

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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MAY 24 2019

SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court Of Common Pleas

The Honorable Doyet A. Early, III, Circuit Court Judge
The Honorable L. Casey Manning, Circuit Court Judge
Trial Court Case No. 2010CP4004900

Appellate Case No.2018-002229

Russell L. Bauknight, as Trustee of the James Brown 2000 Irrevocable Trust and the James Brown Legacy Trust, as Personal Representative of the Estate of James Brown, and on behalf of Alan Wilson, in his capacity as Attorney General of the State of South Carolina; Tommie Rae Brown, individually and on behalf of her minor child, James B.; Daryl J. Brown, individually and on behalf of his minor child Janise Vanisha Brown; Lindsey Delores Brown; Deanna J. Brown Thomas; Jason Brown-Lewis; Yamma N. Brown, individually and on behalf of her minor children, Sydney L., Carrington L., and Tonya Brown; Venisha Brown; Larry Brown; and Terry Brown,

And

Alan Wilson, in his capacity as Attorney General of the State of South Carolina; Tommie Rae Brown, individually and on behalf of her minor child, James B.; Daryl J. Brown, individually and on behalf of his minor child Janise Vanisha Brown; Lindsey Delores Brown; Deanna J. Brown Thomas; Jason Brown - Lewis; Yamma N. Brown, individually and on behalf of her minor children, Sydney L., Carrington L., And Tonya Brown; Venisha Brown; Larry Brown; and Terry Brown
..... Respondents,

v.

Adele J. Pope and Robert L. Buchanan, Jr., Defendants,

Of whom Adele J. Pope is the Appellant

INITIAL BRIEF OF RESPONDENT ATTORNEY GENERAL

ALAN WILSON
Attorney General

ROBERT D. COOK
Solicitor General
S.C. Bar No. 1373

J. EMORY SMITH, JR.
Deputy Solicitor General
S.C. Bar No. 5262

Post Office Box 11549
Columbia, SC 29211
(803) 734-3680
(803)734-3677 (Fax)
esmith@scag.gov

Counsel for Respondent
Attorney General

As his Initial Brief and subject to the Order dropping him as a party to this case, pursuant to Rule 208(b)(6), SCACR, the Attorney General joins in and incorporates by reference the Initial Brief of Respondents prepared by Sweeny, Wingate and Barrow, P.A. Before the Circuit Court granted summary judgment for the Plaintiffs as to Appellant's counterclaim (R. p. * - Order dated June 23, 2017, and filed July 8, 2017), that Court dropped the Attorney General as a party to this case. (Order dated May 31, 2017, and filed June 12, 2017). The Order dropping him is a subject of Appeal 2017-1899, and is included in the Record in that case. The Attorney preserves and does not waive any arguments he made regarding his being dropped as a party to this case. The Attorney General also preserves his Motion to Strike Appellant's Initial Brief and Designations filed herewith.

The Attorney General respectfully requests that the Court affirm the Orders on appeal.

Respectfully submitted,

ALAN WILSON
Attorney General

ROBERT D. COOK
Solicitor General
S.C. Bar No. 1373

J. EMORY SMITH, JR.
Deputy Solicitor General
S.C. Bar No. 5262

BY: 

ATTORNEYS FOR RESPONDENT
ATTORNEY GENERAL

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And

Alan Wilson, in his capacity as Attorney General of the State of South Carolina; Tommie Rae Brown, individually and on behalf of her minor child, James B. II; Daryl J. Brown ,individually and on behalf of his minor child Janise B.; Lindsey Delores Brown; Deanna J. Brown Thomas; Jason Brown - Lewis; Yamma N. Brown, individually and on behalf of her minor children, Sydney L. and Carrington L.; Tonya Brown; Venisha Brown; Larry Brown; and Terry Brown,
..... Respondents,

v.

Adele J. Pope and Robert L. Buchanan, Jr., Defendants,

Of whom Adele J. Pope is the Appellant.

CERTIFICATE OF SERVICE

I hereby certify that I have served the Attorney General's Motion to Strike and Initial

Brief on counsel for the other parties by mailing copies to them at the addresses below via the
United States Mail this May 24, 2019:

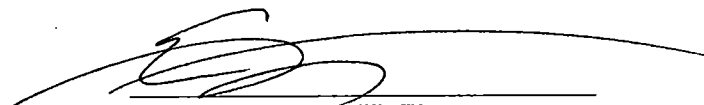
Adam T. Silvernail, Esquire
Law Office of Adam T. Silvernail
P.O. Box 7995
Columbia, South Carolina 29201

Kenneth B. Wingate, Esquire
Mark V. Gende, Esquire
Everett A. Kendall, II, Esquire
Sweeny Wingate & Barrow, P.A.
P.O. Box 12129
Columbia, SC 29211

William Jeffrey Smith, Esquire
1216 Crenshaw Street
Newberry, SC 29108

Daryl L. Williams, Esquire
Gertz & Moore, LLP
P.O. Box 456
Columbia, SC 29202

Charles E. Carpenter, Jr., Esquire
Carpenter Appeals & Trial Support, LLC
4825 Portobello Road
Columbia, SC 29206



J. EMORY SMITH, JR.
Deputy Solicitor General
S.C. Bar No. 5262
Counsel for the Attorney General



ALAN WILSON
ATTORNEY GENERAL

May 24, 2019

RECEIVED
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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
HAND DELIVERY

Re: Bauknight v. Pope, Appellate Case No. 2018-002229
Initial Brief and Motion to Strike

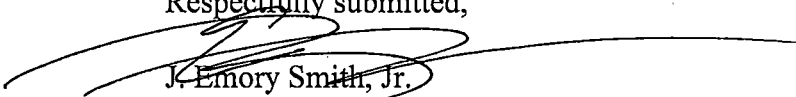
Dear Ms. Kitchings:

Enclosed for filing with your Office is the original and six copies of the Attorney General's Motion to Strike Appellant's Initial Brief and Designation, and his Initial Brief joining in the brief of Respondents together with a certificate of service.

The Attorney General does not have any additional matters to designate for the Record in this case.

Thank you for your assistance.

Respectfully submitted,


J. Emory Smith, Jr.
Deputy Solicitor General
Counsel for the Attorney General

cc: Charles E. Carpenter, Jr., Esquire
Adam T. Silvernail, Esquire
William Jeffrey Smith, Esquire
Daryl L. Williams, Esquire
Kenneth B. Wingate, Esquire
Mark V. Gende, Esquire
Everett A. Kendall, II, Esquire