

STATE OF SOUTH CAROLINA  
COUNTY OF UNION

IN THE COURT OF  
COMMON PLEAS FOR THE  
SIXTEENTH JUDICIAL CIRCUIT

Jeri C. Inman and Johnny Inman,

No. 2021-CP-44-00207

Plaintiffs,

**RECEIVED**

v.

ORDER **Dec 29 2022**

Itema America, Inc, and Itema S.p.A.,

SC Court of Appeals

Defendants.

**CLARIFYING PRIOR ORDER**

In an order signed and filed on August 1, 2022, this Court granted Plaintiffs’ motion for enlargement of time to serve process on Defendant Itema S.p.A pursuant to Rules 3 and 6 of the South Carolina Rules of Civil Procedure (“SCRCP”). That order also dismissed with prejudice the motion to dismiss filed by Itema S.p.A. in which it argued that the failure to serve process within the 120-day safety net of SCRCP 3(a)(2) could not be extended further without violating the statute of limitations. Subsequently, Defendant Itema S.p.A. filed a motion for summary judgment on the ground that the action was not commenced within the statute of limitations because it was not served on Itema S.p.A. within 120 days of filing as required by S.C. Code §15-3-20(B). Judge Sprouse heard the motion and declined to rule. Instead, he issued a Form 4 order continuing the matter so that I could clarify the scope of my prior order.

I now clarify that the prior order was intended to and did extend the time for service of process under all applicable court rules and statutes such that if service was made within the extended deadline, the action would have been commenced within the statute of limitations.

IT IS SO ORDERED.

\_\_\_\_\_, 2022  
Union County, SC

\_\_\_\_\_  
Hon. William A. McKinnon  
Presiding Judge



Union Common Pleas

**Case Caption:** Jeri C Inman , plaintiff, et al VS Itema America, Inc. , defendant, et al

**Case Number:** 2021CP4400207

**Type:** Order/Other

So Ordered

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