

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF YORK

CIVIL ACTION NO: 2021-CP-46-02764

Joe L. Adams Jr.,

Petitioner,

v.

Betty Ogbuneke,

Respondent,

IN THE MATTER OF Joe L. Adams Sr..

ORDER DISMISSING APPEAL

RECEIVED

Mar 22 2022

SC Court of Appeals

This matter comes before the Court upon an appeal from the York County Probate Court filed by Petitioner Adams on September 9, 2021. A Motion to Dismiss the Appeal was filed thereafter on October 4, 2021 by Respondent Ogbuneke. Grounds for the Motion to Dismiss were that the appeal was procedurally insufficient, and that the Petitioner failed to claim an issue that could be properly heard on appeal.

After hearing arguments from the parties as to the Motion to Dismiss, this Court finds that the Petitioner has failed to properly file his appeal pursuant to South Carolina Code Ann. § 62-1-308 (b) and has failed to state a claim that would be an appealable issue and therefore dismisses the appeal with prejudice.

Petitioner Adams has also filed on February 28, 2022 a confusing document labeled a "Motion & Opposition to Hearing February 1, 2022 Opposition to Order request for New Hearing with Formal Probate and Not Informal Probate." The filing is addressed to "To the Probate Court of York County" and is an admixture of complaints about the Probate Court's Ruling, complaints about Respondent's proposed order, and complaints about this Court's oral ruling. Construing this filing in the most favorable light to Petitioner as a motion to reconsider this Court's oral ruling, it is DENIED.

MOTION DENIED, APPEAL DISMISSED.

SO ORDERED.



York Common Pleas

Case Caption: Joe L Adams Jr VS Betty Ogbuneke
Case Number: 2021CP4602764
Type: Order/Other

So Ordered

/s William A. McKinnon, #2761, Circuit Judge