

2-28-19

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

**APPEAL FROM FLORENCE COUNTY
Circuit Court**

Thomas A. Russo, Circuit Court Judge

Appellate Case No.: 2018-001144

In the Matter of: Estate of Thomas G. Moore

Michael Dennis Moore, Appellant

**Thomas Paul Moore, Francine Laura Lawhon, Respondents
Linda Kaye Moore, Phillip Frederick Moore....**

Dismiss the Motion

pending filed by the Respondent Thomas Paul Moore

Pro-SE

Phillip Frederick Moore....

Francine L. Lawhon

Linda K. Moore -- Deceased - 2-27-19

3401 Chantz Ct.

Florence, SC 29501

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MAR 07 2019

SC Court of Appeals

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**APPEAL FROM FLORENCE COUNTY
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Thomas A. Rasso, Circuit Court Judge

APPELLATE CASE NO. 2018-001144

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MAR 07 2019
SC Court of Appeals

**IN THE MATTER OF:
THOMAS G. MOORE (Decedent)**

Michael Dennis Moore.....Appellant,

v.

**Thomas Paul Moore, Francine Laura Lawhon,
Linda Kaye Moore, Phillip Frederick Moore.....Respondents.**

Dismiss the Motion

pending filed by the Respondent Thomas Paul Moore

I. *The Court of Appeals should - Deny - giving an Order on these two issues submitted by Pierce Campbell for his client Thomas Moore.*

**RESPONDENT THOMAS PAUL MOORE'S MOTION
TO FILE A BRIEF IN RESPONSE TO
RESPONDENTS/CROSS-APPELLANTS' INITIAL BRIEFS**

and

**RESPONDENT THOMAS PAUL MOORE'S MEMORANDUM
IN SUPPORT OF RESPONDENT THOMAS PAUL MOORE'S MOTION TO
FILE BRIEFS IN RESPONSE TO CROSS-APPELLANTS' INITIAL BRIEFS**

Pro-SE Phillip Frederick Moore....

Francine L. Lawhon

Linda K. Moore - Deceased - 2-27-19

3401 Chantz Ct.

Florence, SC 29501

2-28-19

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

Appellate Case No.: 2018-001144

Linda Kaye Moore, Phillip Frederick Moore, Francine Laura Lawhon, Respondents

6A • THURSDAY, FEBRUARY 28, 2019

LINDA KAYE MOORE

Linda Kaye Moore, 66, of Florence, SC, passed away on Wednesday, February 27, 2019 at McLeod Hospice House surrounded by her family.

Ms. Moore was born a daughter of the late Earline Broach Moore and Thomas G. Moore.

In addition to her parents, she is preceded in death by sister, Christine Matthews.

Ms. Moore is survived by her sons, Chad Owens (Tiffany), Brad Owens, and Justin Owens (Delina); four grandchildren; one great-grandchild; brothers, Thomas Paul Moore (Barbara), Phillip Moore, and Dennis Moore (Crystal); sister, Francine Lawhon; and six nieces and six nephews who loved and cared for her.

Funeral services will be held at 2:00 PM on Friday, March 1, 2019, at the Stoudenmire-Dowling Funeral Home Chapel. Burial will follow at Mount Hope Cemetery.

Family will receive friends from 6:00 PM - 8:00 PM on Thursday at the funeral home.

Memorials may be made to McLeod Hospice, P.O. Box 100551, Florence, SC 29502 or to the Alzheimer's Association, 140 Stoneridge Drive, Ste 210, Columbia, SC 29210.

Please sign the tribute wall for the family at www.stoudenmiredowling.com.



Deceased Pro-SE Heir Linda K. Moore passed away without receiving parents Estate funds due to the objection of Pierce Campbell. Enclosed are 3 copies from the transcript of the Pec. 27, 2015 Hearing denying Linda Moore the \$2000.00 a month she desperately needed and was entitled to receive.

Out of the 5 Heirs Linda K. Moore needed her part of the money from the Estate Accounting held by Porter Stewart in his Escrow account. The \$2000.00 a month had no effect on the other issues in the Probate and the 3 issue on Appeal in Columbia SC. Pro-SE Heirs Phillip Moore and Francine Lawhon believe Linda K. Moore would be living today if it wasn't for Pierce Campbell's objection to the \$2000.00 a month that Linda Moore was entitled to receive stated in our parents Will from their Estate. After her father T.G. Moore passed away in 2013, Linda Moore depended on the funds in the Estate to pay the 6 doctors that treated her over the years and all the different types of medicine she had to pay for the 5 years of this Probate. Pierce Campbell had no reason to object to the \$2000.00 a month that could have prolong Linda's life. The only reason we believe Pierce Campbell made this objection was he was afraid if his client Thomas Moore received his \$2000.00 a month, his client would spend his money and he would not get paid his \$30,000.00 attorney fees. This could be true knowing Thomas Moore's past, but that's Pierce Campbell's problem and he should find another way to get paid without interfering with our Probate.

1 Mr. Michael Dennis Moore: Yes, sir.
2 The Court: Okay. All right. Next?
3 Mr. Stewart: Yes, sir. Thank you.
4 Your Honor also I -- I would bring The Court's
5 attention to the -- the will document itself. The
6 will as it was written provides that the -- the
7 five children and all of whom are here today, of
8 course, were to, pursuant to the terms of the will
9 had written, receive 25,000 dollars initial
10 distribution. And then 2,000 dollars per month
11 until such as Your Honor finally determines each
12 person is entitled to should be exhausted. It is
13 my understanding, Your Honor, that the five
14 children as beneficiaries of this estate would
15 want a -- a lump sum distribution of that, which
16 Your Honor finds them to be entitled to instead of
17 receiving it on -- on a serial basis
18 month-by-month. And that's my understanding, but
19 I -- I would invite Your Honor to address that
20 issue.

21 The Court: Counsel?

22 Mr. Campbell: Thomas Moore certainly
23 agrees with that and believes that all five should
24 receive full distributions of the amount
25 determined at the end of this proceeding.

1 Ms. Elmore: And Phillip Moore joined
2 in that Your Honor.

3 Mr. Smith: Dennis Moore joins in that.

4 The Court: Now, I'm going to suggest
5 something here to try to work this along.

6 Mr. Stewart: Your Honor, the -- the
7 (two ladies that are pro se --)

8 The Court: Yes.

9 Mr. Stewart: -- and are also here.

10 The Court: (Ladies) is that fine with
11 you?

12 Ms. Lawhorn Yes, sir.

13 Ms. Moore: Linda Moore.

14 The Court Okay. I'm going to suggest
15 something here. And that is that the personal
16 representative immediately write the checks for
17 25,000 dollars each to each of the beneficiaries
18 because it may take me -- I don't know -- af---
19 well, after we get through this, I'll -- I'll know
20 better, but it may take me a while to make the
21 decisions on the other allocations. So since this
22 was supposed to be paid immediately upon the
23 distribution of the estate or the probate of the
24 estate, I'm going to suggest the personal
25 representative go ahead and distribute those

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funds. Any objection to that?

Ms. Elmore: Not on behalf of Phillip Moore.

Mr. Smith: No objection, Your Honor.

The Court: Okay.

Mr. Campbell: Your Honor, if I may, if we could perhaps just consider that at the end of the proceeding --

The Court: Sure.

Mr. Campbell: -- in case -- based on how things come out, it looks as if --

The Court: Somebody won't get '25 --

Mr. Campbell: -- perhaps somebody won't get 25,000 or something --

The Court: All right. Well, we'll hold that --

Mr. Campbell: -- just to be sure?

The Court: We'll hold that.

Mr. Campbell: But otherwise we would be fine with that.

The Court: Okay.

Mr. Stewart: And then, Your Honor, when you do get to that, I -- I can write that out of my escrow account.

The Court: Sure. Anything further?

STATEMENT OF THE FACTS

2-28-19

As Heirs of our parents entering into the 6th year of our parents Probate we will make our pleas to the South Carolina Court of appeals to deny the motion and memorandums of Pierce Campbell and Thomas Paul Moore. Keeping this Probate opened Pierce Campbell now is asking to respond to the Pro-SE Initial Briefs. The fact is what was stated in the Brief and every document sent to the South Carolina Court of appeals by the Pro-Se Heirs came directly from the Hearing Dec. 22, 2015. It has been stated by Judge Scott and Judge Russo in Circuit Court that NO NEW EVIDENCE or Testimony will be accepted after the closing of the Hearing Dec. 22, 2015 and July 27, 2016 Hearings. The truth is Pierce Campbell wants to file a brief in response solely on the undated, unsigned letter to be admitted by the Doctrine of Integration. It has been proven by testimony in the transcript of the Dec. 22, 2015 Hearing by the remaining Heirs this unsigned, undated letter was never seen two years into the Probate until they were ambushed with the letter the day of the Hearing. The most damaging testimony that this letter never existed was by Pierce Campbell's client Thomas Moore testifying under oath on page 162 and Page 164 in the transcript. If this letter has been proven it never existed, then the Doctrine of Integration issue should be dismissed and ignored in the Probate.

Lastly, all the attorneys and Heirs had a dead-line to FILE on the appeal to the South Carolina Court of Appeals on Jan. 13, 2019. The Heirs would ask the South Carolina Court of Appeals to ignore all issues submitted after Jan. 14, 2019 including Pierce Campbell's issue dated Feb. 18, 2019. The Heirs are the ones that has felt the pain and suffering through this 5 year Probate.

TO THE South Carolina Court of Appeals Judges - Please give us closure!

2-28-19

CONCLUSION

The matter comes before the Court on the request of Francine Laura Lawhon, Linda Kaye Moore, and Phillip Frederick Moore. Francine Laura Lawhon, Linda Kaye Moore, and Phillip Frederick Moore seeks to Dismiss the Motion pending filed by the Respondent Thomas Paul Moore.

RESPONDENT THOMAS PAUL MOORE'S MOTION TO FILE A BRIEF IN RESPONSE TO RESPONDENTS/CROSS-APPELLANTS' INITIAL BRIEFS

and

RESPONDENT THOMAS PAUL MOORE'S MEMORANDUM IN SUPPORT OF RESPONDENT THOMAS PAUL MOORE'S MOTION TO FILE BRIEFS IN RESPONSE TO CROSS-APPELLANTS' INITIAL BRIEFS

This issue about the Richland County Property with this undated, unsigned letter and the doctrine of integration by Pierce Campbell and Thomas Moore has got to be stopped. The fact is there is nothing written in the Will that Thomas Moore be given the Richland County Property. It has been proven by testimony under oath in Court that no letter or anything else was attached or with the Will when all 5 Heirs read the Will together at the meeting 7 days after our fathers funeral. This statement is also in the transcript of the Dec. 22, 2015 Hearing. The Will was never submitted to Probate Court until AFTER the meeting of the 5 Heirs. Even Pierce Campbell's client Thomas Moore HIMSELF testified under oath on page 162 and 164 in the transcript there was no letter with the Will when reading and seeing the Will for the 1st time at the meeting. There is no doubt in our minds that Thomas Moore did not inform his attorney Pierce Campbell what had taken place with the Will and at the meeting. The fact is 4 of the 5 Heirs know that this letter is phony and Thomas Moore lied through-out his testimony in the Richland County Property Issue.

all attorneys and pro-SE Heirs submitted their briefs to the South Carolina Court of Appeals Jan. 13, 2019. The Heirs of our Parents Estate would like to ask the South Carolina Court of Appeals Judges to ignore and deny everything after Jan. 13, 2019 from anyone. These papers would not been sent if Pierce Campbell had not sent the papers February 18, 2019. Pierce Campbell needs to stop... to in letter down.

STATEMENT OF ISSUES ON APPEAL

4 of the 5 Heirs has agreed that these 2 issues should NOT Be Overturned. Evidence of documents, Exhibits and testimony has been given in Court on these 2 issues.

II. Did the lower courts err in ruling that a contract to sell real property extinguished the rights of survivorship of the Appellant, the joint tenant with rights of survivorship, when the Testator, the deceased joint tenant died after the signing of a contract to sell real property, but before the closing and recording of the transfer of Deed?

III. Did the circuit court err in ruling that the Appellant did not preserve the issue for review of prejudicial submission of evidence and allowance of additional claims the day of trial, when counsel for the Appellant did not object to evidence and claims at time of submission but later requested the ability to respond to Respondents allegations and submission of evidence, but was denied the opportunity by the Probate Court?

4 of the 5 Heirs has agreed that this issue should be OVERTURN and be return back in Probate for ALL 5 Heirs.

I. Did the lower courts err in applying the doctrine of integration, where alleged integrated document was a separate envelope containing a document with instructions devising a piece of the Testator's estate and no evidence or testimony from attesting witnesses spoke as to the validity of the document or the presence of the document at the time of the signing of the will?

1. The lower court definitely without a doubt ERR in applying the doctrine of integration to a letter that NEVER existed until the day of the Hearing Dec. 22, 2015 when the other 4 Heirs was ambushed with this letter.
2. Thomas Moore keeping this letter in his possession for 2 years into the Probate, How can the other 4 Heirs give evidence or testimony the day of the Hearing.
3. The testimony in the transcript speaks for itself about this letter.
4. All 5 Heirs Agreed how we were going to settle the issue of the Richland County Property at the meeting before the Will was submitted to Probate Court. But, 2 years later Thomas Moore changed his mind.
5. Please return the Richland County Property Back IN Probate.

Appellate Case No.: 2018-001144

Heirs claim Corruption in Probate Court

The remaining Heirs did not realize there was Corruption in the Probate until the Richland County Property Issue taken by Pierce Campbell at the beginning of the Dec. 22, 2015 Hearing.

This article was taken from the state newspaper
2A • FRIDAY, AUGUST 17, 2018
STATE/PT

Fall trial set for ex-lawmaker charged in corruption case

1. Judge Scott admitted a illegal, undated, unsigned letter for Pierce Campbell.
2. Judge Scott believed Pierce Campbell's client Thomas Moore's testimony about his long-standing relationship with the church that happened 20 years before T.G. Moore passed away.
3. The other attorneys made no objections to give the Heirs the \$2000.00 a month but, it was Pierce Campbell's objection that Judge Scott accepted.
4. Judge Scott allows Pierce Campbell to admit this undated, unsigned letter under the doctrine of integration when it was proven in the hearing the letter never existed.
5. Whatever Pierce Campbell wanted to say or admit in the Richland County Property Issue for his client Thomas Moore Judge Scott agreed.
6. After Judge Scott give his Order on the Richland County Property, the Heirs read Judge Scott's profile on the computer we believe we found our answer. Before Judge Scott become a Judge, he come from the same law firm that Pierce Campbell is in now. Need we say more.

2-28-19

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM FLORENCE COUNTY
Circuit Court

Thomas A. Russo, Circuit Court Judge

Appellate Case No.: 2018-081144

RECEIVED
MAR 07 2019
SC Court of Appeals

In the Matter of Estate of Thomas G. Moore

Michael Dennis Moore, Appellant

**Thomas Paul Moore, Francine Laura Lawton,
Linda Kaye Moore, Phillip Frederick Moore, Respondents**

Dismiss the Motion

pending filed by the Respondent Thomas Paul Moore.

CERTIFICATE OF SERVICE

I certify that I have served the Dismiss of motion and Certificate of Service
Feb. 28, 2019 delivery to the Deputy Clerk, South Carolina Court of Appeals,
1220 Senate Street, Columbia, SC 29201 and by depositing a filed stamped copy of same
in the United States Mail, postage prepaid, addressed to the following:

Norwood DeBart, Jr., Esquire
Law Offices of N. David DeBart
P.O. Box 14722
Surfside Beach, SC 29587
Attorney for Appellant

James R. Snell, Jr., Esquire
Viki Koutsogiannis, Esquire
Law Office of James R. Snell, Jr., LLC
123 Hamann Street
Lexington, SC 29072
Attorney for Phillip Frederick Moore

2-28-19

C. Pierce Campbell
Tinner, Padgett, Graham & Lacey P.A.
P.O. Box 5478
Florence, SC 29502
Phone: (843) 656-4429
Fax: (843) 413-5837
ATTORNEYS FOR RESPONDENT
THOMAS P. MOORE

PRO-SE HEIRS

Phillip Frederick Moore.
Francine L. Lawhon
Linda K. Moore - Deceased
3401 Grantz Ct. 2-29-19
Florence, SC 29501

REPLY TO:

Phillip Frederick Moore

Francine L. Lawhon

Linda K. Moore - Deceased

3401 Chantz Ct. 2-27-19

Florence, SC 29501

RECEIVED 2-28-19

MAR 07 2019

SC Court of Appeals

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

Re: Michael Dennis Moore v. Thomas Paul Moore, Francine Laura Lawhon, Linda
Kay Moore, and Phillip Frederick Moore
Appellate Case No.: 2018-001144

Dear Ms. Kitchings:

Enclosed please find the original and one copy of the following for filing in the above case:

1. Dismiss the Motion pending filed by the Respondent Thomas Paul Moore.
2. Certificate of Service.

2-28-19

South Carolina Court of Appeals

Page 2

Please file the original with the Court and file-stamp the copy for us and return same in the enclosed, prepaid, self-addressed envelope. We are serving a filed copy on all the parties of record United States mail. Thank you for your assistance in this matter.

Sincerely,

Phillip Frederick Moore

Francine L. Lawhon

Linda K. Moore = Perceved - 2-27-19

3401 Chantz Ct.

Florence, SC 29501

Enclosures

cc(w/enc): C. Pierce Campbell, Esq.
Norwood D. DuRant, Jr., Esq.
James R. Snell, Jr., Esq.

Thomas P. Moore

Francine M. Lawhon

Linda K. Moore = Perceved - 2-27-19

Phillip Frederick Moore

Michael Dennis Moore

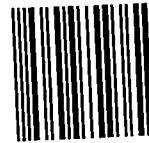
Pro-SE Heirs of Thomas G. Moore
3401 CHANTZ COURT
FLORENCE, S.C. 29501

The Honorable Janny Abbott Hitchings
Deputy Clerk, S.C. Court of Appeals
1220 Senate Street
Columbia, S.C. 29201

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LABEL 11-B, JULY 2018

PSN 7690-02-000-9996

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