

James David Driscoll, Jr  
PLAINTIFF(S)

Kelsey Lynn Rigglin et al  
DEFENDANT(S)

**DISPOSITION TYPE (CHECK ONE)**

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

**IT IS ORDERED AND ADJUDGED:**  See attached order (formal order to follow)  Statement of Judgment by the Court:

Defendant James David Driscoll Sr.'s Motion for Summary Judgment, filed January 18, 2022, was heard by this Court on April 25, 2022. Summary Judgment is properly granted when viewing the evidence and inferences to be drawn therefrom in a light most favorable to the nonmoving party, when there are no genuine issues of material fact, and when the moving party is entitled to judgment as a matter of law. Rule 56(c), SCRPC. "[T]he nonmoving party ... is only required to submit a mere scintilla of evidence in order to withstand a motion for summary judgment." Huffman v. Sunshine Recycling, LLC, 426 S.C. 262, 270-71, 826 S.E.2d 609, 614 (2019). This Court finds that Plaintiff James David Driscoll Jr. submitted at least a scintilla of evidence sufficient to DENY Defendant James David Driscoll Sr.'s Motion for Summary Judgment WITHOUT PREJUDICE. Plaintiff James David Driscoll Jr. has 30 days from the date of this Order to amend his Complaint and clarify his claims against specific parties.

**ORDER INFORMATION**

This order  ends  does not end the case.  See Page 2 for additional information.

**For Clerk of Court Office Use Only**

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 05/12/2022 .

James David Driscoll, Jr for James David Driscoll, Jr  
James David Driscoll, Jr for James David Driscoll, Jr

**RECEIVED**  
JUL 14 2022  
SC Court of Appeals

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

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