

STATE OF SOUTH CAROLINA
In the Court of Appeals
APPEAL FROM RICHLAND COUNTY

Court of Common Pleas

The Honorable Doyet A. Early, III, Circuit Court Judge

The Honorable L. Casey Manning, Circuit Court Judge

RECEIVED
JUN 30 2020
SC Court of Appeals

Appellate Case No.: 2018-002229

RUSSELL L. BAUKNIGHT, as Trustee of The James Brown 2000 Irrevocable Trust and the James Brown Legacy Trust, as Personal Representative of the Estate of James Brown, and on behalf of Alan Wilson, in his capacity as Attorney General of the State of South Carolina; Tommie Rae Brown, individually and on behalf of her minor child, James B.; Daryl J. Brown, individually and on behalf of his minor child, Janise B.; Lindsey Delores Brown; Deanna J. Brown Thomas; Jason Brown-Lewis; Yamma N. Brown, individually and on behalf of her minor child Sydney L. And Carrington L.; Tonya Brown; Venisha Brown; Larry Brown; and Terry Brown

And

ALAN WILSON, in his capacity as Attorney General of the State of South Carolina; Tommie Rae Brown, individually and on behalf of her minor child, James B.; Daryl J. Brown, individually and on behalf of his minor child Janise B.; Lindsey Delores Brown; Deanna J. Brown Thomas; Jason Brown-Lewis; Yamma N. Brown, individually and on behalf of her minor child Sydney L. and Carrington L.; Tonya Brown; Venisha Brown; Larry Brown; and Terry Brown, Respondents.

v.

Adele J. Pope, and Robert L. Buchanan, Jr. Defendants,

Of whom Adele J. Pope is Appellant.

SUPPLEMENT TO AMENDED RECORD ON APPEAL
(Pages 1753 -1755)

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**Index to Supplement to Amended Record on Appeal
Appellate Case No. 2018-002229**

Supplement (Pages 1753 - 1755)

II. Pleadings and Motions

Plfs.' Mot. Summary Judgment as to Counterclaims of Def., dtd. 5/17/16.....1753

Certificate of Counsel.....1755

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

RUSSELL L. BAUKNIGHT, as Trustee of the James Brown 2000 Irrevocable Trust and the James Brown Legacy Trust, as Personal Representative of the Estate of James Brown, and on behalf of Alan Wilson, in his capacity as Attorney General of the State of South Carolina; Tommie Rae Brown, individually and on behalf of her minor child, James Brown II; Daryl J. Brown, individually and on behalf of his minor child Janise Vanisha Brown; Lindsey Delores Brown; Deanna J. Brown Thomas; Jason Brown-Lewis; Yamma N. Brown, individually and on behalf of her minor children Sydney Lumar and Carrington Lumar; Tonya Brown; Venisha Brown Larry Brown; and Terry Brown

and

ALAN WILSON, in his capacity as Attorney General of the State of South Carolina; TOMMIE RAE BROWN, individually and on behalf of her minor child, JAMES BROWN II; DARYL J. BROWN, individually and on behalf of his minor child JANISE VANISHA BROWN; LINDSEY DELORES BROWN; DEANNA J. BROWN THOMAS; JASON BROWN-LEWIS; YAMMA N. BROWN, individually and on behalf of her minor children SYDNEY LUMAR and CARRINGTON LUMAR; TONYA BROWN; VENISHA BROWN; LARRY BROWN; and TERRY BROWN,

Plaintiffs

v.

Adele J. Pope,

Defendant

IN THE COURT OF COMMON PLEAS

FOR THE FIFTH CIRCUIT

Civil Action No. 2010-CP-40-4900

2016 MAY 19 AM 9:37
CLERK OF COURT

**MOTION FOR SUMMARY JUDGMENT
AS TO ALL OF THE
COUNTERCLAIMS OF DEFENDANT
POPE**

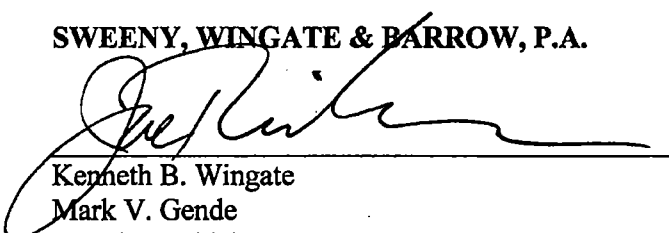
001753

TO: BILL BUNDY, ESQUIRE, ADAM T. SILVERNAIL, ESQUIRE AND DARYL L. WILLIAMS, ESQUIRE, ATTORNEYS FOR DEFENDANT POPE, AND TO THE DEFENDANT ABOVE-NAMED:

YOU WILL PLEASE TAKE NOTICE that Plaintiffs intend to move, and do hereby so move, for an Order from the Court granting Plaintiffs summary judgment in their favor on all of Defendant Pope's Counterclaims. The grounds for this motion are that Defendant Pope's claims are precluded as a matter of law by the doctrine of collateral estoppel by the decision of the South Carolina Supreme Court in Wilson v. Dallas, 403 S.C. 411, 743 S.E.2d 746 (2013). Specifically, the Court in Wilson v. Dallas affirmed the removal for cause of Defendant Pope as PR/Trustee and found that notice and a hearing were provided on that issue. Based on the Court's decision, and as set forth in the attached Memorandum of Law, Plaintiffs request that this Court enter an Order granting summary judgment as to all of Defendant Pope's Counterclaims. This Motion is supported by the attached Memorandum of Law, which is hereby incorporated by reference in its entirety, and may be further supplemented by memoranda, affidavits, or by any other such information as may be fit and proper.

Respectfully submitted,

SWEENY, WINGATE & BARROW, P.A.



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(803) 256-2233

ATTORNEYS FOR PLAINTIFFS

Columbia, South Carolina
May 17, 2016

001754

CERTIFICATE OF COUNSEL

The undersigned counsel for Appellant certifies pursuant to Rule 210(g), SCACR, that the Supplement to Amended Record on Appeal filed herewith contains all material designated by any party which was not included in the original Record on Appeal and no other material.

s/Adam T. Silvernail

Adam T. Silvernail

June 30, 2020

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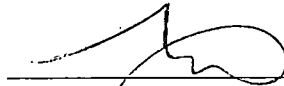
PROOF OF SERVICE

I certify that on June 30, 2020, I have served the **Motion to File Supplement to Amended Record on Appeal**, along with a copy of the **Supplement to Amended Record on Appeal** by hand delivery on counsel listed below:

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June 30, 2020



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