you about your  
10 residence in Alice's old home, and he elicited your  
11 testimony that you don't pay any rent. Do you do  
12 anything around the house to --

13 A. I do. It's not my personal residence,  
14 per say. I always explain that to people.  
15 Everything is exactly the way it was whenever Alice  
16 passed with the exception of my clothes and what I  
17 use on a daily basis. Yeah. I mean, all of her  
18 declarations, all of her animal things, all of her  
19 pictures, all of her family pictures, everything is  
20 still very much the same as when Alice was alive.

21 Q. Okay. And --

22 A. I've always suggested that -- Lisa has  
23 always stressed that she wanted someone at the  
24 property to maintain its safety, and I have always  
25 said -- I've always offered to do anything, to

IN THE COURT OF COMMON PLEAS  
FOR THE STATE OF SOUTH CAROLINA  
CHARLESTON COUNTY

DEPOSITION OF JOHN DAVID SMOAK, III

BETTY FISHER, AND LISA  
FISHER, as Conservator for  
Alice Shaw-Baker,

Plaintiffs,

CASE NO. 09-CP-10-3010

vs.

BESSIE HUCKABEE, KAY  
PASSAILAIGUE SLADE, SANDRA  
BYRD, HENRY MCMASTER, in his  
capacity as Attorney General  
of South Carolina, STATE  
BUDGET AND CONTROL BOARD,  
SOUTH CAROLINA RETIREMENT  
SYSTEM, ING, SOUTH CAROLINA  
DEFERRED COMPENSATION  
PROGRAM, and NATIONAL LIFE  
INSURANCE COMPANY,

Defendants.

---

DEPONENT: JOHN DAVID SMOAK, III  
DATE: SEPTEMBER 17, 2009  
TIME: 9:30 AM  
LOCATION: 2133 Dorchester Road  
North Charleston, South Carolina  
REPORTED BY: J. LYNN CLARK, CSR(Iowa) RPR-CP  
NCRA REGISTERED MERIT REPORTER  
CLARK & ASSOCIATES, INC.  
P.O. Box 73129  
Charleston, SC 29415  
843-762-6294  
WWW.CLARK-ASSOCIATES.COM  
Lynn@Clark-Associates.com

1 Q. All sorts of doggie decorations, dog  
2 photographs? You remember seeing any of those?

3 A. I don't remember about photographs. I just  
4 remember dog memorabilia.

5 Q. And when you first met her then, it would  
6 have been approximately 2003, something like that?

7 A. Yes.

8 Q. Is that right? Okay. Did you ever have any  
9 discussions with a person named Bessie Huckabee?

10 A. I don't think I know who that is.

11 Q. And how about Kay Passailaigue Slade?

12 A. I don't know who that is.

13 Q. How about Sandra Byrd?

14 A. Don't know who that is.

15 Q. Is it your understanding that Alice  
16 Shaw-Baker, until approximately a year ago, was  
17 living alone at 306 Cassina?

18 A. Yes. Until the -- I guess the state moved  
19 her out, I think, and then she had some caregivers  
20 living with her for quite some time, but she had a  
21 couple friends every now and then that would come  
22 by. But she -- I mean she was pretty much there  
23 all -- alone. I mean that's why, you know, every  
24 time I got in and out of the car, you know, she'd  
25 stop and chat and she'd tell me about her dog, you

1 care of her.

2 Q. Well, I think August of last year is when  
3 the court proceedings were started to do that.

4 A. Yeah, whenever the POD showed up in the  
5 front yard.

6 Q. So before that she lived alone?

7 A. Yes.

8 Q. And before that was when you had these  
9 discussions with her about the disposition of her  
10 house and her other assets?

11 A. I don't know about any other assets. I  
12 asked -- I specifically was curious about her  
13 house, you know, being the next-door neighbor,  
14 curious what would happen to it. And she seemed  
15 like an older lady and also, you know, I didn't  
16 know if she'd say, oh, yeah, my daughter's going to  
17 move in here, you know, but she did say that -- you  
18 know, she did have a friend that came about, and  
19 that, you know, she did say she wanted me to meet  
20 her one time or something. I don't know who the  
21 heck that was --

22 Q. Did you ever meet the friend as far as you  
23 know?

24 A. No, no. But I mean Ms. Alice told me a  
25 lot -- you know, like I was saying -- you know, she

1 would -- I would -- not being a psychologist, I  
2 would hate to say delusional, but she would -- she  
3 would get things confused. She would -- you know,  
4 she'd tell me the same story three times in a day,  
5 you know, and that went on from the time I moved in  
6 until, you know, even after the caregivers were  
7 there, you know.

8 Q. So the first time you met her, she was --  
9 she was easily confused? Is that fair?

10 MR. KOUTEN: Object to the form.

11 A. Well, it definitely escalated, her  
12 confusion.

13 Q. Was there at any time anybody else living  
14 with you at your house?

15 A. John McCormick Ray.

16 Q. And he was your roommate for a while?

17 A. Yeah, he lived there for a while.

18 Q. And how long --

19 A. And I think he might be a Third or a Junior.  
20 I don't know. He goes by Rusty though.

21 Q. And how long approximately did Rusty live  
22 with you there?

23 A. He was probably there for like three years.  
24 He's a friend of mine, needed a place to stay when  
25 he went back to school at the College of Charleston

1 because I went over there a couple times to help  
2 her fix the roof and different things like that.  
3 But she didn't seem to have anybody, in my opinion,  
4 that she cared about more than really the dogs.

5 Not -- you know, she had a couple friends  
6 maybe that I don't -- you know, I don't remember a  
7 lot of people visiting her. I definitely don't  
8 remember necessarily, you know, her having a  
9 relationship with anybody in her family, that she  
10 seemed pretty much a lonely woman in love with dogs  
11 would be my opinion.

12 Q. And her family, to the extent she had any,  
13 they were far away?

14 A. Yeah. In California, I think she told me.

15 Q. Anything else that you'd like to say?

16 A. No, thanks.

17 MR. COOPER: Please answer any  
18 questions Mr. Kouten may have for you.

19 EXAMINATION

20 BY MR. KOUTEN:

21 Q. Morning, John. You need to take a break?

22 A. No, I'm good.

23 Q. Good to go? Where do you work?

24 A. I work -- I'm self-employed. I work for a  
25 company Smoakstack Studios. S-M-O-A-K. I'm an

1 independent photographer.

2 Q. And how long have you been doing that?

3 A. Around nine years or so, eight years.

4 Q. So you're saying that the property line of  
5 your house and Alice's house, you share -- if you  
6 were standing on Forestwood, looking at the houses,  
7 you share Alice's right side with your left side?

8 A. If you're looking at the house, yeah, her  
9 right side with my left side.

10 Q. There are only two houses on that block.

11 A. Well, there's three.

12 Q. So you're in the middle?

13 A. I'm in the middle of the two on that plat.

14 I think the other one on one side is Parkwood  
15 Estates and Alice is on Cassina.

16 Q. And you bought that house from the City  
17 or --

18 A. I think it was bought from the State. The  
19 woman that lived there was moved out, I think, and  
20 the -- by the State, I think. And I bought it -- I  
21 could give you the real estate guy's name that did  
22 it. He probably knows more about it than I do, but  
23 anyway, it was on MLS, and I bought it, but it just  
24 didn't go through a person. It went through state  
25 probate or something like that.

1     guy on the corner that's address is maybe Parkwood  
2     Estate -- it's probably Cassina, but it's a big  
3     white house. And I mean, drive by there. His  
4     grass is as high as my head.

5           Q. How about Alice's house? What's the grass  
6     look like there?

7           A. It's okay.

8           Q. Who lives there now?

9           A. Some girl named Candace or Candy.

10          Q. Do you know Candy?

11          A. Not really.

12          Q. Do you ever see her?

13          A. No, but I've seen her come and go from the  
14     house.

15          Q. You never talked to Candy?

16          A. No. We've talked. I mean she's -- she came  
17     over and had a -- asked for jumper cables. I  
18     didn't have any. I let her borrow a car charger  
19     one time so she could charge her phone, but I don't  
20     see very much of her.

21          Q. When did she move in?

22          A. I guess after Alice died. I don't know  
23     exactly.

24          Q. Do you know Lisa Fisher?

25          A. I don't know Lisa or Betty Fisher. I did

1 speak to one of them after she died because I was  
2 curious -- nobody had been there, and there was a  
3 bunch of legal documents on the door. There was a  
4 handwritten note, and I called the phone number  
5 because somebody had stuck a note in my door that  
6 said, Alice Shaw-Baker died, had the date and a  
7 question mark on the back of like a grocery list.  
8 I thought that was pretty odd. I don't know who  
9 did that. So that's why I went next door and then  
10 nothing was --

11 Q. What did you do with that piece of paper?

12 A. I have no idea.

13 Q. All right. That is weird.

14 A. I mean, I don't have any idea -- it could  
15 have been a neighbor or something like that, but I  
16 mean that's an odd way to find out somebody had  
17 passed away.

18 Q. Do you know what her illness was?

19 A. No. I have no idea.

20 Q. When did Rusty move in? He was there for  
21 three years, but we don't really have a time frame  
22 on him.

23 A. Yeah. I mean, it was like -- it was shortly  
24 after I moved in because he was a student at the  
25 College of Charleston. So whenever he was enrolled