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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Walton J. McLeod, Circuit Court Judge

Appellate Case No. 2019-000367

Desa Ballard and Desa Ballard P. A.,
d/b/a Ballard & Watson,

Appellants,

v.

Admiral Insurance Company and Adele
R. Pope, individually and as Special
Administrator of the Estate of Gloria
Corley,

Respondents.

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OCT 10 2019
SC Court of Appeals

**MOTION TO DISMISS CERTAIN REPENDENTS
AND FOR EXTENSION OF
TIME TO FILE RECORD ON APPEAL**

Appellants request this Honorable Court to dismiss this appeal against Respondents Adele Pope ("Pope") and the Estate of Gloria Corley ("Corley"). In addition, Appellants request an extension of time to prepare and file the Record on Appeal in this matter while the determination is made by the Court as to the designation of non-parties currently listed as respondents.

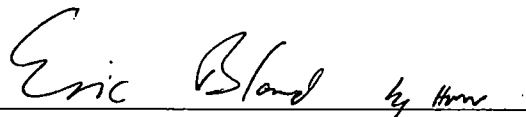
On March 1, 2019 Appellants filed the Notice of Appeal in this matter. Their initial brief and designations were filed on July 15, 2019; Appellants argued issues relevant only to Respondent

Admiral Insurance Company; no issues were raised against Pope or Corley. However, both Pope and Corley filed initial respondents' briefs August 5, 2019.

At that time Appellants filed their initial brief, they should have requested dismissal of non-parties Pope and Corley but failed to do so. On September 25, 2019, Appellants received a letter from the Deputy Clerk of Court's office with instructions regarding the Record on Appeal which included in part the following language..."b. ... Please do not include names of counsel that have not previously made an appearance in this case.". While Pope and Corley have made an appearance in this matter, neither is a respondent as defined by the Rules.

An agent of Appellants' counsel called the Clerk of Court's office on October 2, 2019 and spoke with the case coordinator who was unable to answer the question of how to remove non-party respondents from an appeal. On October 8, 2019, Deputy Clerk Claire Allen advised Appellant's agent that the best approach to this would be to ask for the Court's direction, which is done with this motion.

Wherefore, based on the above, Appellants move to dismiss non-parties Pope and Corley as parties to this appeal and for an extension of time to file the Record on Appeal after that determination is made.

Eric Bland *by Honor*

BLAND RICHTER, LLP
Ronald L. Richter, Jr. (SC Bar No. 66377)
Scott M. Mongillo (SC Bar No. 16574)
Peoples Building
18 Broad Street, Mezzanine
Charleston, South Carolina 29401
843.573.9900 (telephone)
843.573.0200 (facsimile)

ronnie@blandrichter.com

scott@blandrichter.com

Eric S. Bland (SC Bar No. 64132)

1500 Calhoun Street

Post Office Box 72

Columbia, South Carolina 29202

803.256.9664 (telephone)

803.256.3056 (facsimile)

ericbland@blandrichter.com

ATTORNEYS FOR APPELLANT

October 9, 2019

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
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Walton J. McLeod, Circuit Court Judge

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R. Pope, individually and as Special
Administrator of the Estate of Gloria
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Respondents.

CERTIFICATE OF SERVICE

I, Mara Ballard, an employee with Ballard & Watson, Attorneys at Law, do hereby certify that on October 9, 2019, I served a copy of the **Motion to Dismiss Certain Respondents and for Extension of Time to File Record on Appeal** in the above-captioned case on the following individuals by United States Mail, with sufficient first-class postage affixed, addressed as follows:

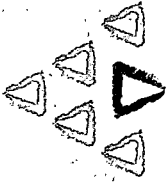
Wesley B. Sawyer, Esquire
Murphy & Grantland, PA
Post Office Box 6648
Columbia South Carolina 29260

Adam T. Silvernail, Esquire
Law Office of Adam T. Silvernail, LLC
PO Box 1898
Columbia SC 29202 1898

Adele J. Pope, Esquire
1228 Walnut Street
Newberry, South Carolina 29108

October 9, 2019
West Columbia, South Carolina


Mara Ballard, Forensic Accountant



Ballard & Watson
Attorneys at Law
PERSISTENT. UNWAVERING.

Desa Ballard
Harvey M. Watson III.

Post Office Box 6338 | West Columbia, SC 29171
226 State Street | West Columbia, SC 29169
ph 803.796.9299 | fx 803.796.1066 | desaballard.com

Via U.S. Mail Only

Honorable Jenny Abbott Kitchings
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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Re: *Desa Ballard PA v Admiral Insurance Company, et. al.*
Case No: 2019-000367

Dear Ms. Kitchings:

Please find enclosed for filing an original and seven (7) copies of a **Motion to Dismiss Certain Respondents and for Extension of Time to File Record on Appeal** in the above referenced matter. Also enclosed is an original and one (1) copy of our Certificate of Service showing service upon all parties of record and our \$50 check for the motion filing fee. Please return one file stamped Motion and Certificate in the enclosed self-addressed stamped envelope for our records.

Thank you in advance for your assistance and that of your staff. If you should have any questions, please let us know. With kindest regards, I am,

Sincerely yours,

Mara T. Ballard, CFE, CMA
Forensic Accountant
mara@desaballard.com

c: Wesley B. Sawyer, Esquire
Adam T. Silvernail, Esquire
Adele J. Pope, Esquire

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BALLARD & WATSON, ATTORNEYS AT LAW
226 STATE STREET
WEST COLUMBIA, SC 29169

TO:
Honorable Jenny Abbott Kitching
South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

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