

RECEIVED

Charles E Houston Jr.
100 Shady Brooke Walk
Fayetteville, Georgia 30214

AUG 26 2020
SC Court of Appeals

August 21, 2020

Hon. Jenny Abbott Kitchings, Clerk
The South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

***Re: Appellate Case 2019-001676
Response to Order of July 15, 2020
Houston v. Bell, The Bell law Firm, LLC and
B. Hammel Properties, LLC.***

Dear Ms. Kitchings:

Being the Appellant in the above referenced appeal I have taken the initiative to activate the process of obtaining an Order from the Beaufort County Circuit Court for the Substitution of a Party, Defendant for the Defendant, Dean B. Bell and the Bell Law Firm, LLC as a result of the death of Dean B. Bell, Esq. of Beaumont Texas, on May 28, 2020. I have verbally and sporadically reported my findings to the Court as they have come to my knowledge and at this moment, I have enough information to submit a written report to the Court and all parties of interest.

First: **Ms. Jeri Roseneau, Clerk of Court for Beaufort County** stated that the Beaufort County Circuit Court never received a copy of the SC Court of Appeals Order of July 15, 2020 remanding the case back to the Circuit Court. I provided her office with a copy of the Order and it is now indexed in their filing system.

Second: The **SC Supreme Court** by Order dated June 9, 2020 appointed Peyre T. Lumpkin, Esq. as a Receiver of Atty. Bell's client files, IOLTA and business accounts.(Order is attached)

Third: **The SC Secretary of State** 's website reports that The Dean B. Bell Law Firm as still active as of August 21, 2020.

Fourth: Marc P. Henry, Esq. is the attorney for the applicant, Shirley J. Boone, requesting **Letters Testamentary** being issued to her upon the Last Will and Testament of Dean B. Bell in the County Court of Jefferson County, Texas (Estate File # 123726) (See E-mail from Atty. Henry attached). Atty. Henry indicated that no auxiliary administration will be commenced in South Carolina for Atty. Bell's Estate.

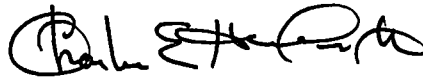
Fifth: (**Bankruptcy**) During last year 2019 a Chapter 7 Bankruptcy proceeding was commenced by Atty. Bell in the US Bankruptcy Court for the District of Texas that would cover Beaumont, Jefferson County , Texas. Atty. Henry has agreed to check the records of the appropriate Bankruptcy Court to determine whether an Order for Discharge for Atty. Bell was issued prior to his death.

Sixth: I am filing this same date a Motion for Substitution of a party Defendant for Dean B. Bell and in the alternative for a ruling as to whether the lawsuit may proceed in equity without a substitution of party for Dean B. Bell; especially in light of the possible bankruptcy discharge having been granted. I am going to contact the SC Bar and the records of the Clerk's offices in Beaufort and Jasper Counties to ascertain the identity of the associate attorneys who practiced with Atty. Bell's firm.

I will keep you updated as further facts or developments occur.

With kind regards, I remain

Respectfully

A handwritten signature in black ink, appearing to read "Charles E. Houston Jr.", written in a cursive style.

Charles E. Houston Jr.

Cc: W. Cliff Moore, III, Esq.
Thomas C. Taylor, Esq.
Hon. Jerri A. Roseneau, Clerk
Preyer T. Lumpkin, Esq.
Kirby D. Shealy, Esq.
Marc P. Henry, Esq.

Encls: as stated

The Supreme Court of South Carolina

In the Matter of Dean Britton Bell, Deceased.

Appellate Case No. 2020-000836

ORDER

The Office of Disciplinary Counsel has filed a petition advising the Court that Dean Britton Bell, Esquire, died on May 28, 2020, and requesting the appointment of the Receiver, Peyre T. Lumpkin, Esquire, to protect the interests of Mr. Bell's clients pursuant to Rule 31, RLDE, Rule 413, SCACR. The petition is granted.

IT IS ORDERED that Peyre T. Lumpkin, Esquire, is hereby appointed to assume responsibility for Mr. Bell's client files, trust account(s), escrow account(s), operating account(s), and any other law office account(s) Mr. Bell maintained. Mr. Lumpkin shall take action as required by Rule 31, RLDE, Rule 413, SCACR, to protect the interests of Mr. Bell's clients. Mr. Lumpkin may make disbursements from Mr. Bell's trust account(s), escrow account(s), operating account(s), and any other law office account(s) Mr. Bell maintained that are necessary to effectuate this appointment.

This Order, when served on any bank or other financial institution maintaining trust, escrow and/or operating accounts of Mr. Bell, shall serve as notice to the bank or other financial institution that Peyre T. Lumpkin, Esquire, has been duly appointed by this Court.

Finally, this Order, when served on any office of the United States Postal Service, shall serve as notice that Peyre T. Lumpkin, Esquire, has been duly appointed by this Court and has the authority to receive Mr. Bell's mail and to direct that Mr. Bell's mail be delivered to Mr. Lumpkin's office.

This appointment shall be for a period of no longer than nine months unless request is made to this Court for an extension.



FOR THE COURT C.J.

Columbia, South Carolina
June 4, 2020

cc:
Peyre Thomas Lumpkin, Esquire
John S. Nichols, Esquire
Deborah Stroud McKeown, Esquire

From: Marc Henry
Sent: Friday, August 21, 2020 11:52 AM
To: Charles E. Houston
Subject: Estate of Dean Bell

This will confirm that an application to probate Mr. Bell's will has been filed in the County Court of Jefferson County. A hearing to appoint an executor and issue letters testamentary is set for September 14, 2020 at 9:00 a.m.

PLEASE NOTE MY EMAIL ADDRESS HAS CHANGED TO: mph@offeranking.com

Marc P. Henry
Offerman & King, LLP
6420 Wellington Place
Beaumont, Texas 77706
(409)860-9000
Fax (409)860-9199

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Business Entities Online

File, Search, and Retrieve Documents Electronically

LAW OFFICE OF DEAN B. BELL, LLC THE

Corporate Information

Entity Type: Limited Liability Company

Status: Good Standing

Domestic/Foreign: Domestic

Incorporated State: South Carolina

Important Dates

Effective Date: 08/21/2001

Expiration Date: N/A

Term End Date: N/A

Dissolved Date: N/A

Registered Agent

Agent: DEAN B BELL

Address: 1 CORPUS CHRISTIE PLACE BLDG 105
EXECUTIVE CENTER
HILTON HEAD ISLAND, South Carolina 29928

Official Documents On File

Filing Type	Filing Date
LLC Annual Reports	03/03/2003
LLC Annual Reports	01/24/2002
Organization	08/21/2001

F



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SC Court of Appeals

Hon. Jenny Abbott Kitchings, Clerk
The South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211



STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS)

COUNTY OF BEAUFORT)

Charles E. Houston, Jr.)

CASE NO.)

Plaintiff)

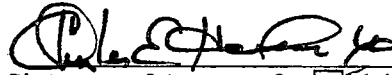
2018-CP-07-1559)

v.)

MOTION AND ORDER INFORMATION)
FORM AND COVER SHEET)

Dean B. Bell, The Law Offices Of Dean B. Bell, Llc)
Et. Al.)

Defendant.)

Plaintiff's Attorney: , Bar No. Address: 100 Shady Brook Walk, Fayetteville Georgia 30214 phone: 8436840211 fax: e-mail: emailcharleshouston@aol.com other:	Defendant's Attorney: W. Cliff Moore, Bar No. Address: P.O Box 2285 Columbia, SC 29202 phone: 803-212-4956 fax: e-mail: cliff.moore@arlaw.com other:
<input checked="" type="checkbox"/> MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III) <input type="checkbox"/> FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III) <input type="checkbox"/> PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)	
SECTION I: Hearing Information Nature of Motion: Substitution of Parties, Rule 25, SCRCP t Estimated Time Needed: 30 minutes Court Reporter Needed: <input checked="" type="checkbox"/> YES / <input type="checkbox"/> NO	
SECTION II: Motion/Order Type <input checked="" type="checkbox"/> Written motion attached <input type="checkbox"/> Form Motion/Order I hereby move for relief or action by the court as set forth in the attached proposed order.	
 Signature of Attorney for <input checked="" type="checkbox"/> Plaintiff / <input type="checkbox"/> Defendant	
Date submitted: <u>08/23/20</u>	
SECTION III: Motion Fee <input type="checkbox"/> PAID - AMOUNT: \$25.00 <input checked="" type="checkbox"/> EXEMPT: <input type="checkbox"/> Rule to Show Cause in Child or Spousal Support (check reason) <input type="checkbox"/> Domestic Abuse or Abuse and Neglect <input type="checkbox"/> Indigent Status <input type="checkbox"/> State Agency v. Indigent Party <input type="checkbox"/> Sexually Violent Predator Act <input type="checkbox"/> Post-Conviction Relief <input type="checkbox"/> Motion for Stay in Bankruptcy <input type="checkbox"/> Motion for Publication <input type="checkbox"/> Motion for Execution (Rule 69, SCRCP) <input type="checkbox"/> Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions Name of Court Reporter: <input checked="" type="checkbox"/> Other:	
JUDGE'S SECTION <input type="checkbox"/> Motion Fee to be paid upon filing of the attached order. <input type="checkbox"/> Other:	JUDGE: _____ CODE: _____ Date: _____
CLERK'S VERIFICATION Date Filed: _____ Collected by: _____ <input type="checkbox"/> MOTION FEE COLLECTED: _____ <input type="checkbox"/> CONTESTED - AMOUNT DUE: _____	

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE # 2018-CP- 07-1559

Charles E. Houston, Jr.

Plaintiff

Vs

NOTICE OF MOTION AND MOTION
FOR SUBSTITUTION OF PARTY
DEFENDANT, DEAN B. BELL,
DECEASED

Dean Bell, individually;
Law Offices of Dean Bell, LLC.
and B. Hammel Properties, LLC.

Defendants

TO THE DEFENDANTS above Named and all parties of Interest to the matters herein:

PLEASE TAKE NOTICE that Plaintiff by and through her undersigned counsel will move before the Presiding Judge of the Circuit Court for the Fourteenth Judicial Circuit, Beaufort, South Carolina at the Judicial Center Courthouse, 101 Ribaut Road, Beaufort, South Carolina, upon ten (10) days after service hereof, or at such other time and place as may be convenient to the Court and Counsel for an Order of Substitution of a party defendant pursuant to Rule 25, SCRPC. You are hereby notified to be present in the Beaufort County Circuit Court at the aforesaid date and time.

The grounds for this Motion are the following:

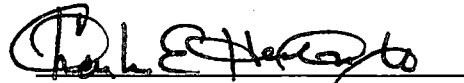
FACTS:

Dean Britton Bell, a named defendant in this case, as well as the attorney of record for the defendant, The Law Firm of Dean B. Bell, LLC. died on May 28, 2020 according to an Order issued by the Supreme Court of South Carolina *In the Matter of Dean Britton Bell Appellate Case No.2020-000836 (S.Ct. 6/9/20)*

This case was pending upon appeal before The South Carolina Court of Appeals as *Appellate Case No.2019-001676*. The South Carolina Court of Appeals, referencing Rule 265, South Carolina Rules of Appellate Procedure in its Order of July 15, 2020, remanded this case back to the Circuit Court for the substitution of the proper party as provided by Rule 25, SCRPC.

Therefore, under the premises cited, The Plaintiff would move this Court for an Order providing for the substitution of parties for the defendants Dean B. Bell and the Bell Law Firm, LLC and for such other and further relief it may grant within the confines of the jurisdictional powers conferred.

Respectfully submitted,



Charles E. Houston Jr.
100 Shady Brooke Walk
Fayetteville, Georgia 30214
Phone:843-684-0211
charlesehouston@icloud.com

Plaintiff, *Pro Se*

August 22, 2020

Fayetteville, Georgia

STATE OF SOUTH CAROLINA
COUNTY OF BEAUFORT

IN THE COURT OF COMMON PLEAS
FOURTEENTH JUDICIAL CIRCUIT
CASE # 2018-CP- 07-1559

Charles E. Houston, Jr.

Plaintiff

Vs

Dean B. Bell, individually and
The Law Offices of Dean Bell, LLC.
and B. Hammel Properties, LLC.

Defendants

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SC Court of Appeals

CERTIFICATE OF SERVICE

I certify that I have caused to have served the foregoing MOTION FOR SUBSTITUTION OF PARTY, DEFENDANTS. on the defendant, B. Hammel Properties, LLC by having a copy deposited in the United States Mail, postage prepaid, on August 23, 2020 addressed to

W. Cliff Moore, III
Adams and Reese, LLP
PO Box 2285
Columbia, SC 29202

And

Thomas C. Taylor, Esquire
Law Offices of Thomas C. Taylor, LLC
PO Box 5550
Hilton Head Island, SC 29938

Attorneys for B. Hammel Properties, LLC

And

Dean B. Bell, Esquire and
The Law Offices of Dean B. Bell, LLC
4747 Research Forest Dr. Ste. 108 #242
The Woodlands, Texas 77381

Attorney for Dean B. Bell and the Law Offices of Dean B. Bell

And

Hon. Jenny Abbott Kitchings, Clerk
The South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

And

Peyer T. Lumpkin, Esq., Receiver
Law Offices of Peyer T. Lumpkin
1205 Pendleton St
Ste 333
Columbia, SC 29201-3731
Potential Party of Interest

And

Marc P. Henry, Esq.
Offerman & King, LLP
6420 Wellington Place
Beaumont Texas 77706
Potential Party of Interest

Additional service was also sent by email with enclosures as follows:

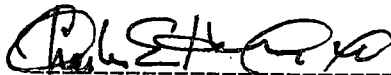
Cliff Moore

sboone@deanbemm-law.com

tom@thomastaylorlaw.com

Kirby D. Shealy III

Jennifer Shirey



Charles E. Houston, Jr.

Charles E. Houston, Jr.
100 Shady Brooke Walk
Fayetteville, Georgia 30214

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AUG 26 2020

SC Court of Appeals

August 23, 2020

Hon. Jerri Ann Roseneau, Clerk
Office of the Clerk of Courts for Beaufort County
Post Office Drawer 1128
Beaufort, South Carolina 29901

Re: 2018 -CP-07-1559
Houston V. Bell et.al.
Motion for Substitution of Parties- Defendants

Dear Ms. Roseneau:

The following documents with copies are enclosed and being submitted for filing with your office in reference to the above captioned case:

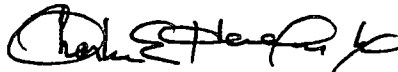
- 1 Motion Cover Sheet
- 2 Motion
- 3 Certificate of Service

Please clock stamp the copies and return them to me by self- address stamp envelope provided along with a copy of the filed Order. By copy of this letter I am serving a copy of this filing upon all counsels of record and other parties identified in the Certificate of Service annexed.

Thank you for your attention to this matter.

With kind regards , I remain

Respectfully



Charles E. Houston Jr.

Cc: W. Cliff Moore, Esq.
Thomas C. Taylor, Esq.
Dean B. Bell and the Law Offices of Dean B Bell, LLC
Hon. Jenny Abbott Kitchings, Clerk -SC Court of Appeals
Peyer T. Lumkin, Esq.
Marc P. Henry, Esq.

Encls: as stated

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