

94398

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

**APPEAL FROM DORCHESTER COUNTY
Court of Common Pleas**

Edgar W. Dickson, Circuit Court Judge

**RECEIVED
JUL 08 2021
SC Court of Appeals**

Appellate Case No. 2019-001065

Dorchester County Case No(s). 2019-CP-18-0677 and 2017-CP-18-1816

In Re: The Estate of Doris Duane Colucci

**Michael C. Fox, Named Personal Representative
in the Last Will of Doris Duane ColucciAppellant,**

v.

**Andrew W. Chandler, in his capacity as Special
Administrator of the Estate of Doris Duane Colucci,
Michael C. Fox, Successor Trustee of the
Colucci Living Trust, dated February 24, 2005,
Michael Fredrick Antonio Colucci, John Martin Antonio,
Henry Burkes, and Richard M. Hyman, Jr.....Respondents.**

MOTION TO SUPPLEMENT RECORD

Gordon H. Garrett, Esq.
Garrett Law Offices, LLC
1075 E. Montague Ave.
North Charleston, SC 29405
843.554.5515 (phone)
Attorneys for Appellant

Elizabeth J. Palmer, Esq.
Rosen Hagood, LLC
151 Meeting Street, Suite 400
P.O. Box 893 (29402)
Telephone: (843) 577-6726
Attorney for Respondent
Andrew W. Chandler, Esq.

Angus M. Lawton, Esq.
Lawton Law Firm, LLC
Box 127
496 Bramson Court, Suite 100
Mt. Pleasant, SC 29464
Attorney for Respondents
Michael A. Colucci and John M. Antonio

Richard M. Hyman, Jr., Esquire
Law Firm of M. Richardson Hyman, Jr. P.O.
Charleston, SC 29402
Respondent

Adam Mlynarczyk, Esq.
Koontz Mlynarczyk, LLC
1058 E. Montague Avenue
North Charleston, SC 29405
Attorney for Respondent Henry Burkes

Gordon H. Garrett, Esq.
Garrett Law Offices, LLC
1075 E. Montague Ave.
North Charleston, SC 29405
843.554.5515 (phone) -

The Appellant, Michael C. Fox, hereby moves this Court, pursuant to Rule 212 of the South Carolina Rules of Appellate Procedure, to supplement the existing Record on Appeal with newly obtained correspondence between Respondent Andrew Chandler, Esq. and the Dorchester County Probate Court, the Honorable Mary Blunt.

On June 4, 2021, Elizabeth Palmer, Esq., pursuant to a verbal order by Judge Mary Blunt, released 565 pages of emails between Andrew Chandler, Esq. and Judge Mary Blunt, Esq. (See Exhibit 1). These emails have not been previously disclosed to Fox or any third parties, but they indicate that Judge Blunt and Mr. Chandler discussed strategic and substantive aspects of Fox's motions and hearings that were improper and materially disadvantaged Fox.

ARGUMENT

Currently under appeal are several orders from both the Dorchester County Probate Court and the Dorchester County Court Common of Pleas that relate to the administration of the Estate of Doris Colucci. Appellant's argument is that, as named Personal Representative, Fox's right of appointment was denied during the appointment proceedings and that Chandler did not have authority to carry out a liquidation of the estate. In addition, Fox has maintained he was an interested party and should have been included in communications between the Court and Mr. Chandler about any substantive discussion regarding himself or the appointment proceedings.

Appellant's Counsel has requested the release of the attached emails as indicated by Appellants prior filing with this Court (Michael Colluci, John Antonio, and Appellant Fox's Motion for Recusal & Disclosure of Ex Parte Communications). Subsequently, Writs of Mandamus have been filed in both the South Carolina Supreme Court to mandate a hearing for the release of the attached emails. On May 21, 2021, the Dorchester County Probate Court directed the release of approximately 562 pages of emails between Mr. Chandler and the Court. On June 4, 2021, counsel for Mr. Chandler, provided a link to 562 pages of correspondence between Mr. Chandler and the Dorchester County Probate Court. (See Attached Email of June 4, 2021).

Prior to the release of the attached and designated items, Fox was unaware that Mr. Chandler was in extensive and exclusive communication with the Dorchester County Probate Court Judge throughout the entirety of the legal proceedings. These emails discuss subject matter that relates to the issues and rulings on appeal. The emails show a likely prejudice towards Fox or Fox's counsel. More importantly, these emails should have been part of the record and never withheld from Fox or any other party.

Fox requests the South Carolina Court of Appeals admit nine emails, or thirteen additional pages of these emails to the Record on Appeal as they give strong evidence that Fox's rights to serve as Personal Representative were violated by Mr. Chandler and the Dorchester County Probate Court. The entirety of the 562 pages emails have been filed by counsel for John Antonio and Michael Colucci with the Dorchester County Probate Court.

Item: 1

Marked: Page 370-371

Date: August 31, 2017

Parties Included in Email: Andrew Chandler, Esq, Judge Mary Blunt, and Associate Judge Molly Edwards

Relationship to Issues on Appeal:

Shortly after the discovery of Doris Colucci's Last Will, Andrew Chandler writes to Judge Blunt and Associate Judge Edwards and informs them that the discovery of the will has "zero impact on the administration of the estate." Judge Blunt writes back to Mr. Chandler and states that she "was going to reach out to you also because David Haller [Counsel for Ivo Colucci] seems to think that filing of Doris' Will "halts" your work on the estate. Molly and I don't see it like that, but I wanted to give you a head's up." Mr. Chandler resolved the email chain by setting up a private telephone call - "Is there any time this Friday I may impose upon you for a short call."

The main argument put forth by opposing counsel against Fox's appointment is that Fox was somehow responsible for interfering in the ongoing administration. This email and the following emails indicate that Chandler had long since prepared himself to remain in his appointed position and was speaking privately with the Court in order to do so.

Item: 2

Marked: Page 260

Date: February 8, 2018

Parties Included in Email: Andrew Chandler, Esq. and Judge Mary Blunt

Relationship to Issues on Appeal:

This email references both Counsel and Mr. Fox but does not include Fox or his counsel as a party to this communication. The email is an attempt by Mr. Chandler to encourage the court to impose sanctions against Mr. Fox or, alternatively, Fox's counsel. Fox was later sanctioned by the Court when he moved the Court to be named as Special Administrator pending a determination of the Formal Application for Testacy and Appointment.

Appellant believes this communication is ex parte and a violation of both Canon 3 of the South Carolina Canons of Judicial Conduct and Rule 3.5 of the South Carolina Rules of Professional Conduct. Further, the subject matter of the communication materially prejudiced Fox in relation to the probate court orders under appeal.

Item: 3

Marked: Page 259

Date: February, 14 2018

Parties Included in Email: Andrew Chandler, Esq, Judge Mary Blunt, and Associate Judge Molly Edwards

Relationship to Issues on Appeal:

This email references a subpoena issued to Mr. Fox but does not include Fox as a party to this communication. The letter implies that a subpoena has been prepared to be served on him by the Court. The email then states that "the subpoena has been drafted so that production occurs at Rosen, Rosen, and Hagood, rather than at the courthouse." This email indicates that Judge Blunt and Mr. Chandler were working together to change the "production" of the subpoena, presumably so Mr. Fox would not be aware of how the subpoena was drafted.

Appellant believes this communication is ex parte and a violation of both Canon 3 of the South Carolina Canons of Judicial Conduct and Rule 3.5 of the South Carolina Rules of Professional Conduct. Further, the subject matter of the communication materially prejudiced Fox in relation to the probate court orders under appeal.

Item: 4

Marked: Page 252-253

Date: February 27, 2018

Parties Included in Email: Andrew Chandler, Esq, Judge Mary Blunt, Associate Judge Molly Edwards, and Elizabeth Palmer, Esq.

Relationship to Issues on Appeal:

This email indicates that Elizabeth Palmer, Esq. drafted a subpoena to be sent to Fox. The email indicates Palmer is aware that the Court will submit the subpoena instead of Mr. Palmer so that it appears to be from the Dorchester County Probate Court. This was done presumably to further intimidate Mr. Fox and prevent his attempt to be appointed as Personal Representative. Mr. Chandler then acts as an intermediary and forwards the subpoena directly to Judge Blunt and Judge Edwards.

Appellant believes this communication is ex parte and a violation of both Canon 3 of the South Carolina Canons of Judicial Conduct and Rule 3.5 of the South Carolina Rules of Professional Conduct. Further, the subject matter of the communication materially prejudiced Fox in relation to the probate court orders under appeal.

Item: 5

Marked: Page 158

Date: July 25, 2018

Parties Included in Email: Andrew Chandler, Esq, Judge Mary Blunt, and Associate Judge Molly Edwards

Relationship to Issues on Appeal:

This email simply is a request by Judge Blunt to set up a private call on her personal cell phone between herself and Mr. Chandler: “Andrew, call my cell at ...”.

Appellant believes this communication is ex parte and a violation of both Canon 3 of the South Carolina Canons of Judicial Conduct and Rule 3.5 of the South Carolina Rules of Professional Conduct. Further, the subject matter of the communication materially prejudiced Fox in relation to the probate court order under appeal.

Item: 6

Marked: Page 131

Date: November 2, 2019

Parties Included in Email: Andrew Chandler, Esq and Judge Mary Blunt

Relationship to Issues on Appeal:

In this email, Judge Blunt writes to Andrew Chandler to inform that an attorney from Garrett Law Offices, LLC had attempted to obtain access to the filings, emails, and other items in the Dorchester County Probate Court’s file. Judge Blunt states, “He asked me for a bulk rate/discount on the copying charges! [SAD EMOTICON] Chandler responds, and states, “Not

sure what to say about a bulk rate on the probate file. Would he like to not pay taxes and to live forever too?"

This email also references that Mr. Chandler, in the midst of probate appointment proceedings, signed a quitclaim to liquidate property belonging to Doris Colucci.

Appellant believes this communication is ex parte and a violation of both Canon 3 of the South Carolina Canons of Judicial Conduct and Rule 3.5 of the South Carolina Rules of Professional Conduct. Further, the subject matter of the communication materially prejudiced Fox in relation to the probate court order under appeal.

Item: 7

Marked: Page 123

Date: November 29, 2018

Parties Included in Email: Andrew Chandler, Esq, Judge Mary Blunt, and Associate Judge Molly Edwards

Relationship to Issues on Appeal:

This email simply states: "Need to have a pow wow. Gordon Garrett has filed the attached. Is there some time today or tomorrow we can talk?"

Appellant believes this communication is ex parte and a violation of both Canon 3 of the South Carolina Canons of Judicial Conduct and Rule 3.5 of the South Carolina Rules of Professional Conduct. Further, the subject matter of the communication materially prejudiced Fox in relation to the probate court order under appeal.

Item: 8

Marked: Page 114

Date: January 4, 2019

Parties Included in Email: Andrew Chandler, Esq, Judge Mary Blunt, and Associate Judge Molly Edwards

Relationship to Issues on Appeal:

In this email, Judge Blunt writes to Mr. Chandler to advise him that Mr. Fox had made a legal filing. In response, Mr. Chandler writes the Court: "Well, bless his heart. I am out this afternoon but I can certainly talk on Monday. I am free other than 10 and 2. Do you want to talk at noon?"

Appellant believes this communication is ex parte and a violation of both Canon 3 of the South Carolina Canons of Judicial Conduct and Rule 3.5 of the South Carolina Rules of Professional Conduct. Further, the subject matter of the communication materially prejudiced Fox in relation to the probate court order under appeal.

Item: 9

Marked: Page 110-111

Date: January 8, 2019

Parties Included in Email: Andrew Chandler, Esq, Judge Mary Blunt, and Associate Judge Molly Edwards

Relationship to Issues on Appeal:

In this email, Mr. Chandler writes to the Court to provide his interpretation of SC Code 62-1-201 without including Fox's Counsel on the correspondence. He additionally passes on a message from his attorney, Ms. Palmer, that she "will be filing the attached Motion for Emergency Hearing shortly." Fox was not aware that Palmer was preparing for an emergency hearing and neither Chandler or the Court have explained why an emergency situation existed or the necessity of an emergency procedure.

Appellant believes this communication is ex parte and a violation of both Canon 3 of the South Carolina Canons of Judicial Conduct and Rule 3.5 of the South Carolina Rules of Professional Conduct. Further, the subject matter of the communication materially prejudiced Fox in relation to the probate order under appeal.

STATUTORY AUTHORITY AND CASE LAW

Rule 212(b) of the South Carolina Rules of Appellate Procedure permits a party desiring to supplement the Record on Appeal to move the appellate court for leave to do so. Further, as Appellant, Fox has the burden of presenting this Court with an adequate record. *Medlock v. One 1985 Jeep Cherokee*, 322 S.C. 127, 470 S.E.2d 373 (1996) (appellant has the burden to present a sufficient record for appellate court to make a 447*447 decision); *Germain v. Nichol*, 278 S.C. 508, 299 S.E.2d 335 (1983) (appellant has the burden of presenting a sufficient record for review); *Vespazianni v. McAlister*, 307 S.C. 411, 415 S.E.2d 427 (Ct.App.1992) (appellant has the burden of presenting a sufficient record for review).

CONCLUSION

The above emails indicate that the Dorchester County Probate Court intended to work with Mr. Chandler, outside the presence of all parties, to prohibit Fox from exercising his rights under the South Carolina Probate Code. The emails indicate that Chandler denigrated Fox, Fox's counsel, and Fox's arguments to the Dorchester County Probate Judge. The attached emails undermine the legitimacy of the Probate Court Orders under appeal and should mandate reversal.

For the above reasons, Fox humbly requests that the South Carolina Court of Appeals add the designated materials into the Record on Appeal and to further consider such materials in deciding whether Fox's rights as named Personal Representative were violated.

A handwritten signature in black ink, appearing to read "Gordon H. Garrett", written over a horizontal line.

Gordon H. Garrett, Esq.
Garrett Law Offices, LLC
1075 E. Montague Ave.
North Charleston, SC 29405
Attorney for Movant, Appellant Michael C. Fox

This 6th Day of July, 2021

The Estate of Doris Colucci

Elizabeth Palmer <epalmer@rosenhagood.com>

Fri, Jun 4, 2021 at 9:03 AM

To: Jessica Bauman <Jessica@lawtonlawfirm.net>, "mblunt@dorchestercountysc.gov" <mblunt@dorchestercountysc.gov>, Gordon Garrett <gordongarrett@gmail.com>, "David K. Haller" <dhaller@hallerlawfirm.com>, "brandt@shelbournelaw.com" <brandt@shelbournelaw.com>, Curry Law Firm <currylawfirmc@gmail.com>, Scott Mongillo <Scott@blandrichter.com>, Angus Lawton <angus@lawtonlawfirm.net>, Taylor Davis <tdavis@rosenhagood.com>

Good morning,

These documents (link below) are being produced in compliance with the Court's directive, made during the May 21, 2021 hearing, that we provide you with all emails between Mr. Chandler or myself/my firm and the Court / Court personnel. This production should not be construed as a response to any discovery requests and we maintain that any such discovery requests are improper as set forth in our pending Motion for Protective Order.

<https://rosenhagood.sharefile.com/d-s7827659c34804aa592c79f845c9a2f88>

Beth

Elizabeth Palmer

[Attorney at Law]

 151 Meeting Street, Suite 400

Charleston, SC 29401

Office: (843) 577-6726 | Fax: (843) 724-8036

Direct Phone: (843) 266-8166 | Direct Fax: (843) 266-2239

epalmer@rosenhagood.com

www.rosenhagood.com



ROSEN | HAGOOD

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From: Jessica Bauman <Jessica@lawtonlawfirm.net>
Sent: Tuesday, June 1, 2021 12:20 PM
To: Elizabeth Palmer <epalmer@rosenhagood.com>
Cc: mblunt@dorchestercountysc.gov; Gordon Garrett <gordongarrett@gmail.com>; 'David K. Haller' <dhaller@hallerlawfirm.com>; brandt@shelbournelaw.com; Curry Law Firm <currylawfirmc@gmail.com>; Scott Mongillo <Scott@blandrichter.com>; Angus Lawton <angus@lawtonlawfirm.net>; Taylor Davis <tdavis@rosenhagood.com>
Subject: The Estate of Doris Colucci

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

[Quoted text hidden]

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From: Andrew W. Chandler [<mailto:Chandler@eckb.com>]
Sent: Thursday, August 31, 2017 10:56 AM
To: Mary Blunt; Molly Edwards
Subject: RE: EO Colucci - status call

Dear Judge Blunt,

I totally agree with you on the Will that was filed, which does raise issues about why, how and for what purpose Alice Norton had this Will, but I think has zero impact on the administration of the estate. But that is definitely topic # 1 for us to discuss.

I have a couple of other admin questions for your feedback.

I could talk as early as noon tomorrow if that does not impinge on your lunch time/break? Unfortunately, I have a 10 am appointment and an 11:30 appointment tomorrow. Would noon work (I might even be done as early as 11:45)?

All best,

Andrew

Andrew W. Chandler
Evans, Carter, Kunes & Bennett, P.A.
115 Church Street
Charleston, South Carolina 29401
843.577.2300 (ph)
843.577.2055 (fax)

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From: Mary Blunt [<mailto:MBlunt@dorchestercountysc.gov>]
Sent: Thursday, August 31, 2017 10:28 AM
To: Andrew W. Chandler <Chandler@eckb.com>; Molly Edwards <MEdwards@dorchestercountysc.gov>
Subject: RE: EO Colucci - status call

Dear Andrew,

Molly has a hearing that starts at 1:30. It may be continued but as of now, we have it down. Could you talk before that?

I was going to reach out to you also because David Haller seems to think that the filing of Doris's Will "halts" your work on the estate. Molly and I don't see it like that, but I think we do need to have some formal resolution to the fact that there is now this Will on file. We can discuss this on Friday, but I wanted to give you a head's up.

Best regards,

Mary

Mary Blunt
Probate Judge

DORCHESTER COUNTY PROBATE COURT

5200 East Jim Bilton Boulevard
St. George, SC 29477

P: (843) 851-5785

P: (843) 832-0253

F: (843) 832-0222

E: MBlunt@DorchesterCountySC.gov

www.DorchesterCountySC.gov/Probate



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From: Andrew W. Chandler [<mailto:Chandler@eckb.com>]
Sent: Wednesday, August 30, 2017 12:02 PM
To: Mary Blunt; Molly Edwards
Subject: EO Colucci - status call

Dear Judges Blunt and Edwards,

I hope you are both doing well!

I have a couple of questions to discuss with you, including the filing of the Will. Is there any time this Friday I may impose upon you for a short call? I am free before 9:30 or anytime really in the afternoon that day. Otherwise, if you might suggest a time next week that is convenient for you.

All best and many thanks,

Andrew

Andrew W. Chandler
Evans, Carter, Kunes & Bennett, P.A.
115 Church Street
Charleston, South Carolina 29401
843.577.2300 (ph)
843.577.2055 (fax)

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sender immediately by e-mail and delete all copies of the message.

From: Andrew W. Chandler
To: "Mary Blunt"; Mofly Edwards
Subject: Colucci - Fox subpoena
Date: Wednesday, February 14, 2018 4:09:14 PM
Attachments: Fox SDT - RRH production place.docx

Dear Judge Blunt and Judge Edwards,

Attached is the subpoena to be served by the court on Mr. Fox, demanding the documents and info related to Ivo and Doris Colucci. Christa Yantis and David Haller have contributed to the list of demanded documents. The subpoena has been drafted so that the production occurs at Rosen, Rosen and Hagood, rather than at the courthouse.

Please let me know if there is anything else I can send you. Thank you for issuing the subpoena pursuant to SC Code Ann. 14-23-290.

Best regards,

Andrew

Andrew W. Chandler
Evans, Carter, Kunes & Bennett, P.A.
115 Church Street
Charleston, South Carolina 29401
843.577.2300 (ph)
843.577.2055 (fax)

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From: Andrew W. Chandler
To: Mary Blunt
Subject: FW: Doris Colucci Estate Hearing Notice
Date: Thursday, February 8, 2018 4:40:12 PM

Dear Judge Blunt,

In light of this email, I assume there will be no hearing tomorrow.

In addition to seeking to sell the items, which I would assume now there is no impediment to, I would like to know if I may submit, as a fiduciary of the Court, a proposed order for your consideration, along with affidavits of time and cost from me and Elizabeth Palmer, assessing these fees and costs to Mr. Garrett/Mr. Fox.

Thank you,

Andrew

Andrew W. Chandler
Evans, Carter, Kunes & Bennett, P.A.
115 Church Street
Charleston, South Carolina 29401
843.577.2300 (ph)
843.577.2055 (fax)

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From: (general) Garrett Law Offices [mailto:office@garrettlawsc.com]
Sent: Thursday, February 08, 2018 4:20 PM
To: Devan N. Kociuruba <DKociuruba@dorchestercountysc.gov>
Cc: Andrew W. Chandler <Chandler@eckb.com>; Dan M. David <dan@charlestonlegal.com>; Glenn Churchill <gcclawfirm@gmail.com>; Angus Lawton <angus@lawtonlawfirm.net>; David K. Haller <dhaller@hallerlawfirm.com>
Subject: Re: Doris Colucci Estate Hearing Notice

Devan,

I have spoken to Beth Palmer regarding this hearing. We would like to withdraw the Petition to Restrain the Special Administrator without prejudice. Please let me know if you need this withdrawal delivered to the Court.

Kind Regards,

Gordon Garrett
Attorney for Petitioner for Michael Fox, Trustee
Colucci Living Trust

On Feb 8, 2018, at 3:29 PM, Devan N. Kociuruba <DKociuruba@dorchestercountysc.gov> wrote:

Please see the attached.

From: Andrew W. Chandler
To: Mary Blunt; Molly Edwards
Subject: Estate of Doris Colucci--response to subpoena
Date: Tuesday, February 27, 2018 12:14:42 PM

Dear Judge Blunt and Judge Edwards,

I wanted you both to know that Mr. Fox was responsive to the subpoena, which can be viewed, if you wish, using the link below.

All best!

Andrew

Andrew W. Chandler
Evans, Carter, Kunes & Bennett, P.A.
115 Church Street
Charleston, South Carolina 29401
843.577.2300 (ph)
843.577.2055 (fax)

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From: Elizabeth Palmer [mailto:epalmer@rrhlawfirm.com]
Sent: Tuesday, February 27, 2018 11:39 AM
To: Andrew W. Chandler <Chandler@eckb.com>
Subject: RE: Estate of Doris Colucci--Creditor's Claim

Here's the link for the Fox subpoena download for the court – you can tell them that we have taken the liberty of preparing an affidavit of authenticity for Fox's signature that we will forward to the court upon receipt:

<https://rosenhagood.sharefile.com/d-s5a00a518b9d49408>

Elizabeth Palmer

|Attorney at Law|

151 Meeting Street, Suite 400
Charleston SC 29401
|office| 843-577-6726

| fax | 843-724-8036
| direct phone | (843) 266-8166
| direct fax | (843) 266-2239
epalmer@rrhlawfirm.com
V-Card
www.rrhlawfirm.com



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From: [Mary Blunt](#)
To: [Andrew W. Chandler](#); [Molly Edwards](#)
Subject: RE: Colucci
Date: Wednesday, July 25, 2018 2:22:26 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

That works for me. Molly?

Andrew, Call my cell at 843.708.2473.

Best regards,

Mary

Mary Blunt
Probate Judge

DORCHESTER COUNTY PROBATE COURT

5200 East Jim Bilton Boulevard
St. George, SC 29477

P: (843) 851-5785

P: (843) 832-0253

F: (843) 832-0222

E: MBlunt@DorchesterCountySC.gov

www.DorchesterCountySC.gov/Probate



****Please note new e-mail address****



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From: Andrew W. Chandler <Chandler@eckb.com>

Sent: Wednesday, July 25, 2018 2:20 PM

To: Mary Blunt <MBlunt@dorchestercountysc.gov>; Molly Edwards <MEdwards@dorchestercountysc.gov>

Subject: RE: Colucci

Judge Blunt,

Perfect – how about 2:30 pm tomorrow? If Judge Edwards will call me at 843-577-2300, I will then call you and conference you in. Does that work?

From: Andrew W. Chandler
To: Mary Blunt
Subject: RE: Ivo Colucci 2017GC1800004
Date: Friday, November 2, 2018 11:17:37 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Hi Judge Blunt,

We received the exemplified copies from your office yesterday, and are filing for ancillary probate in Charleston County today. Morgan Insley at Buist Byars is preparing the quit claim deed for me to sign transferring the Estate's interest in the Diamond Center to the LLC. She only needs the Charleston County Case #, and then I will be able to sign the quit claim deed to the LLC (pursuant to 62-3-715(6)). At that point Lisa Herbert, who is closing on the sale of the property for the buyer (scheduled for Nov. 12), will need my quit claim deed, your order approving Christa's ability to sign a quit claim deed as Conservator and that quit claim deed, and whatever is needed from the Estate of Weidberg (I am not involved in that aspect so am not sure where they are in that process). Fingers crossed the closing will go ahead on Nov. 12!

Not sure what to say about a bulk rate on the probate file: Would he like to not pay taxes and to live forever too?

Have a great weekend!

Andrew

Andrew W. Chandler
Evans, Carter, Kunes & Bennett, P.A.
115 Church Street
Charleston, South Carolina 29401
843.577.2300 (ph)
843.577.2055 (fax)

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From: Mary Blunt [mailto:MBlunt@dorchestercountysc.gov]
Sent: Thursday, November 01, 2018 3:25 PM
To: Andrew W. Chandler <Chandler@eckb.com>
Subject: FW: Ivo Colucci 2017GC1800004

Andrew,

Please see the below email from Nancy. Can you update me on where we are with this process?

Also, yesterday, an attorney from Garrett's law firm came in to get a copy of the file from October 2017 through the present. He asked me for a bulk rate/discount on the copying charges! ☺

Best,

Mary

From: Andrew W. Chandler [mailto:Chandler@eckb.com]
Sent: Thursday, November 29, 2018 9:36 AM
To: Mary Blunt <MBlunt@dorchestercountysc.gov>; Molly Edwards <MEdwards@dorchestercountysc.gov>
Subject: EO Colucci

Dear Judge Blunt and Judge Edwards,

Need to have a pow wow. Gordon Garrett has filed the attached.

Is there some time today or tomorrow we can talk?

Many thanks,

Andrew

Andrew W. Chandler
Evans, Carter, Kunes & Bennett, P.A.
115 Church Street
Charleston, South Carolina 29401
843.577.2300 (ph)
843.577.2055 (fax)

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From: Andrew W. Chandler
To: Mary Blunt
Cc: Mary Edwards
Subject: Re: Colucci
Date: Friday, January 4, 2019 4:06:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

Dear Judge Blunt and Judge Edwards,

Well, bless his heart. I am out this afternoon but I can certainly talk on Monday. I am free other than 10 and 2. Do you want to plan to talk at noon?

Have a great weekend,

Andrew

On Jan 4, 2019, at 3:53 PM, Mary Blunt <MBlunt@dorchestercountysc.gov> wrote:

Andrew,

I've been having trouble with my e-mails today so I'm not sure if you got what I tried to send you earlier. I'm trying again now.

Gordon Garrett filed a second Motion for Removal to Circuit Court checking the items to be removed as "Probate of Will" and "Appointment of PR." He also filed a Summons and Petition to Restrain the SA and Remove the SA with Circuit Court captions.

Would you be free on Monday to discuss?

Thank you!

Mary

Mary Blunt
Probate Judge

DORCHESTER COUNTY PROBATE COURT

5200 East Jim Bilton Boulevard

St. George, SC 29477

P: (843) 851-5785

P: (843) 832-0253

F: (843) 832-0222

E: MBlunt@DorchesterCountySC.gov

www.DorchesterCountySC.gov/Probate

****Please note new e-mail address****

[image001.png](#)[image002.png](#)[image003.png](#)[image004.png](#)[image005.png](#)

CONFIDENTIAL COMMUNICATION

From: Andrew W. Chandler
To: "Mary Blunt"; "Molly Edwards"
Subject: proposed language
Date: Tuesday, January 8, 2019 1:00:42 PM
Attachments: Motion for Emergency Hearing.pdf

Dear Judges Blunt and Edwards,

The proposed language for the denial of the motion to remove is:

The only subject matters concerning representatives of estates that are removable to circuit court as a matter of right are formal proceedings for the "appointment of general personal representatives". S.C. Code Ann. § 62-1-302(d)(1). The term "general personal representative" is defined to specifically exclude special administrators. S.C. Code Ann. § 62-1-201(33) ("General personal representative" excludes special administrator.").

Also, Beth Palmer will be filing the attached Motion for Emergency Hearing with the court shortly. It is attached (but will be updated to reflect the hearing is tomorrow at noon).

All best,

Andrew

Andrew W. Chandler
Evans, Carter, Kunes & Bennett, P.A.
115 Church Street
Charleston, South Carolina 29401
843.577.2300 (ph)
843.577.2055 (fax)

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From: Molly Edwards
To: Andrew W. Chandler
Subject: Re: Today
Date: Tuesday, January 8, 2019 9:43:40 AM

Perfect! We'll call you then!

From: Andrew W. Chandler <Chandler@eckb.com>
Sent: Tuesday, January 8, 2019 9:40:52 AM
To: Molly Edwards
Subject: RE: Today

Sure - I can talk at noon - I'll be ready!

Andrew W. Chandler
Evans, Carter, Kunes & Bennett, P.A.
115 Church Street
Charleston, South Carolina 29401
843.577.2300 (ph)
843.577.2055 (fax)

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From: Molly Edwards [mailto:MEwards@dorchestercountysc.gov]
Sent: Tuesday, January 08, 2019 9:40 AM
To: Andrew W. Chandler <Chandler@eckb.com>
Subject: Today

Andrew:

Hope you are doing well. Are you available to talk today at noon?

Thanks,

Molly

**THE STATE OF SOUTH CAROLINA
In the Court of Appeals**

APPEAL FROM DORCHESTER COUNTY

RECEIVED

Court of Common Pleas

JUL 08 2021

Edgar W. Dickson, Circuit Court Judge

SC Court of Appeals

Appellate Case No. 2019-001065

Dorchester County Case No(s). 2019-CP-18-0677 and 2017-CP-18-1816

In Re: The Estate of Doris Duane Colucci

**Michael C. Fox, Named Personal Representative
in the Last Will of Doris Duane ColucciAppellant,**

v.

**Andrew W. Chandler, in his capacity as Special
Administrator of the Estate of Doris Duane Colucci,
Michael C. Fox, Successor Trustee of the
Colucci Living Trust, dated February 24, 2005,
Michael Fredrick Antonio Colucci, John Martin Antonio,
Henry Burkes, and Richard M. Hyman, Jr.....Respondents.**

CERTIFICATE OF SERVICE

Gordon H. Garrett, Esq.
Garrett Law Offices, LLC
1075 E. Montague Ave.
North Charleston, SC 29405
Telephone: (843) 554-5515
Attorney for Appellant

Elizabeth J. Palmer, Esq.
Rosen Hagood, LLC
151 Meeting Street, Suite 400
P.O. Box 893, Charleston SC, 29402
Telephone: (843) 577-6726
Attorney for Respondent,
Andrew W. Chandler, Esq.

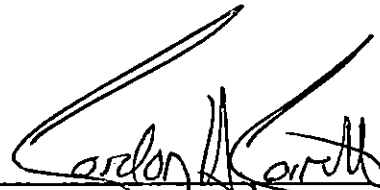
Angus M. Lawton, Esq.
Lawton Law Firm, LLC
P.O. Box 127
496 Bramson Court, Suite 100
Mt. Pleasant, SC 29464
Attorney for Respondents
Michael A. Colucci and John M. Antonio

Richard M. Hyman, Jr., Esquire
Law Firm of M. Richardson Hyman, Jr.
Charleston, SC 29402
Respondent

Adam Mlynarczyk, Esq.
Koontz Mlynarczyk, LLC
1058 E. Montague Avenue
North Charleston, SC 29405
Attorney for Respondent Henry Burkes

Gordon H. Garrett, Esq.
Garrett Law Offices, LLC
1075 E. Montague Ave.
North Charleston, SC 29405
Attorney for Colucci Living Trust

On behalf of the movant, Appellant, Michael C. Fox, I hereby certify that I served the above parties by US Mail, on July 6th, 2021.

A handwritten signature in black ink, appearing to read "Gordon H. Garrett", written over a horizontal line.

Gordon H. Garrett, Esq.
Garrett Law Offices, LLC
1075 E. Montague Ave.
North Charleston, SC 29405
Attorney for Movant, Appellant Michael C. Fox

Garrett Law Offices, LLC
1075 East Montague Ave.
North Charleston, SC 29405

July, 6 2021

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JUL 08 2021

SC Court of Appeals

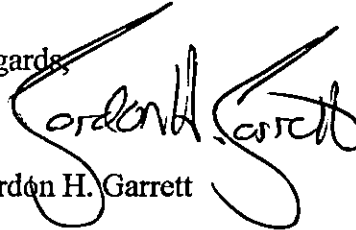
Clerk of Court
South Carolina Court of Appeals
1220 Senate Street
Columbia, South Carolina 29201

In Re: Estate of Doris Duane Colucci (Fox v. Branham et al.)
Appellate Case No. 2019-001065

Clerk of Court,

Enclosed, please find the original and six (6) copies of Appellant's Motion to Supplement Record in the above referenced case. Also, please find a copy of the Certificate of Service and Check No. 2042 for the motion filing fee in the amount of (\$50.00).

Regards,



Gordon H. Garrett

Enc. Motion to Supplement Record
Filing Fee \$50.00
Certificate of Service

Cc: Richard M. Hyman, Esq.
Adam Mlynarczyk, Esq.
Angus Lawton, Esq.
Elizabeth Pamer, Esq.
Michael C. Fox

Garrett Law Offices, LLC
1075-A East Montague Avenue
North Charleston, SC 29405

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