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**Jun 14 2021**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas  
J. Derham Cole, Circuit Court Judge

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Case No. 2019-CP-10-1887  
Probate Case No. 2016-ES-10-02054  
Appellate Case No. 2020-000853

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In re Estate of Annie Mae Crosby,

Jessie Fred Crosby and Robert Edward Crosby, Jr., ..... Respondents,

v.

Rose Mae Crosby Walsh, Individually and as  
personal representative of the Estate of Annie Mae Crosby, ..... Appellant.

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**RESPONDENTS' RETURN TO PETITION  
OF REDRESS OF GRIEVANCE**

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Thomas E. Lydon  
SC Bar No. 10242  
McAngus, Goudelock & Courie, LLC  
Post Office Box 12519  
Columbia, South Carolina 29211

*Attorney for Respondents Jessie Fred  
Crosby and Robert Edward Crosby, Jr.*

Respondents Jessie Fred Crosby and Robert Edward Crosby, Jr. submit this Return to the letter dated May 21, 2021 from Kelvin Wayne Crosby (“Kelvin”), which this Court is treating as a motion to amend the caption.

As correctly stated in Kelvin’s letter, he is a beneficiary of the Estate of Annie Mae Crosby that is the subject of this appeal. Moreover, he was a named party in the underlying appeal of this matter from the Charleston County Probate Court to the Charleston County Court of Common Pleas, and was represented by counsel in that appeal. Finally, as explained on page 10 of Judge Cole’s Order filed on May 7, 2020, which is the subject of this appeal, if the Order of the Probate Court was to be reversed, Kelvin would receive only \$47,750 for his share of the 3283 Von Ohsen Road Property, rather than \$78,000 from the sale approved by the Probate Court. As a result, Kelvin has a direct financial interest in the outcome of this appeal, to the extent of at least \$30,000.00.

Although Kelvin is no longer represented by counsel (see attached Exhibit A - Consent Order filed December 9, 2019), he is still a beneficiary of the Estate of Annie Mae Crosby, and he has a direct financial interest in the outcome of this appeal. Therefore, he is a proper party to this appeal and should be added to the caption, be copied on all filings, and should have an opportunity to respond to Appellant’s Initial Brief.

*s/ Thomas E. Lydon*  
\_\_\_\_\_  
Thomas E. Lydon  
SC Bar No. 10242  
McAngus, Goudelock & Courie, LLC  
Post Office Box 12519  
Columbia, South Carolina 29211

June 14, 2021

*Attorney for Jessie Fred Crosby and  
Robert Edward Crosby, Jr.*

STATE OF SOUTH CAROLINA ) IN THE COURT OF COMMON PLEAS  
 ) NINTH JUDICIAL CIRCUIT  
COUNTY OF CHARLESTON ) CASE NO.: 2019-CP-10-1887  
 ) Probate Court Case No.: 2016-ES-10-02054

IN THE MATTER OF ESTATE OF ANNIE MAE CROSBY

JESSIE FRED CROSBY and ROBERT )  
EDWARD CROSBY, JR., )

Petitioners, )

vs. )

ROSE MAE CROSBY WALSH, )  
Individually and as Personal )  
Representative of the Estate of Annie )  
Mae Crosby, and KELVIN WAYNE )  
CROSBY, )

Respondents. )

Of Whom ROSE MAE CROSBY )  
WALSH, individually and as Personal )  
Representative of the Estate of Annie )  
Mae Crosby is the )

Appellant. )

**CONSENT ORDER TO BE RELIEVED AS  
ATTORNEYS FOR RESPONDENT  
KELVIN WAYNE CROSBY**

TO: CHARLESTON COUNTY CLERK OF COURT, ANNE KELLY RUSSELL, ESQ.,  
CHARLES SCARMINACH, ESQ., and GREG MEYERS, attorneys for Appellant; THOMAS E.  
LYDON, ESQ., attorney for Petitioners:

Upon considering the Motion of Dennis E. O'Neill and C. Mac Gibson, Jr., attorneys for Respondent Kelvin Wayne Crosby, and with the written consent of Respondent Kelvin Wayne Crosby, I find that Dennis E. O'Neill and C. Mac Gibson, Jr. should be relieved as counsel for Respondent Kelvin Wayne Crosby, and Respondent Kelvin Wayne Crosby shall have twenty (20) days from the date of this Order to seek another attorney or to proceed Pro Se with the appeal of the above-captioned action.

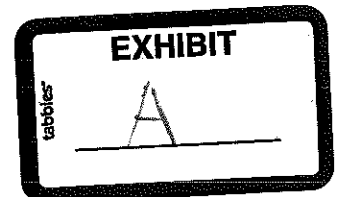


Exhibit A

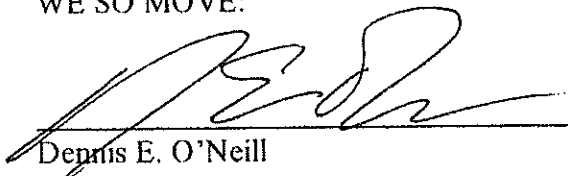
IT IS SO ORDERED!

ADMINISTRATIVE JUDGE  
CHARLESTON COUNTY  
COURT OF COMMON PLEAS

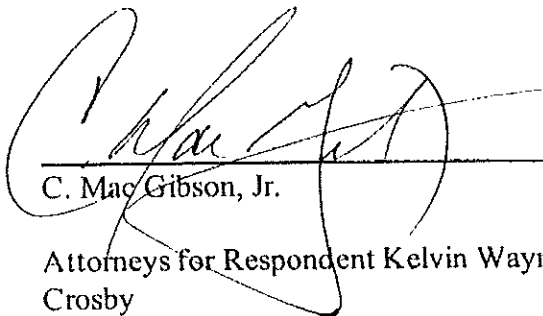
Charleston, South Carolina

\_\_\_\_\_, 2019

WE SO MOVE:

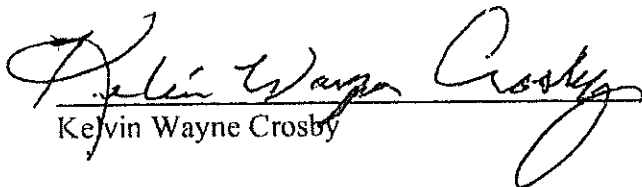
  
\_\_\_\_\_  
Dennis E. O'Neill

11/18/19  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
C. Mac Gibson, Jr.  
Attorneys for Respondent Kelvin Wayne Crosby

11/18/2017  
\_\_\_\_\_  
Date

I CONSENT:

  
\_\_\_\_\_  
Kelvin Wayne Crosby

14 Nov 2019  
\_\_\_\_\_  
Date:



Charleston Common Pleas

**Case Caption:** Rose Mae Crosby Walsh , plaintiff, et al VS Jessie Fred Crosby ,  
defendant, et al  
**Case Number:** 2019CP1001887  
**Type:** Order/Relieve Counsel

It is so ordered.

/s Roger M. Young, Sr. S.C. Circuit Judge 2134

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In re Estate of Annie Mae Crosby,

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v.

Rose Mae Crosby Walsh, Individually and as  
personal representative of the Estate of Annie Mae Crosby, . . . . . Appellant.

**PROOF OF SERVICE**

I hereby certify that I have this 14<sup>th</sup> date of June, 2021, served Respondents' Return to Petition for Grievance as follows:

Gregg Meyers, Esquire  
attygm@gmail.com

Mr. Kelvin W. Crosby  
181 Azalea Drive  
Waynesville, NC 28786

s/ Thomas E. Lydon  
Thomas E. Lydon  
SC Bar No. 10242  
McAngus, Goudelock & Courie, LLC  
Post Office Box 12519  
Columbia, South Carolina 29211

June 14, 2021

*Attorney for Jessie Fred Crosby and  
Robert Edward Crosby, Jr.*

**mgc**

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**SC Court of Appeals**

**Reply To**

THOMAS E. LYDON  
Direct Dial: (803) 227-2292  
tlydon@mgclaw.com  
COLUMBIA

June 14, 2021

*Via Electronic Mail*

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

**Re: Estate of Annie May Crosby  
Appellate Case No. 2020-000853**

Dear Ms. Kitchings:

In response to the letter from Sierra Ritchie dated June 4, 2021, in connection with the referenced matter, enclosed please find:

1. Return of Respondents Jessie Fred Crosby and Robert Edward Crosby, Jr. to the "Petition of Redress of Grievance" filed by Kelvin W. Crosby; and
2. Proof of Service for the Return.

By copy of this letter, and as indicated in the Proof of Service, a copy of the Return is being served on Appellant's counsel via electronic mail and on Kelvin W. Crosby via United States mail.

Sincerely,

*Thomas E. Lydon*

Thomas E. Lydon

Encl.

cc: Gregg Meyers, Esquire  
(via electronic mail)

Mr. Kelvin W. Crosby  
181 Azalea Drive  
Waynesville, NC 28786

Ms. Sierra Ritchie  
(via electronic mail)