

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas

Walton J. McLeod, Circuit Court Judge

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Appellate Case No. 2019-000367

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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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SC Court of Appeals

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

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The response by Respondents Pope and Corley overlooks the requirements of the declaratory judgment act that all parties who are to be bound by the declaratory judgment must be made parties to the declaratory judgment action. S.C. Code Section 15-53-80. That does not mean that Pope or Corley were expected to submit initial response briefs to this Court. In fact, as pointed out in the motion to dismiss, Appellant Ballard did not raise any issues relative to Pope or

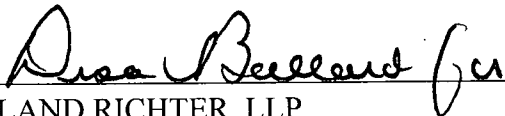
Corley in her initial appellant's brief. Pope and Corley's assertion that their initial respondent's brief was required to correct the "false narrative" is specious.

The issues on appeal here have nothing to do with Pope or Corley and relate solely to the issues were raised against Admiral Insurance. However, both Pope and Corley filed initial respondents' briefs on August 5, 2019, not arguing the legal issues presented by Ballard, but generally whining about the fact that Ballard is litigating this action at all and asserting vitriol generally.

The only true Respondent in this case is Admiral Insurance; Ballard argued errors in the trial court's order as to Admiral, Admiral responded, and those are the issues that are before this Court. Pope and Corley's only obligation is to be parties to the action at the trial level for the final determination of this action.

Ballard acknowledges the confusion caused by the naming of Pope and Corley as Respondents in this appeal, but as explained, they are parties only because they are required to be parties by virtue of the declaratory judgment action. That does not give them license or a forum within which to continue to complain about these proceedings, or to designate matters for inclusion in the Record on Appeal.

Wherefore, based on the above, Appellants again move to dismiss respondents 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.

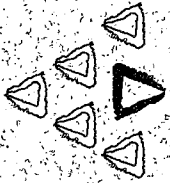
  
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*ATTORNEYS FOR APPELLANT*

October 21, 2019



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October 21, 2019

**VIA HAND DELIVERY**

Jenny Abbott Kitchings  
SC Court of Appeals Clerk of Court  
Calhoun Building  
1220 Senate Street  
Columbia, SC 29201

**RE: Desa Ballard and Desa Ballard P.A., d/b/a Ballard & Watson vs.  
Admiral Insurance Company, et al.  
Case Number: 2018-CP-32-78402**

Dear Ms. Kitchings:

Enclosed herewith for filing please find an original and seven (7) copies of **Reply to Response: Motion to Dismiss Certain Respondents and for Extension of Time to File Record on Appeal.**

By copy of this letter to opposing counsel I am serving the same upon them this date under separate cover.

Thanking you for your assistance in this regard, I am

Sincerely yours,

Mara T. Ballard, CMA, CFE  
Forensic Accountant  
[mara@desaballard.com](mailto:mara@desaballard.com)

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OCT 21 2019

**SC Court of Appeals**

Enclosures

cc: (via Regular U.S. Mail)  
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Adam Tremaine Silvernail, Esquire  
Adele J. Pope, Esquire

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Appellants, SC Court of Appeals

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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 **Reply to Response: 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:

Admiral Insurance Company and Adele  
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October 21, 2019  
West Columbia, South Carolina

  
Mara Ballard, Forensic Accountant