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March 21, 2019

Hon. William K. Stephenson, Jr.
Chapter 13 Trustee
P.O. Box 8477
Columbia, SC 29202

RECEIVED
MAR 27 2019
SC Court of Appeals

RE: Case Number 17-05830-hb

S.C. Appellate Case No. 2019-00005

Robert G. Bone

SSN xxx-xx-7204

Tax ID / EIN: 57-1040064

Dear Trustee Stephenson:

In reference to the above Bankruptcy Case, there is a case involving an appeal from the Aiken County Probate Court which is captioned Bone v. Bone 2016 CP 02 2576 involving Robert G. Bone, individually and as Conservator for Albert D. Bone, which is now on Appeal as Appellate Case No. 2019-00005.

My client, Vivy Haynes Bone, is the ex-wife of Albert D. Bone and she was awarded marital property in 2010-DR-02-0284 by the Family Court. (Att. 1) Neither my client nor I were given Notice of the Bankruptcy, but my assistant discovered it on her internet search engine in 2018. Since such is totally out of my areas of practice, I told my client to consult with a Bankruptcy Attorney, which she did.

When I realized there could be a conflict with the Aiken case and the Bankruptcy case, I filed a Notice of Bankruptcy (Att. 9), but Judge Doyet A. Early, III, and Judge Dickerson issued Orders after the date of filing the Bankruptcy by Robert G. Bone.

I then called the Lawyer to Lawyer program and was advised that I should make you aware of the proceeding. There are Orders issued after the Bankruptcy, but before I obtained Notice of the Bankruptcy, and I am under the impression that any Order issued after Bankruptcy is stayed whether or not anyone, including the Judge, was aware of the Bankruptcy.

The other attorney involved in the Aiken County Case is Bryan P. Kelley, who is with Elmore-Goldsmith P.A. located at 55 Beattie Place, Suite 1050, Greenville, S.C. 29601. Mailing address is P.O. Box 1887, Greenville, SC 29602. His Phone: 864-255-9500; Fax:

864-255-9505. Mr. Kelley represented Liberty Mutual as bonding company on Robert G. Bone, Conservator, in the Albert D. Bone conservatorship.

The main dispute in the Probate Court was a proper accounting of all assets by Robert G. Bone, Conservator for Albert D. Bone (2007 GC 02-00060). A major portion of such assets were revealed at a May 10, 2016, Probate Hearing by Judge Little when Judith Dooley's Tax Reports (Att. 4) on the 2010 through 2014 Tax Returns filed by Robert G. Bone on behalf of Albert D. Bone, were made part of the record. I have attached the Conservator Accountings (Att. 2) which did not include the assets established as missing. I have also included the Transcript of May 10, 2016 Hearing which includes the Testimony of Bryan P. Kelley, Esquire, and Robert G. Bone, who were the only witnesses testifying that day. (Att. 3)

I have additionally attached a summary of assets, revealed by the Dooley Reports (Att. 4) that should have been but were not included in the Conservator Accountings. (Att. 2)

As you will note, the Dooley Reports reveal that the Tax Returns were not properly filed, and that the reports revealed assets of over 1.6 million which are not included in any Conservatorship Accounting. This is contrary to the testimony of Mr. Kelley who stated he reviewed the Conservator Accountings and the Tax Returns, and everything looked fine. Also please note that Mr. Bone testified that all withdrawals were heavily taxed and heavily penalized (Att. 3b pp. 3-8) which is contradicted by the attachments to the tax returns and attachments provided. (Att. 4 and Att. 5)

Judge Little's Order of May 12, 2016, went outside of the Notice of Hearing (Att. 3a) which was to review the Tax Returns form 2010-2014, and went forward to address the Conservator Accountings and Malfeasance by the Conservator. This same limitation that the Hearing was to review of Tax Returns from 2010 through 2014 is in the Transcript of the May 10, 2016 Probate Hearing (Att. 3b, p. 1) and the review of Tax Returns is referenced in Judge Little's May 12, 2016 Order. (Att. 6) The May 12, 2016 Order relied upon the incorrect testimony of Bryan P. Kelley, Attorney for Liberty Mutual, (Att. 3b, p. 2,3) who for the first time requested a finding of no malfeasance by Robert G. Bone since the Tax Returns and Conservator Accountings were fine, and should be approved by the Court. (Att. 3b, p. 2,3) Dooley's Tax Reports which Kelley claimed he reviewed, clearly contradict his testimony as the Reports established the Tax Returns were not properly filed and established all assets belonging to Albert D. Bone (Att. 4) and since the Conservator's Accountings do not contain the missing assets Judith Dooley established (Att. 4, see also Att. 5), the Conservator's Accountings cannot be correct. (Att. 2)

At the May 17, 2016 Hearing before Judge Little, when the issue of taxes and accountings addressed at the May 12, 2016 Hearing arose, Judge Little, in direct contradiction of Judith Dooley's reports, stated she did not see any million dollars (Att. 7, pp. 10, 11), when Judith Dooley certainly did identify assets of over 1.6 million dollars in her Tax Reports (Att. 4) which were ignored by the Court in accepting the incorrect testimony of Robert G. Bone and Bryan P. Kelley. (Att. 7 and Att. 3) Ironically, Robert G. Bone hired Judith Dooley to file

accurate Tax Reports on his Tax Returns filed on behalf of Albert D. Bone, and clearly, she found the truth, which is verified by all of the documents in this case.

While there were other misappropriations by Robert G. Bone, the over 1.6 million missing, as verified by the within documents are the most obvious, and for your convenience, I have attached a Summary of Conservator Accountings. (Att. 8)

I filed an Appeal with the Court of Appeals, out of an abundance of caution as I did not want that time to pass without protecting myself and my client until the matter can be straightened out.

I am forwarding a copy of this letter Joseph E. Mitchell, III, P.O. Box 2504, Augusta Georgia, 30903, attorney for Mr. Robert G. Bone in Bankruptcy, a copy to Mr. Bryan P. Kelley, at P.O. Box 1887; Greenville, SC 29602, a copy to Albert D. Bone, since he is incapacitated, at 803 Vancouver Road, N. Augusta, SC 29841; and a copy of the letter only to the South Carolina Court of Appeals. Obviously, I will provide any document the Court of Appeals requests, but the Court should have almost all documents referenced.

If you need any further information, please contact me at the above or on my cell phone which is 803-447-5291.

Best Regards,


John E. Cheatham

REV I

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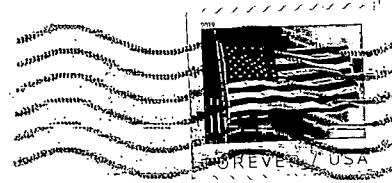
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MAR 27 2019

SC Court of Appeals

COLUMBIA SC 293

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V. Claire Allen
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29211-162929

