

MOTION TO REINSTATE

RECEIVED
SEP 03 2019
SC Court of Appeals

Dear Sir or Madam,

I am submitting this Motion to Reinstate, but first, I must apologize to the court for the delay in submitting this Motion to Reinstate to you. Please note that the delay was caused by the information I needed from the Clerk of Court Division to submit to you at your request, despite my efforts. In fact, to date, the actual copy of the Motion to Dismiss by Carolyn Tolbert Smith has never been sent to me. To date, I have not received the required copy. In fact, the copy was not forthcoming despite the following search information provided to me by various representatives in the Clerk of Court Division, thus:

Clerkofcourt.charlestoncounty.org

Online services, click court plus, search court records, insert case number. Here, you will note that only 4 numbers of the 13 number case were allowed to be accepted into the system, rendering the search null and void. The clerk of court division was unable to correct this problem, thus the delays.

Other search information provided to me by the Clerk of Court division:

Charlestoncounty.org

Circuit court, search. A listing of all cases appeared but there was not your required "COPY" of the Motion to Dismiss by Carolyn Tolbert Smith available for me to review.

also

Charlestoncountyclerkofcourt.org, circuit court, search, accept, case#2018CP1002242. When clicking on the listing for Carolyn Tolbert Smith's Motion to dismiss, still no copy of the Motion to Dismiss appeared nor has it ever been sent to me via US Mail service.

Subsequently, I called the Appellate Court representative to discuss my reasons for the delay in submission. Please note that my phone recorded messages to the Clerk of Court division did not result in call backs, thus causing further delays. Again, I have not received a copy of the motion to dismiss via US postal mail.

Despite the delays previously mentioned, I am submitting this Motion to Reinstate which arises from the Partition Action #2018CP1002242 and am requesting to receive a copy of the Motion to Dismiss previously granted by a judge, thus causing this response.

Carolyn Tolbert Smith is a self described Executrix of the estate of Helen Grant Tolbert who designated Betty Jean Tolbert Jones, daughter, as Executrix of the estate. The partition action

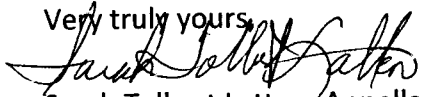
delineates the actions and omissions by Ms Smith before and after the death of Helen Grant Tolbert.

In the Partition Action, you will see that neither Betty Jean Tolbert Jones, Executrix named in the will, nor Carolyn Tolbert Smith, self-appointed Executrix, ever distributed the will or an accounting of my mother's will and estate to any of her heirs. In addition, your court records will show that Carolyn Tolbert Smith signed only her name as heir to the deed of distribution but when the court noticed the problem, the court mandated that Ms Smith complete a "Revised" Deed of Distribution with an attorney to include the names of all of the heirs. The heirs finally received a Deed of Distribution, revised. The attorney of record can attest to this fact.

In this regard, I, Sarah Tolbert Latten, am appealing within this Motion to Reinstate, the judge's decision to grant the Motion to Dismiss by the respondent, Carolyn Tolbert Smith and grant the Motion to Reinstate so that all of the inheritors to the will (still not distributed to the heirs by Carolyn Tolbert Smith) and Deed of Distribution will finally receive the benefits bestowed upon each of us by Helen Grant Tolbert. This was her intent for each of her heirs.

Thank you for your consideration of this request.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Sarah Tolbert Latten".

Sarah Tolbert Latten, Appellant, Pro se

PROOF OF SERVICE OF NOTICE OF MOTION TO REINSTATE

THE STATE OF SOUTH CAROLINA

In The Court Of Appeals

APPEAL FROM CHARLESTON COUNTY

Court Of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

RECEIVED
SEP 03 2019
SC Court of Appeals

Case No. 2018CP1002242

Sarah Latten

Appellant

v.

Carolyn Tolbert Smith

Respondent

NOTICE OF APPEAL

Sarah Latten appeals the order (judgement) of the Honorable Benjamin H. Culbertson, dated 6/24/2019. Appellant received written notice of entry of this order (judgement) on July 8, 2019.

July 20, 2019



Sarah Latten, Pro Se
7095 Hollywood Blvd
#597
Hollywood, CA 90028

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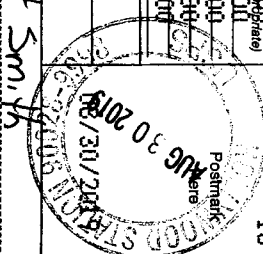
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Street and Apt. No., or P.O. Box No. **338 5th Avenue**

City, State, ZIP+4® **MT Pleasant SC 29464**

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THE STATE OF SOUTH CAROLINA
In The Court Of Appeals

MOTION TO REINSTATE

Case No. 2018cp1002242

SARAH LATTEN.....Appellant (Pro Se)

CAROLYN TOLBERT SMITH.....Respondent

RECORD ON APPEAL

Sarah Latten
7095 Hollywood Blvd
597
Hollywood, California 90028
(323) 836-9115

Carolyn Tolbert Smith
338 Fifth Avenue
Mt Pleasant, SC 29464
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