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Oct 08 2021

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM LANCASTER COUNTY
Court of Common Pleas

Honorable Brian M. Gibbons, Circuit Court Judge

Appellate Case Number 2020-000021

In the Matter of the Estate of Chris Combis,

Desa Ballard, as Personal Representative of the Estate of Chris Combis.....Respondent,

v.

George Combis, Diane Combis, and Chris Combis.....Defendants,

Of Whom, George Combis and Chris Combis are.....Appellants.

**APPELLANTS' RETURN TO
MOTION TO CONSOLIDATE**

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The Motion to Consolidate for Oral Argument should be denied, and it merits only a brief Return. In fact, any reasonable analysis leads to the conclusion that the appeals should **not** be consolidated to avoid confusion and possible prejudice. The motion can accurately be characterized as frivolous, and appears to simply be a basis for the movant to make unsupported arguments.

Among the reasons the Motion should be denied are as follows:

1. The facts and substance of the two appeals are completely unrelated, and consolidating the appeals for oral argument would actually be very confusing to the judges on the panel, and possibly prejudicial to the parties.
2. The two appeals involve different parties, and different counsel are involved. Counsel involved in one of the appeals have no knowledge of the facts and issues involved in the other appeal.
3. The assertions in the Motion prove the absurdity of the request to consolidate the appeals for oral argument. The Motion focuses on the conduct of counsel during proceedings below. In fact, paragraph 4 of the Motion asserts that “one common element runs through both appeals, i.e., the liability of attorneys who affirmatively assist their clients in secreting assets . . .” In Appellate case Number 2020-000021, the lower court erroneously held the parties (George Combis and Chris A. Combis) in civil contempt of court. The attorneys were not held in contempt. However, if the appeals are mixed together as sought in the Motion, the parties may be prejudiced by the allegations against *the attorneys* which have no bearing on the civil contempt issues on appeal involving *the parties*.
4. The Motion is so devoid of any merit or logic that one can only surmise that ulterior

motives are involved in the filing of the Motion. However, the undersigned counsel are confident that this Court will disregard the unsubstantiated assertions in the Motion, which appear to be an attempt to make additional arguments.

CONCLUSION

The Motion to Consolidate Appeals for Oral Argument is frivolous, and should be denied.

This the 8th day of October, 2021.

s/ Brian S. McCoy
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PROOF OF SERVICE – RETURN TO MOTION TO CONSOLIDATE

I hereby certify that I served the Appellants’ Return to Motion to Consolidate for Oral Argument by email to counsel for Respondent, Douglas N. Truslow, Esq., at email address douglastruslow@truslowlaw.com, and Neal Truslow, Esq. at email address nealtruslow@truslowlaw.com.

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