

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM PICKENS COUNTY
Circuit Court

The Honorable Charles B. Simmons, Jr., Common Pleas Judge

Appellate Case No. 2021-000854

Kenneth F. Brown and Renee B. Brown.....Respondents,

v.

Teresa Lynn Waldrop.....Appellant.

**MOTION TO BE RELIEVED AS COUNSEL FOR
APPELLANT TERESA L. WALDROP**

Appellant’s counsel of record, Joseph O. Smith and Joshua J. Hudson hereby file this Motion to Be Relieved as Counsel for Appellant, Teresa Lynn Waldrop pursuant to SCACR 264 for the reasons and upon the grounds noted below.

Appellant received the trial transcript from the court reporter on September 28, 2021, making her filing deadline for her Initial Brief and Designation of Matters October 28, 2021. Appellant filed a Motion for Extension of Time to File Initial Reply on October 26, 2021, and, on November 2, 2021, the Court issued an Order granting an extension through November 29, 2021. Appellant filed a second Motion for Extension of Time to File Initial Reply on November 29, 2021, and, on December 1, 2021, the Court issued an Order granting another extension through January 4, 2022. Appellant and Respondent counsel have been discussing settlement of the underlying action and have dedicated their time in this matter to that effort but have not come to a resolution yet.

Appellant's counsel would now request to be Relieved as Counsel for Appellant, Teresa Lynn Waldrop on the following grounds:

1. Counsel's ability to zealously represent the Appellant has been compromised by the inability to effectively communicate with Appellant Teresa Lynn Waldrop. Counsel cannot further elaborate on this due to attorney-client privilege.

Appellant's counsel has provided proper notice of their intent to terminate their representation and the filing of this Motion. Further, Appellant's counsel has contacted and obtained the consent for their withdrawal from Respondent's counsel.

Based on the above-referenced grounds, Appellant's counsel would respectfully request that this Court grant its request to Be Relieved as Counsel for Appellant Teresa Lynn Waldrop. Appellant's counsel would also respectfully request that Appellant Teresa Lynn Waldrop be allowed thirty (30) days to retain new counsel should the Appellant desire to do so.

Respectfully Submitted,

SMITH HUDSON LAW, LLC

/s Joseph O. Smith

Joseph O. Smith (S.C. Bar No. 77475)

Joshua J. Hudson (S.C. Bar No. 100311)

200 N. Main St., Suite 301-C

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Attorneys for Appellant

December 15, 2021

Greenville, South Carolina

Other Counsel of Record:

Ronald Clement, Esq.

Attorney At Law

P.O. Box 10261

Greenville, SC 29603

Attorneys for Respondents

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Dec 15 2021

SC Court of Appeals

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PROOF OF SERVICE

I certify that I have served the Motion to Be Relieved as Counsel on the above-named Respondents via electronic mail, on December 15, 2021, addressed to counsel of record as follows.

Ronald Clement, Esq.
Attorney At Law
P.O. Box 10261
Greenville, SC 29603
runjulirun@aol.com
Attorneys for Respondents

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/s Joseph O. Smith
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December 15, 2021
Greenville, South Carolina



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SC Court of Appeals

VIA E-MAIL

Hon. Jenny Abbott Kitchings
SC Court of Appeals
1220 Senate Street
Columbia, SC 29201
ctappfilings@sccourts.org

RE: *Kenneth F. Brown and Renee B. Brown v. Teresa L. Waldrop*
Appellate Case No. 2021-000854
SHL No. 2861.0001

Dear Madam Clerk:

Enclosed please find Smith Hudson Law Check No. 2347 made payable to the SC Court of Appeals to cover the motion filing fee for the Motion to Be Relieved as Counsel for Appellant Teresa L. Waldrop submitted electronically on December 15, 2021.

Thank you for your attention to this matter. If you have any question or issues, please do not hesitate to contact me.

With kind regards, I am,

Sincerely,

SMITH HUDSON LAW, LLC


Joseph O. Smith

cc: Ronald Clement, Esq.