

STATE OF SOUTH CAROLINA)	IN THE SOUTH CAROLINA COURT OF APPEALS
)	
)	CASE NO.: 2019-001438
GARY WASHINGTON)	
)	
PLAINTIFF,)	
)	
VS.)	CERTIFICATE OF SERVICE
)	BY U.S. MAIL
SC COMMUNITY BANK)	
)	
DEFENDANT.)	

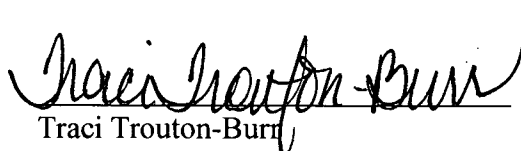
I, Traci Trouton-Burr, certify on this date, December 19, 2019, I served an Affidavit from Phillip Grimsley, Process Server, stating his attempts to serve the Motion to Withdraw as Counsel in-person, and an Affidavit by William G. Yarborough stating our prior service process, along with the additional proof of service from both September 25, 2019 and October 2, 2019, to Mr. Gary Washington. This process was previously served to Mr. Washington by U.S. Certified mail.

Please allow this Certificate of Service to also serve as additional proof of our service to Mr. Washington of the Motion to Withdraw as Counsel, today, December 19, 201 by Certified mail positing it in the U.S. Mail, with sufficient postage affixed, addressed as follows:

Gary Washington
 1324 Furman Drive
 Sumter, SC 29154

RECEIVED
 DEC 23 2019
 SC Court of Appeals

Respectfully submitted,



Traci Trouton-Burr
 Paralegal to William G. Yarborough, Esquire

CC: Amber Robinson, Esquire

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

RECEIVED

DEC 23 2019

SC Court of Appeals

PERSONALLY came and appeared before me, the undersigned Notary, the within named, William G. Yarborough, III, who is a resident of Greenville County, State of South Carolina, and makes his statement and Sworn Affidavit upon his oath and affirmation of belief and personal knowledge that the following matters, facts, and things set forth are true and correct to the best of his knowledge:

I, William G. Yarborough, III, began representing Gary and Michele Washington in late 2018. I was retained to serve as local counsel for them and agreed to sponsor an out-of-town attorney, specifically, Amber Robinson of Florida, in a *pro hac vice* matter.

After attempting on numerous occasions to communicate with Mr. Washington that in order to file the *pro hac vice* documents with the Court, I required communication with Ms. Robinson and that she was required to provide the court with specific documents to be filed. This process took nearly three (3) months. However, during this time, there were numerous communications back and forth between me and Mr. Washington concerning the required documents and discussing the case at-hand. It was at this point that Mr. Washington began asking me to file motions and responses to documents that were frivolous and had no merit whatsoever. I tried to explain this to him numerous times.

It was during this time that Mr. Washington began demanding that I file motions that I deemed to be improper and after several discussions with Attorney Robinson, we reached an agreement that we would not file what we both agreed to be frivolous motions. When this was explained to Mr. Washington, he began to make threats against my personal safety, the safety of my employees, and to have me disbarred. He began to make up negative statements concerning


what he said was relayed to him during attorney-client discussions. These statements were false. There was no doubt at this time that there was a total breakdown in the attorney-client relationship.

I spoke with Mr. Washington and Ms. Robinson on several occasions concerning this behavior to no avail. Mr. Washington began calling and harassing my staff and making threats against them personally. In the meantime, Mr. Washington was also contacting my ex-wife, who was a practicing attorney and assisting in this matter, and threatening her with attempts to have her disbarred as well. He also informed her in a threatening manner that he "...knew where she lived." The culmination of these actions resulted in my decision to file the Motion to Withdraw as Counsel. I believed there was no way to repair the relationship with The Washingtons at this point and Mr. Washington had made it abundantly clear that he did not wish for me to represent him. I promptly returned Mr. Washington's retainer fee, in whole, and told him via telephone and written correspondence that I intended to file the motion. I mailed multiple letters informing Mr. Washington of my intent to withdraw as his local counsel and I know these letters reached him because the same address was used to mail back his retainer and that check was immediately cashed by him.

Once the Motion to Withdraw as Counsel was filed with the Court, I mailed Mr. Washington a copy via certified mail and *pro hac vice* counsel, Amber Robinson received a copy from the ECF site and from my office. However, upon service to this Honorable Court, we inadvertently failed to show the service upon Mr. Washington, leading to the deficiency letter we received.

In an attempt to rectify the deficiency, I contracted Phillip D. Grimsley of Grimsley Investigative Service in Florence, SC, to serve upon Mr. Washington a copy of the aforementioned motion. Mr. Grimsley's Affidavit is enclosed in this correspondence.

DATED this 19th day of December, 2019


William G. Farborough, III

SWORN and subscribed before me, this 19th day of December, 2019.


Theresa Trouton-Burr, Notary

My Commission Expires

3/20/24

STATE OF SOUTH CAROLINA

COUNTY OF FLORENCE

PERSONALLY came and appeared before me, the undersigned Notary, the within named, Phillip D. Grimsley, who is a resident of Florence County, State of South Carolina, and makes his statement and Sworn Affidavit upon his oath and affirmation of belief and personal knowledge that the following matters, facts, and things set forth are true and correct to the best of his knowledge:

I, Phillip D. Grimsley, was contracted on December 10, 2019 to serve upon Michele and Gary Washington, located at 1324 Furman Drive, Sumter, SC 29154, a Motion to Withdraw as directed by Attorney William G. Yarborough, III, of Greenville, SC.

On my initial attempt to make service, I arrived at The Washington's residence and knocked on the door. Based on my experience as a law enforcement investigator, it appeared someone was home, but no one answered my continued attempts to get someone to the door.

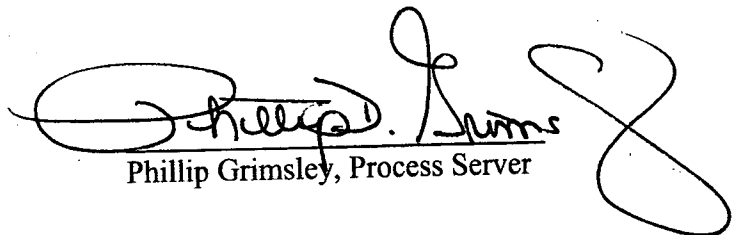
I then attempted to contact The Washington's by telephone to no avail. I continued to call the telephone number provided and finally reached Mr. Gary Washington. I explained to Mr. Washington who I was and that I needed to serve him with a copy of a court document that he had previously received in the mail from his attorney, Mr. Yarborough. Mr. Washington informed me that his new attorney, Amber Robinson, had advised him to have no contact with anyone regarding this case and not to accept or sign for anything. As such, he refused service.

I then requested the contact information for Attorney Robinson and attempted to get in contact with her. After numerous messages, I was able to speak with her and explain what I was trying to serve. She assured me she would call Mr. Washington and tell him to accept service since she was aware that he had previously received a copy of the document in the mail and that she also

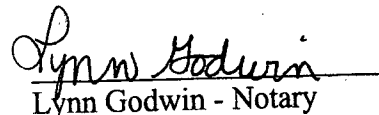
was in receipt of the document. I then called Mr. Washington back and we set a time to meet on Monday, December 16, 2019 for him to receive service.

On Monday December 16, 2019, I texted Mr. Washington at approximately 11 am and told him I was on the way to Sumter to meet with him. After texting him, I received a text from him stating that Ms. Robinson was not his attorney and that it did not serve his best interest to accept this document. I explained to Mr. Washington, once more, that there was no change in the document I was attempting to serve, as it was the same exact document, he had previously accepted by mail from Mr. Yarborough's office. He still refused to accept service and stated I do not think it wise for you to drive 100 miles or be involved in this dispute. I texted back that is why I need to bring this letter to you. No response was received after this.

DATED this 18th day of December, 2019


Phillip Grimsley, Process Server

SWORN and subscribed before me, this 18th day of December, 2019.


Lynn Godwin - Notary

My Commission Expires

Feb. 12, 2028

4559 8559 9023 9023 1000 0011 8707

U.S. Postal Service
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

OFFICIAL USE

Certified Mail Fee \$3.50

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$	\$0.00
<input type="checkbox"/> Adult Signature Required	\$	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$	\$0.00

Postage \$0.55

Total Postage and Fees \$6.85

Sent To: Gary Washington
 Street and Apt. No. or PO Box No. 2917 River Road
 City, State, ZIP+4 Columbia, S.C. 29201

Postmark Here: SEP 25 2019 GREENVILLE SC

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

WILLIAM G. YARBOROUGH, III

308 W. Stone Avenue
Greenville, SC 29609

*Sent. 9.25.19
 Certified Mail
 JB
 see stapled receipt*

Bank ; 2019-001438

Dear Mr. Washington,

This letter is to inform you that I am withdrawing my representation as your local counsel, as we have previously discussed at length. Given the current procedural status of your case, my withdrawal will not prejudice your case because it is in the earliest stages of the appeal and you have had ample notice to find substitute local counsel. Moreover, in addition to the Motion to Withdraw as Counsel, we will first file a Motion to Stay the Proceedings to give you additional time to find substitute counsel and file the appeal.

You will be given a refund of the retainer fee you provided to this office. Please notify my office the address that you would like a check sent to. I wish you the best of luck in your case going forward.

Respectfully,

William G. Yarbrough, III
 William G. Yarbrough, III

CC: Amber Robinson

LAW OFFICE OF WILLIAM G. YARBOROUGH, III

P: 864.331.1612
F: 864.271.0711
E: WGYarborough@gmail.com

308 W. Stone Avenue
Greenville, SC 29609

October 2, 2019

Michelle Washington
1324 Furman Drive
Sumter, SC 29154

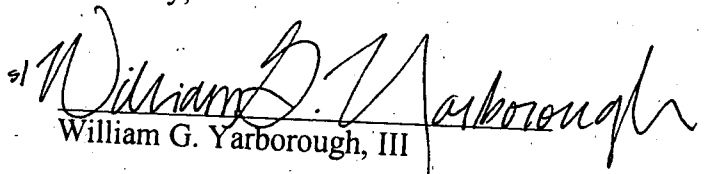
VIA U.S. MAIL

Dear Mrs. Michelle Washington,

As previously discussed with you and Gary, I have officially moved to withdraw as local council in this matter. I sent a check to you both on September 30, 2019 refunding the retainer fee.

I wish you both the best of luck in your case going forward. If you have any questions don't hesitate to reach out.

Sincerely,


William G. Yarborough, III

Mailed
on
10.2.19

STATE OF SOUTH CAROLINA

COUNTY OF SUMTER

Edgefield Holdings, LLC,

Plaintiff,

v.

Michele Washington,
Gary Washington

Defendant.

IN THE COURT OF COMMON PLEAS
THIRD JUDICIAL CIRCUIT

C/A NO: 2018-CP-4302081

MOTION TO WITHDRAW

COMES NOW, the undersigned local counsel, William G. Yarborough, III, and hereby moves this Honorable Court for an order granting withdrawal as local counsel from this case.

The attorney/client relationship for this case has deteriorated to the point of irreparable damaged due to the client's actions. Moreover, representation of the client has been rendered unreasonably difficult through fundamental disagreements and repeated demands that fall outside of the scope of the agreed upon representation.

Given the procedural status of this case, in addition to previous notice to the client of intent to withdraw as local counsel, withdrawal will not prejudice this case nor have a material adverse effect on the interests of the client as he is still currently represented by Amber C. Robinson, Esq., and is in the process of hiring substitute local counsel.

THEREFORE, counsel would respectfully request that the Motion to Withdraw as local counsel for this matter be granted.

Respectfully submitted,

/s/ William G. Yarborough

William G. Yarborough, III
308 W. Stone Ave.
Greenville, SC 29609
(864) 331-1612

Local Counsel for:
Gary Washington and Michele
Washington

Greenville, SC
October 1, 2019

RECEIVED

DEC 23 2019

SC Court of Appeals



1000



29211

U.S. POSTAGE PAID
FCM LG ENV
GREENVILLE, SC
29602
DEC 19, 19
AMOUNT

\$1.30

R2304H108415-14

Law Office of William G. Yarborough III
308 W. Stone Avenue
Greenville, SC 29609

The Honorable Jenny Abbott Kitchings
Clerk of Court
SC Court of Appeals
PO Box 11629
Columbia, SC 29211

