



ALAN WILSON
ATTORNEY GENERAL

August 19, 2020

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
By efilng only

Re: Bauknight v. Pope, Appellate Case No. 2018-002229
Response to Appellant's Reply re Motion to Lift Stay

Dear Ms. Kitchings:

The Attorney General was not a party to and did not join in the Return of other Respondents to Appellant's Motion to Lift Stay.¹ As Appellant notes in her Reply to that Return, the Attorney General has previously taken no position on her motions to lift the stay. Although the Return did not contain an exclusion of the Attorney General, Appellant should have known that the Attorney General was not participating in the Return as he has been separately represented in this appeal by his Office, and the signature block for undersigned counsel was not on the Return. Because the Attorney General was not a party to the Return and takes no position on Appellant's Motion, he does not respond to Appellant's arguments and accusations in her Reply.

If the Court prefers a more formal response, please let me know.

Respectfully submitted,

/s J. EMORY SMITH, JR.
S.C. Bar No. 5262
Deputy Solicitor General
Counsel for the Attorney General

cc (email only): Charles E. Carpenter, Jr., Esquire
Adam T. Silvernail, Esquire
Daryl L. Williams, Esquire

Mark V. Gende, Esquire
William Jeffrey Smith, Esquire
Kenneth B. Wingate, Esquire

¹ Before the circuit court granted summary judgment for the Plaintiffs as to Appellant's counterclaim (R. V. I, p. 188) the Court dropped the Attorney General as a party to this case (R. V. I, p. 180). The Order dropping him is a subject of Appeal 2017-1899. The Attorney General preserves and does not waive any arguments that he has regarding his being dropped as a party.

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM RICHLAND COUNTY
Court Of Common Pleas

SC Court of Appeals

The Honorable Doyet A. Early, III, Circuit Court Judge
The Honorable L. Casey Manning, Circuit Court Judge
Trial Court Case 2010CP4004900

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 Vanisha Brown; Lindsey Delores Brown; Deanna J. Brown Thomas; Jason Brown-Lewis; Yamma N. Brown, individually and on behalf of her minor children, Sydney L., Carrington L., and 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 Vanisha Brown; Lindsey Delores Brown; Deanna J. Brown Thomas; Jason Brown - Lewis; Yamma N. Brown, individually and on behalf of her minor children, 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 the Appellant.

CERTIFICATE OF SERVICE

I hereby certify that I have served the Attorney General's letter response to Appellant's Reply to Return to Motion to Stay by emailing it to counsel for the other parties at the email

addresses below this August 19, 2020 (Copy of email attached):

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/s J. EMORY SMITH, JR.
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Deputy Solicitor General
Counsel for the Attorney General
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August 19, 2020

Emory Smith

From: Emory Smith
Sent: Wednesday, August 19, 2020 12:35 PM
To: 'Adam Silvernail'; 'Jeff Smith'; 'Ken B. Wingate'; 'Mark V. Gende'; 'Daryl Williams';
'Charles Carpenter'; 'cgd@swblaw.com'
Subject: RE: Certificate of Service w/ email attachment - Pope v. Bauknight Appellate Case No.
2018-2229
Attachments: Letter response to Reply to Return to Motion (02357277xD2C78).PDF

Attached and served upon you is our letter response to Appellant's Reply to Return to Motion to Lift Stay.

Emory

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803-734-3642 Direct

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