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SC Court of Appeals

THE 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
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.II; 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 children, 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. II; 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 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.

MOTION OF ATTORNEY GENERAL TO BE DISMISSED FROM APPEAL

Pursuant to Rule 240, SCACR, the Attorney General respectfully moves that he be dismissed as a party to this appeal. His participation in this appeal should no longer be necessary as he is no longer a party to this case. The Court of Appeals affirmed the Order of Judge Doyet A. Early, III, dropping the Attorney General as a party to case 2010CP4004900 from which the instant appeal as to other orders is taken. *Bauknight as Tr. of James Brown 2000 Irrevocable Tr. v. Pope*, No. 2017-001899, 2020 WL 3989494, at *1 (S.C. Ct. App. July 15, 2020). By Order dated April 21, 2021, the South Carolina Supreme Court denied Appellant Pope's petition for writ of certiorari as to appeal 1899. Therefore, Judge Early's Order is operative, and the Attorney General is no longer a party to this appeal.

In making this Motion, the Attorney General does not waive or abandon any previous defenses that he has asserted in this appeal. This motion is based entirely upon the Attorney General's no longer being a party to this case.

Respectfully submitted,

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

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ATTORNEYS FOR RESPONDENT
ATTORNEY GENERAL

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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 Motion to be Dismissed as Party to Appeal by emailing it to counsel for the other parties at the email addresses below this

June 22, 2021 (Copy of email attached):

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June 22, 2021

Emory Smith

From: Emory Smith
Sent: Tuesday, June 22, 2021 3:48 PM
To: Adam Silvernail; Mark V. Gende
Cc: Charles Carpenter; Jeff Smith; Daryl Williams; Ken B. Wingate; Aaron J. Hayes (AJH@swblaw.com)
Subject: RE: Bauknight v. Pope; Appellate Case No. 2018-02229
Attachments: Motion to Dismiss AG as Party to Appeal (02619571xD2C78).PDF

Attached and served upon you is the AG's Motion to be Dismissed as a Party to this appeal.

Emory

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