

9/16/56

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Master in Equity

RECEIVED

DEC 18 2019

Charles B. Simmons, Jr., Master in Equity

SC Court of Appeals

Appellate Case No. 2019-001518

Laurel Grove, LLC.....Respondent,

v.

Frances Lee Farmer Sullivan, Marcus Lynn Farmer, Nelson Eugene Farmer, Peaches Shawn Farmer, John Anthony Pelzer, Thomas Farmer, Tara Smith, the Heirs of Kimberly Bean, L'kita Brown, Margaret Lois Brown, Robert Brown and Willie Brown as officers, directors and/or shareholders of the Holy Temple of God Faith Healing Church, The Estate of Lula Mae Knox, Shirley Miller, Norma Williams, Juanita Smith, Evelyn Byrd, James Brown, Norman Smith, Robert Smith, Catherine Stroble, Sharon Brown, the Greenville County Tax Collector, John Doe representing any and all known and unknown heirs of the following individuals who may claim an interest in the Property: Willie R. Brown a/k/a Willie Ruth Brown a/k/a Willie A. Brown a/k/a Willie Lee Farmer Brown a/k/a Willie Lee Wilson, Robert R. Brown a/k/a Robert Russell Brown a/k/a Robert Russell Roland Brown, Mary Elizabeth Farmer Crudup, Nelson Farmer, Donnie Rae Farmer, Richard Earle Farmer, Nazeae Jefferson aka Zeon Jefferson, Annie Ruth Farmer Pelzer, Willie Rufus Farmer, Kimberly Bean, Lula Mae Knox, Theodore Byrd, Michael Jerome Smith, and as Defendants whose names are unknown claiming any right, title estate, interest in, or lien upon the real estate described in the Complaint herein, any known adults, their heirs and assigns and all other persons, firms or corporations entitle to claim under by or through the above-named Defendants, being as a class designated as Richard Roe, and any unknown infants or persons under disability being a class designated as Jane Doe, Defendants.

Of Whom, Juanita Smith, Evelyn Byrd, Shirley Miller and Sharon Brown are the Appellants.

RESPONDENT'S MOTION/MEMORANDUM TO DISMISS APPEAL

The Respondent, Laurel Grove, LLC (“Laurel Grove”), respectfully moves this Court for an Order dismissing this appeal pursuant to Rule 260 of the South Carolina Appellate Court Rules. This Motion is made on grounds that the Appellants do not have standing to bring this appeal because Appellants have no ownership interest in the property which is the subject of this action.

This case concerns the partition of three (3) acres of property located in Greenville County, South Carolina (TMS #: 0550.02-01-003.32) (the “Property”). Respondent, a cotenant of the Property, filed this action in the Court of Common Pleas on or about February 15, 2018, pleading causes of action to wind up an inactive corporation and partition. A copy of Respondent’s Complaint is attached hereto as **Exhibit A**. In the Complaint, Respondent named potential known and unknown heirs of the Estate of Lula Mae Knox (the “Estate”) as Respondent identified the Estate as a cotenant of the Property. The Estate had been preliminarily opened with Spartanburg County in 2014, however no formal probate filings were ever filed and a Personal Representative was never appointed. The Appellants were named in this action as their names were included in some initial documentation and correspondence filed with the Probate Court as potential heirs to the Estate. Prior to resolving the partition, the Court scheduled a hearing related to ownership of the Property as the status of title was complicated and unclear due to the existence of several unprobated estates.

At a hearing on February 6, 2019, the Greenville County Master in Equity heard testimony and reviewed evidence related to ownership of the Property. By Order – Ownership of Property dated February 22, 2019, ownership was confirmed and

established by the Court. The Order – Ownership of Property is attached hereto as **Exhibit B**. Ownership of the Property was established as follows:

A. Plaintiff - 0.375 interest

B. Children of Willie Brown – 0.25 interest (total)

i. Frances Lee Farmer Sullivan – 1/20 interest (0.05)

ii. Marcus Lynn Farmer – 1/40 interest (0.025)

iii. Nelson Eugene Farmer - 1/40 interest (0.025)

iv. Peaches Shawn Farmer - 1/20 interest (0.05)

v. John Anthony Pelzer - 1/20 interest (0.05)

vi. Thomas Farmer - 1/40 interest (0.025)

vii. Tara Smith – 1/40 interest (0.025)

C. The Estate of Lula Mae Knox - 0.375 interest

Appellants, nor any other Defendant, appealed the Order – Ownership of Property or filed any other post-hearing motion concerning the same.

Thereafter, another hearing was held on or about July 29, 2019 to determine the value of the Property and to finalize the partition. The parties had been unable to agree to a value at a March 19, 2019 hearing, so a court appointed appraiser was identified to appear at the July hearing.

The final Order in this case was entered by the Court on or about August 9, 2019. A copy is attached hereto as **Exhibit C**. This is the Order Appellants have appealed. In this final Order, pursuant to S.C. Code 15-61-360, the Court held in summary, the following: (i) that the value of the Property was \$100,000.00; (ii) that the parties should share in the cost of the court-appointed appraiser; (iii) that pursuant to 15-61-370 and 15-61-380, no cotenant has offered to buy out some of all of the interested of the others in the parcel; (iv) that ownership of the un-probated estate of Lula Max Knox is unknown; (v) that the Court considered the factors in 15-61-390 and an in-kind division would

result in manifest injury to the cotenants as a group; (vi) that the Court will allow the parties 30 days to agree upon a realtor to list the Property for sale pursuant to 15-61-400; and (vii) that the Court finds no factual or legal basis for Ms. Brown's request that the Court recuse itself and therefore the request is denied.

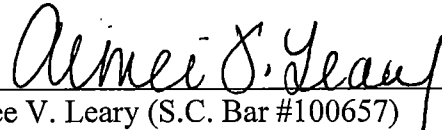
By this Order, it is undisputed that ownership in the Estate of Lula Mae Knox is unknown and undetermined. By the Order – Ownership of Property, it is undisputed that Appellants have no other ownership interest in the Property. It is therefore undisputed that this appeal was filed by potential heirs to an unprobated Estate, less than ten (10) years old, without any cotenant status in the Property.

Appellants do not have any interest in the Property and further have no authority to act or appear on behalf of the Estate of Lula Mae Knox. The statute governing partitions in South Carolina administers the rights and interests of joint tenants and tenants in common only. The remedy of partition is provided in S.C. Code Ann § 15-61-10.

(A) All joint tenants and tenants in common who hold, jointly or in common, for a term of life or years or of whom one has an estate for a term of life or years with the other that has an estate of inheritance or freehold in any lands, tenements or hereditaments shall be compellable to make severance and partition of all such lands, tenements and hereditaments. Id.

Appellants do not have standing to bring this appeal as a non-owner lacks standing to compel or defend a partition action to real property in South Carolina. For the reasons stated herein, Respondent respectfully requests immediate involuntary dismissal of the appeal.

Respectfully submitted,

A handwritten signature in cursive script that reads "Aimee V. Leary". The signature is written in black ink and is positioned above a horizontal line.

Aimee V. Leary (S.C. Bar #100657)
Fox Rothschild LLP
2 West Washington Street, Suite 1100
Greenville, SC 29601
aleary@foxrothschild.com
864-751-7624
Attorney for Respondent Laurel Grove, LLC

December 11, 2019

EXHIBIT A

ELECTRONICALLY FILED - 2018 Feb 15 9:11 AM - GREENVILLE - COMMON PLEAS - CASE#2018CP2300883

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)
)
Laurel Grove, LLC,)
)
Plaintiff,)
)
v.)

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT
Case No. 2018-CP-23-_____.

SUMMONS

Frances Lee Farmer Sullivan, Marcus Lynn)
Farmer, Nelson Eugene Farmer, Peaches)
Shawn Farmer, John Anthony Pelzer,)
Thomas Farmer, Tara Smith, the Heirs of)
Kimberly Bean, L'kita Brown, Margaret)
Lois Brown, Robert Brown and Willie)
Brown as officers, directors and/or)
shareholders of the Holy Temple of God)
Faith Healing Church, The Estate of Lula)
Mae Knox, Shirley Miller, Norma)
Williams, Juanita Smith, Evelyn Byrd,)
James Brown, Norman Smith, Robert)
Smith, Catherine Stroble, Sharon Brown,)
the Greenville County Tax Collector, John)
Doe representing any and all known and)
unknown heirs of the following individuals)
who may claim an interest in the Property:)
Willie R. Brown a/k/a Willie Ruth Brown)
a/k/a Willie A. Brown a/k/a Willie Lee)
Farmer Brown a/k/a Willie Lee Wilson,)
Robert R. Brown a/k/a Robert Russell)
Brown a/k/a Robert Russell Roland Brown,)
Mary Elizabeth Farmer Crudup, Nelson)
Farmer, Donnie Rae Farmer, Richard Earle)
Farmer, Nazeae Jefferson aka Zeon)
Jefferson, Annie Ruth Farmer Pelzer, Willie)
Rufus Farmer, Kimberly Bean, Lula Mae)
Knox, Theodore Byrd, Michael Jerome)
Smith, and as Defendants whose names are)
unknown claiming any right, title estate,)
interest in, or lien upon the real estate)
described in the Complaint herein, any)
known adults, their heirs and assigns and all)
other persons, firms or corporations entitle)
to claim under by or through the above-)
named Defendants, being as a class)

designated as Richard Roe, and any)
unknown infants or persons under disability)
being a class designated as Jane Doe.)
)
Defendants.)
_____)

TO THE DEFENDANTS ABOVE-NAMED:

You are hereby summoned and required to Respond to the Complaint in this action, a copy of which is herewith served upon you, and to serve a copy of your Answer to the Complaint, upon the subscriber at 103-C Regency Commons Drive Greer, South Carolina 29650 within thirty (30) days after service hereof, exclusive of the day of service. If you fail to answer the Complaint within that time, the Plaintiff(s) will apply to the court for the relief demanded in the Complaint and a Judgment by Default will be rendered against you for the relief demanded in the Complaint.

TO INFANT(S) OVER FOURTEEN YEARS OF AGE (AN IMPRISONED PERSON):

You are further summoned and notified to apply for the appointment of a guardian ad litem to represent you in this action within thirty (30) days after the service of this Summons and Notice upon you. If you fail to do so, application for such appointment will be made by the Plaintiff(s) herein.

TO INFANT(S) UNDER FOURTEEN YEARS OF AGE (INCOMPETENT OR INSANE AND TO GENERAL OR TESTAMENTARY GUARDIAN):

You are further summoned and notified to apply for the appointment of a guardian ad litem to represent such infant(s) under fourteen years of age (said incompetent or insane) person within thirty (30) days after the service of this Summons and Notice upon you. If you fail to do so, application for such appointment will be made by the Plaintiff(s) herein.

Respectfully submitted,

/s/ Aimee V. Leary

Wendell L. Hawkins (S.C. Bar #: 13583)

Aimee V. Leary (S.C. Bar # 100657)

Wendell L. Hawkins, PA

103-C Regency Commons Drive

Greer, South Carolina 29650

(864) 848-9370 (Ph) (864) 848-9759 (Fax)

wlh@wlhawkinslawfirm.com

avl@wlhawkinslawfirm.com

Attorneys for Plaintiff

February 15, 2018
Greer, South Carolina

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS

COUNTY OF GREENVILLE)

THIRTEENTH JUDICIAL CIRCUIT

Laurel Grove, LLC,)

Case No. 2018-CP-23-_____.

Plaintiff,)

v.)

**COMPLAINT
(Partition with Judicial Sale)
(Non-Jury)**

Frances Lee Farmer Sullivan, Marcus Lynn)
Farmer, Nelson Eugene Farmer, Peaches)
Shawn Farmer, John Anthony Pelzer,)
Thomas Farmer, Tara Smith, the Heirs of)
Kimberly Bean, L'kita Brown, Margaret)
Lois Brown, Robert Brown and Willie)
Brown as officers, directors and/or)
shareholders of the Holy Temple of God)
Faith Healing Church, The Estate of Lula)
Mae Knox, Shirley Miller, Norma)
Williams, Juanita Smith, Evelyn Byrd,)
James Brown, Norman Smith, Robert)
Smith, Catherine Stroble, Sharon Brown,)
the Greenville County Tax Collector, John)
Doe representing any and all known and)
unknown heirs of the following individuals)
who may claim an interest in the Property:)
Willie R. Brown a/k/a Willie Ruth Brown)
a/k/a Willie A. Brown a/k/a Willie Lee)
Farmer Brown a/k/a Willie Lee Wilson,)
Robert R. Brown a/k/a Robert Russell)
Brown a/k/a Robert Russell Roland Brown,)
Mary Elizabeth Farmer Crudup, Nelson)
Farmer, Donnie Rae Farmer, Richard Earle)
Farmer, Nazeae Jefferson aka Zeon)
Jefferson, Annie Ruth Farmer Pelzer, Willie)
Rufus Farmer, Kimberly Bean, Lula Mae)
Knox, Theodore Byrd, Michael Jerome)
Smith, and as Defendants whose names are)
unknown claiming any right, title estate,)
interest in, or lien upon the real estate)
described in the Complaint herein, any)
known adults, their heirs and assigns and all)
other persons, firms or corporations entitle)
to claim under by or through the above-)
named Defendants, being as a class)

designated as Richard Roe, and any)
unknown infants or persons under disability)
being a class designated as Jane Doe.)
)
Defendants.)
_____)
)

Plaintiff, Laurel Grove, LLC, complaining of the herein captioned Defendants would respectfully show unto this court the following:

1. Plaintiff, Laurel Grove, LLC, is a South Carolina limited liability company doing business in Greenville County, South Carolina.

2. Upon information and belief, Defendant Willie R. Brown a/k/a Willie Ruth Brown a/k/a Willie A. Brown a/k/a Willie Lee Farmer Brown a/k/a Willie Lee Wilson (hereinafter "Willie Brown"), died intestate on or about August 13, 1995; her estate was never probated.

3. Upon information and belief, Defendant, Robert R. Brown a/k/a Robert Russell Brown a/k/a Robert Russell Roland Brown (hereinafter "Robert Brown") died intestate on or about March 9, 1998 (Case No.: 2001-ES-23-01542).

4. Upon information and belief, Defendant, Holy Temple of God Faith Healing Church (hereinafter "Holy Temple") is a nonprofit corporation incorporated on January 31, 1984. Upon information and belief, the officers and/or directors of the corporation are Robert Brown and Willie Brown. No additional filings have been made with the South Carolina Secretary of State.

5. The subject property is located in Greenville County, South Carolina and is described herein as follows:

All that piece, parcel and tract of land situate, lying and being in the County of Greenville, State of South Carolina and being shown on a Plat for Hannah Mae Latta Gray dated January 13, 1989 prepared by C.O. Riddle Surveying Company and being designated on said plat as "3.00 acres" and having according to said plat, the following metes and bounds, to-wit:

Beginning at an iron pin on the joint corner of the subject property and the property (now or formerly) of Grady D. Neely and the property (now or formerly) of Elford and Leonard Thompson, and running thence with the line of the said Neely property, N. 4-52 E. 330.82 feet to an iron pin, joint corner with property of Etta T. Able; thence with the line of said Able property, N. 44-50 E. 414.70 feet to an iron pin, joint corner of the property of the grantor designated on the said plat as "Hannah Mae Gray 3.86 acres"; thence running with the line of said property, S. 47-22 E. 256.3 feet to an iron pin on the line of property now or formerly of Elford and Leonard Thompson; thence with the line of said Thompson property, S. 48-31 W. 679.47 feet to the point of beginning.

TMS #: 0550.02-01-003.32 (hereinafter the "Property").

6. The Property was conveyed to Willie L. Brown (Willie Brown) (1/3 interest), Robert R. Brown (Robert Brown) (1/3 interest) and Holy Temple of God Faith Healing Church (Holy Temple) (1/3 interest) by deed of Hannah Mae Latta Gray dated February 3, 1989 and recorded on February 7, 1989 in the Office of the Register of Deeds for Greenville County, South Carolina in Deed Book 1352 at Page 309.

7. Upon information and belief, Willie Brown and Robert Brown were equal shareholders of Holy Temple's 1/3 interest in the Property.

8. Upon information and belief, Willie Brown and Robert Brown were married in Greenville County on September 2, 1969.

9. Upon information and belief, upon her death, Willie Brown was survived by her husband, Robert Brown, as well as several children whom all preceded her marriage to Robert Brown. Willie Brown and Robert Brown never had any children together. Wherefore, Willie Brown's interest in the Property (1/3 interest + 1/2 interest in Holy Temple's 1/3 interest) passed 1/2 to her husband and 1/2 to her children.

10. Upon information and belief, known children of Willie Brown are as follows:

- A. Frances Lee Farmer Sullivan (citizen and resident of Greenville County, South Carolina);

- B. Mary Elizabeth Farmer Crudup (died June of 1989);
 - i. Upon information and belief, Mary never had children.
- C. Nelson Farmer (died March 2011: 2014-ES-23-00136);
 - i. Upon information and belief, at the time of his death, Nelson had two children, Marcus Lynn Farmer and Nelson Eugene Framer.
- D. Donnie Rae Farmer (died February 17, 1991: 1991-ES-23-01376);
 - i. Upon information and belief, at the time of his death, Donnie had one daughter, Peaches Shawn Farmer.
- E. Richard Earle Farmer (died January 2008: 2008-ES-23-01100);
 - i. Upon information and belief, Richard had one son, Nazeae Jefferson aka Zeon Jefferson who passed away in 2008 and never had children.
- F. Annie Ruth Farmer Pelzer (died February 1991); and
 - i. Upon information and belief, at the time of his death, Annie had one child, John Anthony Pelzer.
- G. Willie Rufus Farmer (died April 14, 1995: 1995-ES-23-01201).
 - i. Upon information and belief, at the time of his death, Willie had three children, Thomas Farmer, Tara Smith and Kimberly Bean. Kimberly Bean is passed away (probate status unknown) and it is unknown whether she had any children at the time of her death.

See Willie Brown's Family Tree attached hereto as Exhibit A.

11. Upon information and belief, Robert Brown was survived by a daughter, Lula Mae Knox (who is deceased), and a son, Robert Lee Brown (hereinafter "Robert Brown II") (who is

deceased). Both children predated his marriage to Willie Brown. Wherefore, his 75% interest in the Property (1/6 from Willie Brown, 1/3 from vesting Deed, 1/6 from his interest in Holy Temple and 1/12 from Willie Brown's interest in Holy Temple) passed 1/2 to Lula Mae Knox (0.375 total interest) and 1/2 to Robert Brown II (0.375 total interest). See Robert Brown's Family Tree attached hereto as **Exhibit B**.

12. Upon information and belief, Lula Mae Knox passed away on March 3, 2011. The Estate of Lula Mae Knox is pending in Spartanburg County, South Carolina (Case No.: 2014-ES-42-01854). A copy of a Will of Lula Mae Knox has been filed but not formally admitted. A Personal Representative has not been appointed to date and the Estate file has remained inactive since 2015.

13. Upon information and belief, the Will of Lula Mae Knox filed with Spartanburg County Probate provides that her granddaughter Sharon Brown is to inherit the "rest, residue and remainder" of her estate. The Property is not specifically identified in the Will.

14. Upon information and belief, the heirs of Lula Mae Knox are as follows:

- A. Shirley Miller – daughter
- B. Norma Williams – daughter
- C. Juanita Smith – daughter
- D. Evelyn Byrd – daughter
- E. James Brown – son
- F. Norman Smith – son
- G. Robert Smith – son
- H. Catherine Stroble – daughter
- I. Theodore Byrd – deceased son (predeceased Lula Mae Knox)

J. Michael Jerome Smith – deceased son (predeceased Lula Mae Knox)

15. Upon information and belief, Robert Brown II was married to Margaret Harrison Brown and they had one child together, Robert Brown III. Both Margaret Harrison Brown and Robert Brown III predeceased Robert Brown II.

16. Upon information and belief, at the time of his death, Robert Brown III had a daughter, L'kita Brown.

17. Upon information and belief, at the time of his death, Robert Brown II was married to Margaret Lois Brown.

18. Upon information and belief, Robert Brown II passed away on or about December 20, 2004; his estate was never probated. Upon his death, Margaret Lois Brown and L'kita Brown inherited a 0.375 interest in the Property which was evenly split between them.

19. Plaintiff is informed and believes that any unknown heirs of the herein named Defendants should be named as Defendants and served by publication in a newspaper of general circulation in Greenville and Spartanburg Counties, South Carolina.

20. Plaintiff is informed and believes that a Guardian Ad Litem should be appointed by the Court to represent the unknown heirs and any unknown who may be minors or under a disability.

21. Upon information and belief, the Defendant, Greenville County Tax Collector, is a governmental or political subdivision and may have an interest in the real property due to unpaid property taxes for the tax years 2009 and 2017 as well as any other taxes or assessments which may be duly owed.

22. Plaintiff obtained its 0.375 fee simple interest in the property by way of Quit Claim Deed by Margaret Lois Brown (by L'kita Brown, her attorney in fact) dated January 18, 2018 and

recorded on January 23, 2018 in the Greenville County Register of Deeds Office in Deed Book 2530 at Page 1323 and Quit Claim Deed by L’kita Brown dated January 18, 2018 and recorded on January 23, 2018 in the Greenville County Register of Deeds Office in Deed Book 2530 at Page 1312.

23. L’kita Brown and Margaret Lois Brown are named as Defendants in order to extinguish any interest they may have in the Property.

24. The Plaintiff and Defendants are tenants in common in the Property with their ownership interests as follows:

- A. Plaintiff - 0.375 interest
- B. Children of Willie Brown – 1/4 interest (total)
 - i. Frances Lee Farmer Sullivan – 1/20 interest
 - ii. Marcus Lynn Farmer – 1/40 interest
 - iii. Nelson Eugene Farmer - 1/40 interest
 - iv. Peaches Shawn Farmer - 1/20 interest
 - v. John Anthony Pelzer - 1/20 interest
 - vi. Thomas Farmer - 1/60 interest
 - vii. Tara Smith – 1/60 interest
 - viii. Unknown children of Kimberly Bean (if any) – 1/60 interest

C. The Estate of Lula Mae Knox - 0.375 interest

25. Upon information and belief, the property is an unimproved and landlocked lot.

26. This Court has jurisdiction over the parties and subject matter of this action. Venue is appropriate in this action by virtue of S.C. Code Ann. § 15-7-10.

FOR A FIRST CAUSE OF ACTION
(Winding up the Corporation)

27. Plaintiff herein restates and re-alleges the prior allegations of this complaint as if contained herein verbatim.

28. Plaintiff alleges, upon information and belief, that Holy Temple is a South Carolina nonprofit corporation.

29. Upon information and belief, the only known directors, officers, shareholders and/or class of owners for Holy Temple are Willie Brown and Robert Brown, who are both deceased.

30. Plaintiff, alleges, that Holy Temple has a one third (1/3) interest in the Property.

31. Plaintiff, alleges, that through its acquisition of title by way of the heirs of Robert Brown (Margaret Lois Brown and L'kita Brown), Plaintiff now has a vested interest in Holy Temple.

32. For the reasons stated herein, pursuant to S.C. Code § 33-31-1430, Plaintiff prays that the Court judicially dissolve Holy Temple as the only known directors, officers, shareholders and/or class of owners are deceased and the business of Holy Temple (if any) has been abandoned.

33. Plaintiff further prays that the heirs, successors and/or assigns of Willie Brown and Robert Brown succeed in ownership to the Property pursuant to Holy Temple's one-third (1/3) interest in the same according to their respective interests in the estates.

FOR A SECOND CAUSE OF ACTION
(Partition)

34. Plaintiff herein restates and re-alleges the prior allegations of this Complaint as if contained herein verbatim.

35. Plaintiff is informed and believes that this partition action is governed by and is subject to the Clementa C. Pinckney Uniform Partition of Heirs' Property Act of 2016, S.C. Code § 15-61-310, *et seq.* (hereinafter the "Act").

36. Plaintiff is informed and believes that the Property is incapable of division in kind or by allotment among the owners without resulting in manifest prejudice or manifest injury to the

owners as a group, and therefore, the Plaintiff is entitled to a partition of the Property by sale pursuant to the Act.

37. Plaintiff is informed and believes that the court should dispense with the using of a writ of partition because it would involve an unnecessary expense to issue such writ.

38. For the herein stated reasons, Plaintiff prays this court order a partition of the Property and order sale of the Property pursuant to the Act distributing the proceeds according to the respective ownership interests of the Plaintiff and Defendants, as described and identified herein, along with attorney's fees and costs of this action to be allocated amongst the parties hereto according to their respective interests.

WHEREFORE, for the reasons set forth above, Plaintiff prays as follows:

1. For an Order dissolving the Holy Temple corporation with interest in the corporation to be distributed to the heirs at law and/or successors in interest of Willie and Robert Brown, as described and identified herein;
2. For a judicial sale partitioning the Property pursuant to the Act;
3. For an award of attorney's fees and costs associated with this action to be allocated amongst the respective Property owners' interests to be paid from the proceeds of the judicial sale;
4. For the proceeds from the ownership interest of Lula Mae Knox to be paid to the Estate of Lula Mae Knox;
5. For an appointment of a Guardian Ad Litem to protect the interests of unknown parties, if any; and
6. For such other and further relief as this Court may deem just and proper.

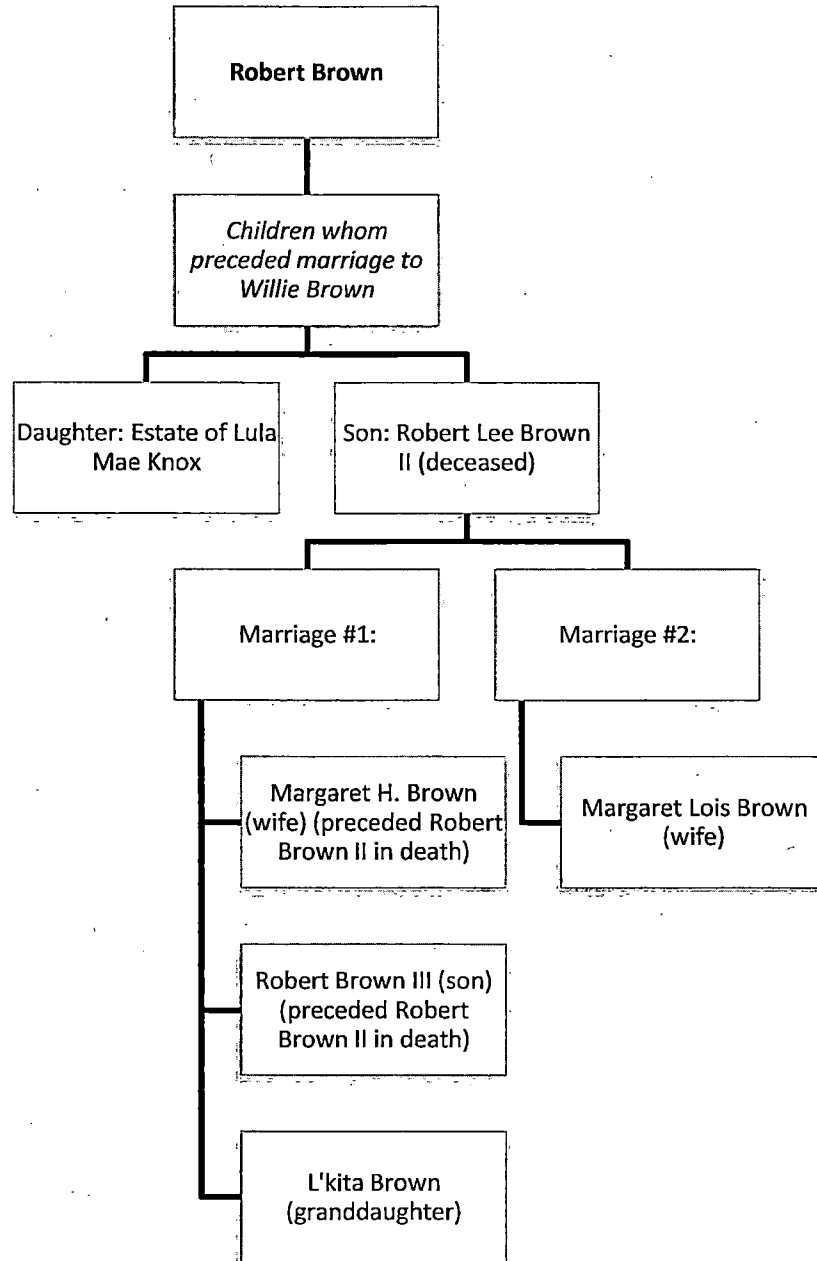
Respectfully submitted,

/s/ Aimee V. Leary

Wendell L. Hawkins (S.C. Bar #: 13583)
Aimee V. Leary (S.C. Bar # 100657)
Wendell L. Hawkins, PA
103-C Regency Commons Drive
Greer, South Carolina 29650
(864) 848-9370 (Ph) (864) 848-9759 (Fax)
wlh@wlhawkinslawfirm.com
avl@wlhawkinslawfirm.com
Attorneys for Plaintiff

February 15, 2018
Greer, South Carolina

ROBERT BROWN FAMILY TREE (EXHIBIT B)



WILLIE BROWN FAMILY TREE (EXHIBIT A)

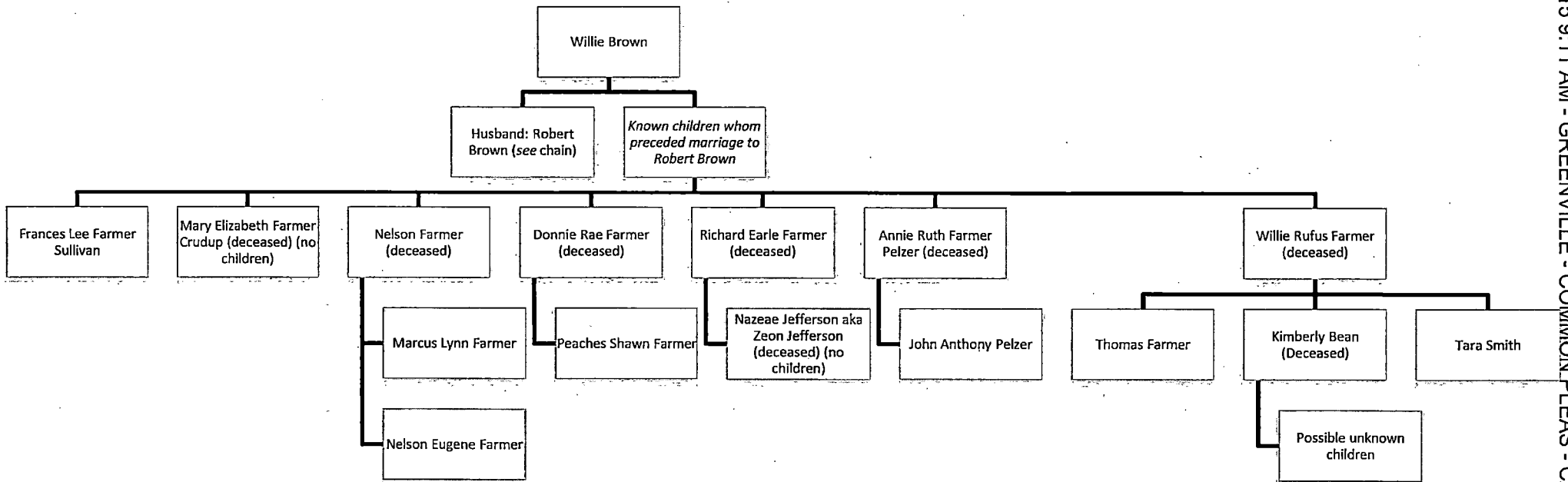


EXHIBIT B

ELECTRONICALLY FILED - 2019 Feb 22 10:03 AM - GREENVILLE - COMMON PLEAS - CASE#2018CP2300883

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)
)
Laurel Grove, LLC,)
)
Plaintiff,)

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

Case No. 2018-CP-23-00883

v.)

**ORDER –
OWNERSHIP OF PROPERTY**

Frances Lee Farmer Sullivan, Marcus Lynn)
Farmer, Nelson Eugene Farmer, Peaches)
Shawn Farmer, John Anthony Pelzer,)
Thomas Farmer, Tara Smith, the Heirs of)
Kimberly Bean, L’kita Brown, Margaret)
Lois Brown, Robert Brown and Willie)
Brown as officers, directors and/or)
shareholders of the Holy Temple of God)
Faith Healing Church, The Estate of Lula)
Mae Knox, Shirley Miller, Norma Williams,)
Juanita Smith, Evelyn Byrd, James Brown,)
Norman Smith, Robert Smith, Catherine)
Stroble, Sharon Brown, the Greenville)
County Tax Collector, John Doe)
representing any and all known and)
unknown heirs of the following individuals)
who may claim an interest in the Property:)
Willie R. Brown a/k/a Willie Ruth Brown)
a/k/a Willie A. Brown a/k/a Willie Lee)
Farmer Brown a/k/a Willie Lee Wilson,)
Robert R. Brown a/k/a Robert Russell)
Brown a/k/a Robert Russell Roland Brown,)
Mary Elizabeth Farmer Crudup, Nelson)
Farmer, Donnie Rae Farmer, Richard Earle)
Farmer, Nazeae Jefferson aka Zeon)
Jefferson, Annie Ruth Farmer Pelzer, Willie)
Rufus Farmer, Kimberly Bean, Lula Mae)
Knox, Theodore Byrd, Michael Jerome)
Smith, and as Defendants whose names are)
unknown claiming any right, title estate,)
interest in, or lien upon the real estate)
described in the Complaint herein, any)
known adults, their heirs and assigns and all)
other persons, firms or corporations entitle)
to claim under by or through the above-)
named Defendants, being as a class)

designated as Richard Roe, and any)
unknown infants or persons under disability)
being a class designated as Jane Doe.)
)
Defendants.)

This matter came before the Court in order to determine ownership of the real property which is the subject of the above captioned matter prior to addressing the Partition which remains pending.

A hearing on this matter was held on February 6, 2019 at 9:00 a.m. Present at the hearing was Aimee V. Leary, Esq., attorney for the Plaintiff, Megan Goodwin Burke, Esq., Guardian Ad Litem, Jeffrey D. Wile, attorney for Greenville County, and the following Defendants: Norma Williams, Frances Sullivan, Shirley Miller, Peaches Farmer, Margaret Brown, Tyron Brown, L’Kita Brown, Norman Smith and Alfred Williams, all *pro se* Defendants.

Having reviewed the exhibits, pleadings and having heard testimony and reviewing the evidence submitted by Plaintiff, the Guardian Ad Litem and the Defendants present at the hearing, this Honorable Court finds as follows:

1. Plaintiff, Laurel Grove, LLC (hereinafter "Plaintiff"), filed a Summons, Complaint and Lis Pendens on or about February 15, 2018 seeking a decree from the Court to Partition the real property which is the subject of action.
2. The subject property is located in Greenville County, South Carolina and is described herein as follows:

All that piece, parcel and tract of land situate, lying and being in the County of Greenville, State of South Carolina and being shown on a Plat for Hannah Mae Latta Gray dated January 13, 1989 prepared by C.O. Riddle Surveying Company and being designated on said plat as "3.00 acres" acres and having according to said plat, the following metes and bounds, to-wit:

Beginning at an iron pin on the joint corner of the subject property and the property (now or formerly) of Grady D. Neely and the property (now or formerly)

of Elford and Leonard Thompson, and running thence with the line of the said Neely property, N. 4-52 E. 330.82 feet to an iron pin, joint corner with property of Etta T. Able; thence with the line of said Able property, N. 44-50 E. 414.70 feet to an iron pin, joint corner of the property of the grantor designated on the said plat as "Hannah Mae Gray 3.86 acres"; thence running with the line of said property, S. 47-22 E. 256.3 feet to an iron pin on the line of property now or formerly of Elford and Leonard Thompson; thence with the line of said Thompson property, S. 48-31 W. 679.47 feet to the point of beginning.

TMS #: 0550.02-01-003.32 (hereinafter the "Property").

3. The Property was conveyed to Willie L. Brown (Willie Brown) (1/3 interest), Robert R. Brown (Robert Brown) (1/3 interest) and Holy Temple of God Faith Healing Church (Holy Temple) (1/3 interest) by deed of Hannah Mae Latta Gray dated February 3, 1989 and recorded on February 7, 1989 in the Office of the Register of Deeds for Greenville County, South Carolina in Deed Book 1352 at Page 309. Holy Temple is no longer an active entity, organization or group.

4. Willie Brown and Robert Brown were also equal shareholders of Holy Temple's 1/3 interest in the Property.

5. Willie Brown and Robert Brown were married in Greenville County on September 2, 1969.

6. Upon her death, Willie Brown was survived by her husband, Robert Brown, as well as several children whom all preceded her marriage to Robert Brown. Willie Brown and Robert Brown never had any children together. Wherefore, Willie Brown's interest in the Property (1/3 interest + 1/2 interest in Holy Temple's 1/3 interest) passed 1/2 to her surviving husband and 1/2 to her children.

7. The children of Willie Brown are as follows:

- A. Frances Lee Farmer Sullivan (citizen and resident of Greenville County, South Carolina);

- B. Mary Elizabeth Farmer Crudup (died June of 1989);
 - i. Mary Crudup never had children.
- C. Nelson Farmer (died March 2011: 2014-ES-23-00136);
 - i. At the time of his death, Nelson had two children, Marcus Lynn Farmer and Nelson Eugene Framer.
- D. Donnie Rae Farmer (died February 17, 1991: 1991-ES-23-01376);
 - i. At the time of his death, Donnie had one daughter, Peaches Shawn Farmer.
- E. Richard Earle Farmer (died January 2008: 2008-ES-23-01100);
 - i. Richard had one son, Nazeae Jefferson aka Zeon Jefferson who passed away in 2008 without children.
- F. Annie Ruth Farmer Pelzer (died February 1991); and
 - i. At the time of his death, Annie had one child, John Anthony Pelzer.
- G. Willie Rufus Farmer (died April 14, 1995: 1995-ES-23-01201).
 - i. At the time of his death, Willie had three children, Thomas Farmer, Tara Smith and Kimberly Bean. Kimberly Bean passed away (probate status unknown) and never had any children.

8. Robert Brown was survived by a daughter, Lula Mae Knox (who is deceased), and a son, Robert Lee Brown (hereinafter "Robert Brown II") (who is deceased). Both children predated his marriage to Willie Brown. Therefore, his 75% interest in the Property (1/6 from Willie Brown, 1/3 from vesting Deed, 1/6 from his interest in Holy Temple and 1/12 from Willie

Brown's interest in Holy Temple) passed 1/2 to Lula Mae Knox (0.375 total interest) and 1/2 to Robert Brown II (0.375 total interest).

9. Lula Mae Knox died on March 3, 2011. The Estate of Lula Mae Knox is pending in Spartanburg County, South Carolina (Case No.: 2014-ES-42-01854). The Estate file has been inactive since 2015.

10. Robert Brown II was married to Margaret Harrison Brown and they had one child together, Robert Brown III. Both Margaret Harrison Brown and Robert Brown III predeceased Robert Brown II.

11. At the time of his death, Robert Brown III had a daughter, L'kita Brown.

12. At the time of his death, Robert Brown II was married to Margaret Lois Brown.

13. Robert Brown II died on or about December 20, 2004; his estate was never probated. Upon his death, Margaret Lois Brown and L'kita Brown inherited a 0.375 interest in the Property which was evenly split between them.

14. The below named Defendants were served on the identified dates by personal service with the Summons, Complaint and Lis Pendens. Affidavits of Service were previously filed with the Court.

- A. Frances Lee Farmer Sullivan: March 15, 2018
- B. Marcus Lynn Farmer: February 25, 2018
- C. Nelson Eugene Farmer: March 14, 2018
- D. Peaches Shawn Farmer: March 22, 2018
- E. John Anthony Pelzer: February 22, 2018
- F. Thomas Demtrise Farmer: February 17, 2018
- G. Tara Smith: February 22, 2018

- H. Shirley Miller: February 19, 2018
- I. Norma Williams: February 19, 2019
- J. Juanita Smith: February 19, 2018
- K. James Brown: February 20, 2018
- L. Norman Smith: February 19, 2018
- M. Sharon Brown: February 20, 2018
- N. Catherine Stroble: March 9, 2018

15. Evelyn Byrd was served by way of an Acceptance of Service dated February 23, 2018. A copy of the same was previously filed with the Clerk of Court.

16. L’Kita Brown and Margaret Lois Brown were served by way of Acceptances of Service dated February 23, 2018. Copies of the same were previously filed with the Clerk of Court.

17. The Greenville County Tax Collector was served by way of an Acceptance of Service dated February 15, 2018. A copy of the same was previously filed with the Clerk of Court.

18. Plaintiff petitioned the Court for an Order allowing service by publication as to the Defendants, Willie R. Brown a/k/a Willie Ruth Brown a/k/a Willie A. Brown a/k/a Willie Lee Farmer Brown a/k/a Willie Lee Wilson, Robert R. Brown a/k/a Robert Russell Brown a/k/a Robert Russell Roland Brown, Mary Elizabeth Farmer Crudup, Nelson Farmer, Donnie Rae Farmer, Richard Earle Farmer, Nazea Jefferson aka Zeon Jefferson, Annie Ruth Farmer Pelzer, Willie Rufus Farmer, Kimberly Bean, Lula Mae Knox, Theodore Byrd, Michael Jerome Smith, and any Defendants whose names are unknown claiming any right, title estate, interest in, or lien upon the real estate described in the Complaint herein, any known adults, their heirs and assigns

and all other persons, firms or corporations entitle to claim under by or through the above-named Defendants, being as a class designated as Richard Roe, and any unknown infants or persons under disability being a class designated as Jane Doe (hereinafter the "Unknown Defendants").

19. An Order for Publication was entered on or about March 25, 2018.

20. Service on all Unknown Defendants was made by publication for three (3) consecutive weeks in The Greenville News and the Spartan Weekly News as evidenced by the Publishers' Affidavits filed with the Clerk of Court on April 24, 2018.

21. The Greenville County Tax Collector filed an Answer on February 19, 2018.

22. An Answer was filed on April 6, 2018 by Richard W. Vieth on behalf of the following Defendants: Frances Lee Farmer Sullivan, Marcus Lynn Farmer, Nelson Eugene Farmer, Peaches Shawn Farmer, John Anthony Pelzer, Thomas Farmer, Tara Smith, Shirley Miller, Norma Williams, Juanita Smith, Evelyn Byrd, James Brown, Norman Smith, Robert Smith, Catherine Stroble, and Sharon Brown. Vieth was subsequently relieved as counsel by way of an Order dated December 3, 2018.

23. Catherine Stroble entered a pro se Answer which was filed on April 12, 2018.

24. The following Defendants are currently in default as evidenced by the Affidavit of Default filed with the Court on May 21, 2018:

- A. Robert Brown and Willie Brown as officers, directors and/or shareholders of the Holy Temple of God Faith Healing Church;
- B. L'kita Brown;
- C. Margaret Lois Brown; and
- D. The Unknown Defendants.

25. A Consent Order for the Appointment of Guardian Ad Litem was entered on or about June 26, 2018 appointing Megan Goodwin Burke, Esq. to serve as Guardian Ad Litem as to all unknown persons who claim to have any right, title or interest in the subject property.

26. Defendants were notified of the time, date and place of the hearing in the matter greater than ten (10) days of the date of this hearing by the Notice of Hearing sent by the Court via U.S. Mail on November 27, 2018.

27. That at a hearing held on February 6, 2019, ownership of the Property as plead in the Complaint was presented by the Plaintiff and was consented to by the Defendants present.

28. Any potential interest in the Property by any Unknown Defendants was eliminated through testimony presented by the appearing Defendants and the Guardian Ad Litem.

29. That with consent of all parties present, the Holy Temple of God Faith Healing Church was judicially dissolved and Holy Temple's one-third (1/3) interest in the Property transferred one-half (1/2) to Willie Brown and one-half (1/2) to Robert Brown.

30. Wherefore, Plaintiff is entitled to an order declaring that ownership of the Property is as follows:

- A. Plaintiff - 0.375 interest
- B. Children of Willie Brown – 0.25 interest (total)
 - i. Frances Lee Farmer Sullivan – 1/20 interest (0.05 percent)
 - ii. Marcus Lynn Farmer – 1/40 interest (0.025 percent)
 - iii. Nelson Eugene Farmer - 1/40 interest (0.025 percent)
 - iv. Peaches Shawn Farmer - 1/20 interest (0.05 percent)
 - v. John Anthony Pelzer - 1/20 interest (0.05 percent)
 - vi. Thomas Farmer - 1/40 interest (0.025 percent)
 - vii. Tara Smith – 1/40 interest (0.025 percent)
- C. The Estate of Lula Mae Knox - 0.375 interest

31. Moreover, that Plaintiff is entitled to an order declaring that title to the Property is free and clear of any and all adverse interests, encumbrances and other claims by any Defendants and Unknown Defendants not identified in Paragraph 30, subject to any and all rights as plead by the Greenville County Tax Collector.

32. The Court advised all appearing Defendants of the nature of the lawsuit and their right to seek distribution, division or sale of the property. The Court further strongly recommended to them again to retain legal counsel for the remaining issues.

IT IS THEREFORE ORDERED, DECREED AND ADJUDGED, that ownership to the above referenced Property as described in Paragraph 30 above is confirmed, which is incorporated herein by reference, that the Property is free and clear of any and all adverse interests, encumbrances and other claims by the Defendants and Unknown Defendants and that ownership of the Property as identified in Paragraph 30 above is vested with 100% fee simple title, subject to any and all rights claimed by the Greenville County Tax Collector's Office.

AND IT IS SO ORDERED.

JUDGE'S SIGNATURE PAGE TO FOLLOW



Greenville Common Pleas

Case Caption: Laurel Grove LLC vs. Frances Lee Farmer Sullivan , defendant, et al
Case Number: 2018CP2300883
Type: Master/Order/Other

And It Is So Ordered!

s/ Judge Charles B. Simmons, Jr. (3023)

EXHIBIT C

ELECTRONICALLY FILED - 2019 Aug 09 9:27 AM - GREENVILLE - COMMON PLEAS - CASE#2018CP2300883

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS

COUNTY OF GREENVILLE)

THIRTEENTH JUDICIAL CIRCUIT

Laurel Grove, LLC,)

Case No. 2018-CP-23-00883

Plaintiff,)

v.)

ORDER ESTABLISHING VALUE OF PROPERTY

Frances Lee Farmer Sullivan, Marcus Lynn)

Farmer, Nelson Eugene Farmer, Peaches)

Shawn Farmer, John Anthony Pelzer,)

Thomas Farmer, Tara Smith, the Heirs of)

Kimberly Bean, L'kita Brown, Margaret)

Lois Brown, Robert Brown and Willie)

Brown as officers, directors and/or)

shareholders of the Holy Temple of God)

Faith Healing Church, The Estate of Lula)

Mae Knox, Shirley Miller, Norma Williams,)

Juanita Smith, Evelyn Byrd, James Brown,)

Norman Smith, Robert Smith, Catherine)

Stroble, Sharon Brown, the Greenville)

County Tax Collector, John Doe)

representing any and all known and)

unknown heirs of the following individuals)

who may claim an interest in the Property:)

Willie R. Brown a/k/a Willie Ruth Brown)

a/k/a Willie A. Brown a/k/a Willie Lee)

Farmer Brown a/k/a Willie Lee Wilson,)

Robert R. Brown a/k/a Robert Russell)

Brown a/k/a Robert Russell Roland Brown,)

Mary Elizabeth Farmer Crudup, Nelson)

Farmer, Donnie Rae Farmer, Richard Earle)

Farmer, Nazeae Jefferson aka Zeon)

Jefferson, Annie Ruth Farmer Pelzer, Willie)

Rufus Farmer, Kimberly Bean, Lula Mae)

Knox, Theodore Byrd, Michael Jerome)

Smith, and as Defendants whose names are)

unknown claiming any right, title estate,)

interest in, or lien upon the real estate)

described in the Complaint herein, any)

known adults, their heirs and assigns and all)

other persons, firms or corporations entitle)

to claim under by or through the above-)

named Defendants, being as a class)

designated as Richard Roe, and any)

unknown infants or persons under disability)

being a class designated as Jane Doe.)
)
Defendants.)

This matter comes before the Court yet again upon the Plaintiff's Complaint to partition a three (3) acre parcel of real property located in Greenville County and identified as Tax Map No. 0550.02-01-003.32.

A hearing to determine ownership of the property was held on February 6, 2019, resulting in an Order (Ownership of Property) being filed on February 22, 2019. A hearing was then held on March 19, 2019 in an attempt to determine the value of the property, which resulted in an Order being filed on April 12, 2019 wherein the Court appointed Tripp Glenn, MAI, to appraise the real property which is the subject of this action. This was due to the fact that the parties could not arrive at a common value of the parcel at the March 19, 2019 hearing or any resolution of the issues herein. The Order required Glenn to submit a written appraisal to the Court and the parties within thirty (30) days and to further opine whether the property could reasonably be partitioned in-kind or would it need to be disposed of in whole. Moreover, the Order provided that the cost of the appraisal would be paid equally by the parties or paid from any future sales proceeds.

The Court then entered an Order on May 15, 2019 which identified the \$100,000.00 value given in the 69 page report and appraisal submitted by Glenn and the procedures for the parties to object to the appraisal. After this Order and valuation being served upon all attorneys and parties, there was only one objection filed, that being filed by Sharon Brown on June 5, 2019.

A hearing to determine the property's value was noticed to the parties through the May 15, 2019 Order and set for July 29, 2019 at 10:00 a.m. as the hearing date and time. A Notice of Hearing was also mailed by the Plaintiff to all known addresses of the *pro se* Defendants.

On July 29, 2019, the hearing to determine the value of the property was held. Counsel for Plaintiff appeared, as did Ms. Burke, the attorney GAL, Mr. Wile, the Greenville County attorney, and several of the *pro se* Defendants, including Sharon Brown. At the hearing, testimony was taken from Tripp Glenn, the MAI designated appraiser appointed by the Court, as well as Dave Batson, an apprentice appraiser, who was hired by one or more of the *pro se* Defendants to provide value testimony regarding the subject property. The Court, despite the fact that most were in default, also heard from any of the appearing Defendants who wished to make statements or participate in the proceeding.

Mr. Glenn, who has extensive experience in appraising real estate in the Greenville area and stated that he has testified in court as an expert appraiser multiple times, opined in his Report and in court that the three (3) acre parcel has a value of \$100,000.00 and, from a practical standpoint, should not be divided in-kind. He further testified that while technically the three (3) acre parcel could be divided into the respective ownership shares as established in the Order filed February 22, 2019, it would so diminish the cumulative value of the parcel as to render it of no value to all owners since it would have to be divided into multiple shares as small as 0.025. Mr. Glenn's valuation report was also concurred in, although he did not testify, by the managing member of the national appraisal firm Mr. Glenn works with, who is also an MAI designated appraiser. Mr. Glenn also testified that his charge for the appraisal was \$1200.00 and he submitted a post-hearing charge for his time in testifying in the amount of \$400.00.

Mr. Batson, who is not yet a licensed appraiser, testified that his opinion of the value of the parcel was \$165,000.00. No Report of Mr. Batson was introduced. Mr. Batson also shared concerns about the feasibility of the parcel being divided into shares as small as 0.025. He testified that he had been paid \$250.00 for his work.

After hearing from the appraisers, counsel for Greenville County stated that the County took no position in the litigation. Ms. Burke, the GAL, stated she felt it most appropriate for the unknowns, etc. that she was appointed to represent, that the Court accept the valuation and analysis as given by Mr. Glenn. Plaintiff also asked that the valuation of Mr. Glenn be accepted by the Court. The *pro se* Defendants who participated felt that the value given by Mr. Batson should be accepted by the Court.

The Court also allowed Ms. Brown and any other appearing *pro se* Defendants to state any reasons on the record that the Court, as requested by Ms. Brown in her OBJECTION TO THE APPRAISAL filed June 5, 2019, should recuse itself for a lack of “ability to be impartial”. It appears that the substance of the issues raised by Ms. Brown related to her concerns that the Court had been trying to proceed with the issues in a manner in which she felt was inappropriate as to timing, etc. and that the Court’s staff had contact with the attorneys about scheduling the case for hearings, etc.

From the testimony and evidence submitted, pursuant to S.C. Code § 15-61-360, I find and conclude as follows:

1. The value of the three (3) acre parcel of real property, as testified to and supported by the 69 page Report of Mr. Glenn and the supervising MAI in his office, is \$100,000.00;
2. That payment of the Court appointed appraiser Mr. Glenn (total of \$1600.00) and of Mr. Batson (total of \$250.00) shall be paid equally by all parties or paid from any future sale proceeds;
3. That pursuant to 15-61-370 and 15-61-380, no cotenant has formally offered to buy out some or all of the interests of the others in the parcel. This is even after every prior hearing where the Court strongly encouraged the parties to make any

such offers they deemed appropriate to each other or to Plaintiff's counsel. Further, at no point have all or even a majority of the *pro se* Defendants submitted any plan whatsoever to the Court for a resolution of the issues herein. And, to further complicate matters, as established by the Court in the Order of February 22, 2019, 37.5% of the ownership of the parcel is owned in the un-probated estate of Lula Mae Knox, making ownership of this share an unknown. Finally, and while the Court is mindful that at least some of the *pro se* Defendants have expressed strong sentimental ties to the parcel, Ms. Brown, who is not an attorney but has acted as a spokesperson for at least some of the other *pro se* Defendants, has presented no basis or authority to the Court to establish that she has the consensus of some part or all of the *pro se* Defendants to present any alternative other than what the Court believes the law requires.

4. That the Court has considered the factors set forth in 15-61-390 and is unable to find that the parcel can be practically divided among the cotenants or, for that fact, that this is even the desire of a significant percentage of the *pro se* Defendants. Further, and as noted above, ownership of the 37.5% interest of the Estate of Lula Mae Knox has never been determined or established. Rather, the evidence overwhelmingly establishes that the Court's requiring an in-kind division, to the extent such was even a possibility, would result in manifest injury to the cotenants as a group.
5. In light of the above, the Court will allow the parties 30 days, in accordance with 15-61-400, to agree upon a realtor to list the property for sale. In the event this does not occur, the Court shall appoint a licensed realtor, in accordance with 15-61-400, after the expiration of 40 days of this Order being filed and served upon

all parties, to have an open market listing and sale of the entire tract with proceeds being divided, after payment of any and all costs, the appraisers fees, and a 6% relators commission, in accordance with the Order of February 22, 2019. It is again the hope of the Court that by allowing this 40 day period, the parties will present to each other and/or to Plaintiff's counsel a written offer to either purchase the respective interest's in the parcel or to sell the interests in the parcel. In the event this does not happen, then the parcel will be listed with the realtor chosen by the Court. If the parcel is not under contract to the highest and best offer as determined by the realtor, and in accordance with 15-61-400, within 90 days of the listing, then the parcel shall be sold with no minimum price at the next available monthly Greenville County Courthouse auction and in accordance with the usual and customary terms and conditions of said sale.

6. That the Court finds no factual or legal basis for Ms. Brown's request that the Court recuse itself and the same is hereby denied.

AND IT IS SO ORDERED.

JUDGE'S SIGNATURE PAGE TO FOLLOW



Greenville Common Pleas

Case Caption: Laurel Grove LLC vs. Frances Lee Farmer Sullivan , defendant, et al
Case Number: 2018CP2300883
Type: Master/Order/Other

And It Is So Ordered!

s/ Judge Charles B. Simmons, Jr. (3023)

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

APPEAL FROM GREENVILLE COUNTY
Master in Equity

DEC 13 2019

Charles B. Simmons, Jr., Master in Equity

SC Court of Appeals

Appellate Case No. 2019-001518

Laurel Grove, LLC.....Respondent,

v.

Frances Lee Farmer Sullivan, Marcus Lynn Farmer, Nelson Eugene Farmer, Peaches Shawn Farmer, John Anthony Pelzer, Thomas Farmer, Tara Smith, the Heirs of Kimberly Bean, L'kita Brown, Margaret Lois Brown, Robert Brown and Willie Brown as officers, directors and/or shareholders of the Holy Temple of God Faith Healing Church, The Estate of Lula Mae Knox, Shirley Miller, Norma Williams, Juanita Smith, Evelyn Byrd, James Brown, Norman Smith, Robert Smith, Catherine Stroble, Sharon Brown, the Greenville County Tax Collector, John Doe representing any and all known and unknown heirs of the following individuals who may claim an interest in the Property: Willie R. Brown a/k/a Willie Ruth Brown a/k/a Willie A. Brown a/k/a Willie Lee Farmer Brown a/k/a Willie Lee Wilson, Robert R. Brown a/k/a Robert Russell Brown a/k/a Robert Russell Roland Brown, Mary Elizabeth Farmer Crudup, Nelson Farmer, Donnie Rae Farmer, Richard Earle Farmer, Nazeae Jefferson aka Zeon Jefferson, Annie Ruth Farmer Pelzer, Willie Rufus Farmer, Kimberly Bean, Lula Mae Knox, Theodore Byrd, Michael Jerome Smith, and as Defendants whose names are unknown claiming any right, title estate, interest in, or lien upon the real estate described in the Complaint herein, any known adults, their heirs and assigns and all other persons, firms or corporations entitle to claim under by or through the above-named Defendants, being as a class designated as Richard Roe, and any unknown infants or persons under disability being a class designated as Jane Doe, Defendants.

Of Whom, Juanita Smith, Evelyn Byrd, Shirley Miller and Sharon Brown are the Appellants.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the **Respondent's Motion/Memorandum to Dismiss Appeal** with this Certificate of Service were served upon counsel on December 10, 2019 by First Class Mail as follows:

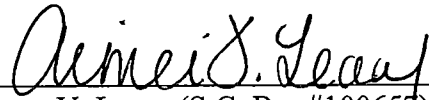
Sharon Brown
216 Ardmore Road
Spartanburg, SC 29306

Juanita Smith
111 Hanover Place Apt #39
Spartanburg, SC 29306

Evelyn Byrd
232A Norris Ridge Apts.
Spartanburg, SC 29306

Shirley Miller
179 Amos Street
Spartanburg, SC 29306

Respectfully submitted,



Aimee V. Leary (S.C. Bar #100657)
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864-751-7624
Attorney for Respondent Laurel Grove, LLC

December 11, 2019



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December 11, 2019

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

RE: Laurel Grove, LLC vs. Frances Lee Farmer Sullivan, et. al.
Docket Case No. 2018-CP-23-00883
Appellate Case No. 2019-001518

Dear Ms. Kitchings:

Please find enclosed the Respondent's Motion/Memorandum to Dismiss Appeal, including six (6) copies along with a Certificate of Service for the same and the motion filing fee. By way of this correspondence, I have served the Appellants with a copy of the same.

Thank you for your attention to this matter,

Very truly yours,

Aimee Victoria-Ann Leary

AVL:jjk
Enclosures


cc: Sharon Brown, Appellant
Juanita Smith, Appellant
Evelyn Byrd, Appellant
Shirley Miller, Appellant

A Pennsylvania Limited Liability Partnership

California Colorado Delaware District of Columbia Florida Georgia Illinois Minnesota
Nevada New Jersey New York North Carolina Pennsylvania South Carolina Texas Washington

NEOPOST
12/11/2019
USPS STAGE \$008.30⁹

ZIP 29601
04111255268


Fox Rothschild ^{LLP}
ATTORNEYS AT LAW
2 West Washington Street, Suite 1100
Greenville, SC 29601

TO:
Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

RECEIVED
DEC 13 2019
SC Court of Appeals