

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM ANDERSON COUNTY  
Court of Common Pleas

R. Scott Sprouse, Circuit Court Judge

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Case No. 2019-CP-04-00337

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Frances K. Chestnut, Eliza-  
beth Diane Keese,  
Sylvester Keese, Arthur B.  
Keese and Mary K. Taylor

Respondents,

v.

Florence Keese, Marcy Keese,  
Margo Keese and Marshall  
Keese, *pro se*

Appellants

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SUPPLEMENTAL REPRODUCED RECORD OF APPELLANT

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**RECEIVED**

**Oct 30 2020**

**SC Court of Appeals**

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STATE OF SOUTH CAROLINA ) IN THE COURT OF COMMON PLEAS

COUNTY OF ANDERSON ) C. A. No. 2019-CP-04-00337

Frances K. Chestnut, Elizabeth Diane Keese,  
Sylvester Keese, Arthur B. Keese and Mary  
K. Taylor,

Plaintiffs,

v.

**MOTION TO SET ASIDE DEFAULT  
JUDGMENT**

Florence Keese, Marcy Keese, Margo Keese  
and Marshall Keese,

Defendants.

**TO: CAROLYN G. BAIRD, ESQ., ATTORNEY FOR PLAINTIFFS**

YOU WILL HEREBY TAKE NOTICE that Defendants, by and through their undersigned counsel, will move before the presiding judge of the Court of Common Pleas of Anderson County, as soon as this matter may be heard, for an Order setting aside the default judgment entered in the above-referenced action.

This motion is made pursuant to S.C.R.C.P. 60(b) and is supported by the South Carolina Rules of Civil Procedure and such legal memoranda and arguments as Defendants' counsel may present to the Court at or prior to the hearing on this motion.

Respectfully submitted this 2<sup>nd</sup> day of August, 2019.

HOLDER, PADGETT, LITTLEJOHN + PRICKETT, LLC

s/ M. Stokely Holder

M. Stokely Holder (SC Bar #73892)  
Anna L. Bullington (SC Bar # 102503)  
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abullington@hplplaw.com


*Attorneys for Defendants Florence Keese, Marcy Keese,  
Margo Keese and Marshall Keese*

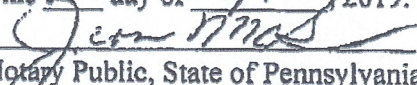


7. Mr. Keese must have misunderstood my communications with him and there may have been some miscommunication between us about the time of service and deadline for filing an answer.

8. Thereafter, I did not receive any notice that the Plaintiff was attempting to have a default entered against the Keeses for failing to answer the complaint.

**FURTHER THE AFFIANT SAYETH NAUGHT.**

  
Richard Margolis

Sworn to and subscribed before me  
This 9th day of Sept, 2019.  
  
Notary Public, State of Pennsylvania  
My commission expires: \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
JOAN MCGOVERN, Notary Public  
City of Philadelphia, Phila. County  
My Commission Expires December 2, 2020



7. I did not receive a copy of any notices, motions, or pleadings filed in this case after I was served with the Summons and Complaint.

8. I followed up with Mr. Margolis again, and he told me he was still trying to find an attorney in South Carolina.

9. When I called Mr. Margolis again in July, he told me he had been unable to find an attorney in South Carolina to handle the case and recommended that I try to find one myself.

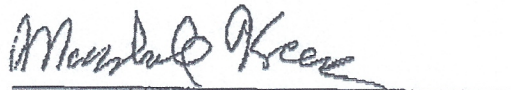
10. I retained Mr. Holder's firm to represent my mother, my sisters, and me at the end of July 2019.

11. I did not know the Plaintiffs were trying to have a default entered against me until my new attorney, Mr. Holder, told me a default judgment had been filed on July 1, 2019.


12. I did not receive notice of any motion or hearing related to the case whatsoever.

13. If I had been aware of any motions or hearings, I would have immediately contacted my attorney in Pennsylvania to advise me on what to do.

**FURTHER THE AFFIANT SAYETH NAUGHT.**

  
Marshall Keese

Sworn to and subscribed before me  
This 9<sup>th</sup> day of December, 2019.

  
Notary Public, State of Pennsylvania  
My commission expires: 05-16-19

Commonwealth of Pennsylvania - Notary Seal  
JIGNESH AMIN, Notary Public  
Philadelphia County  
My Commission Expires May 16, 2022  
Commission Number 1331023

STATE OF SOUTH CAROLINA

) IN THE COURT OF COMMON PLEAS

COUNTY OF ANDERSON

) C. A. No. 2019-CP-04-00337

)  
)  
) Frances K. Chestnut, Elizabeth Diane Keese,  
) Sylvester Keese, Arthur B. Keese and Mary  
) K. Taylor,  
)

) Plaintiffs,  
)

) **AFFIDAVIT OF FLORENCE KEESE**  
)

) v.  
)

) Florence Keese, Marcy Keese, Margo Keese  
) and Marshall Keese,  
)

) Defendants,  
)  

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PERSONALLY APPEARED before me, an officer duly authorized by law to administer oaths, Florence Keese, who after first being duly sworn, states:

1. My name is Florence Keese and I am competent in all aspects to testify regarding the matters set forth herein.
2. My family and I received a letter from the Plaintiffs' attorney, Ms. Crystal Baird, in March 2018 telling us that some of our family members wanted to divide our property in Anderson County, South Carolina.
3. We told the Plaintiffs and Ms. Baird that we would not agree to sign any quitclaim deeds or give our consent to divide the property.
4. My son, Marshall, contacted Richard Margolis, an attorney in Pennsylvania, on our behalf about the letter.
5. Marshall handled all communication with Mr. Margolis on my behalf.
6. I did not receive a copy of any notices, motions, or pleadings filed in this case after I was served with the Summons and Complaint in April 2019.

7. I understood that Mr. Margolis was helping us find an attorney in South Carolina to handle the case.

8. When we learned that Mr. Margolis could not find us an attorney, we retained Mr. Holder's firm to represent us at the end of July 2019.

9. I did not know the Plaintiffs were trying to have a default entered against me until our new attorney, Mr. Holder, told me a default judgment had been filed on July 1, 2019.

10. I did not receive notice of any motion or hearing related to the case whatsoever.

**FURTHER THE AFFIANT SAYETH NAUGHT.**

*Florence Keese*  
\_\_\_\_\_  
Florence Keese

Sworn to and subscribed before me  
This 30 day of August, 2019.  
*Jodie L. Rosenthal-Young*  
Notary Public, State of Pennsylvania  
My commission expires: 01/10/2020

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
JODIE L. ROSENTHAL-YOUNG, Notary Public  
East Goshen Twp., Chester County  
My Commission Expires January 10, 2020

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