

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

CHARLESTON DIVISION

Ashley Reeves as Personal Representative) Civil Action No. 2:12-cv-02765-DCN
of the Estate of Albert Carl "Bert" Reeves,)
)
Plaintiff,)
)
vs.)
)
The Town of Cottageville and Randall)
Price, individually,)
)
Defendants.)
_____)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

CHARLESTON DIVISION

Ashley Reeves as Personal Representative) Civil Action No. 2:14-cv-01918-DCN
of the Estate of Albert Carl Reeves,)
)
Plaintiff,)
)
vs.)
)
John Craddock, individually,)
)
Defendant.)
_____)

ORDER APPOINTING CONSERVATOR

THIS MATTER comes before me on the Petition of Ashley Reeves Lowe, as Personal Representative of the Estate of Albert Carl Reeves, deceased. The Petition seeks the appointment of a conservator.

The instant suit alleges that the decedent Albert Carl Reeves died on or about May 16, 2011, as a result of a gunshot wound fired by Cottageville Police Officer Randall Price.

The decedent Albert Carl Reeves, who died intestate, was survived by two minor children, A.R., a minor, and R.R, a minor, who are the statutory beneficiaries for the wrongful death action and the heirs of the estate of Albert Carl Reeves.

The South Carolina Municipal Insurance and Risk Financing Fund, on behalf of Defendant John Craddock (“Craddock”), has offered to pay a substantial sum made known to the Court (“the Settlement Sum”) in exchange for a release of all claims against said Defendant as described in the Settlement Agreement. The Petitioner understands that this consideration is made in exchange for the releases outlined in the Settlement Agreement, and the dismissal of this action.

The South Carolina Municipal Insurance and Risk Financing Fund , on behalf of Defendants the Town of Cottageville (“Cottageville”) and Randall Price (“Price”), has offered to pay a substantial sum made known to the Court (“the Settlement Sum”) in exchange for a release of all claims against said Defendants as described in the Settlement Agreement. The Petitioner understands that this consideration is made in exchange for the releases outlined in the Settlement Agreement, the dismissal of this action, and the full satisfaction of the judgment entered in this action.

Upon reading and carefully considering the Petition addressed to this Court and upon seeing, observing and interviewing Petitioner and the attorneys representing the parties, this Court concludes that the conservator should be appointed and that Ashely Lowe is capable of serving as the Conservator.

CONCLUSIONS OF LAW

I find that the interests of A.R., a minor, and R.R, a minor, will be served by the appointment of Ashley Reeves Lowe as their Conservator and Mrs. Lowe is a proper and suitable person to be appointed. Further, I find that Mrs. Lowe shall be bonded in the amount of the funds that shall be payable to her as Conservator. The Court is aware that a bond is not required in certain circumstances including cases where the settlement funds are held in a structured settlement or other restricted account. Pursuant to S.C. Code Ann. Sec. 62-5-411 if the petitioner demonstrates good cause to the Probate Court in Colleton County then no bond will be required.

In addition, the Conservator has the power to create and fund an irrevocable trust for the benefit of the interests of A.R., a minor, and R.R, a minor.; provided however, the trust instrument is consistent with South Carolina law as it relates to her duties as a Conservator.

IT IS THEREFORE ORDERED that Ashley Lowe be appointed Conservator of A.R., a minor, and R.R, a minor;

IT IS FURTHER ORDERED that Ashley Lowe be bonded in the amount of the funds that shall be payable to her as Conservator or if good cause is shown then no bond will be required; and further

IT IS FURTHER ORDERED that Ashley Lowe has the power to create and fund an irrevocable trust for the benefit of the interests of A.R., a minor, and R.R, a minor.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'D. Norton', written in a cursive style.

DAVID C. NORTON
UNITED STATES DISTRICT JUDGE

February 26, 2015
Charleston, South Carolina