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STATE OF SOUTH CAROLINA
COUNTY OF LAURENS
IN THE COURT OF COMMON PLEAS

SC Court of Appeals

JUDGMENT IN A CIVIL CASE
CASE NUMBER 2021CP3000256

Guadalupe J Colorado

Sandra B Colorado

Maurice Powers

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: Christian Hill Thorndike

Attorney for: [X] Plaintiff [] Defendant
[] Self-Represented Litigant

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.
[X] 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:

ORDER INFORMATION

This order [] ends [X] does not end the case. A virtual hearing was held on 10-18-2022 and the Motion for Summary Judgment is denied.

Additional Information for the Clerk:

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Table with 3 columns: Judgment in Favor of (List name(s) below), Judgment Against (List name(s) below), Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.

Note: Title abstractors and researchers should refer to the official court order for judgment details.

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

10/18/2022

Circuit Court Judge

Judge Code

Date

For Clerk of Court Office Use Only

This judgment was entered on , and a copy mailed first class or placed in the appropriate attorney's box on , to attorneys of record or to parties (when appearing pro se) as follows:

ELECTRONICALLY FILED - 2022 Oct 18 4:12 PM - LAURENS - COMMON PLEAS - CASE#2021CP3000256

EXHIBIT 1

Christian Hill Thorndike PO Box 9246 Greenville, SC
29604

Christopher L. Jones 650 E. Washington St Greenville, SC
29601

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter

K Michelle Simmons - Clerk of Court

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

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Laurens Common Pleas

Case Caption: Guadalupe J Colorado , plaintiff, et al VS Maurice Powers

Case Number: 2021CP3000256

Type: Order/Form 4

So Ordered

s/ Maite Murphy 2166

Electronically signed on 2022-10-18 16:00:17 page 3 of 3

EXHIBIT 2

FORM 4

**STATE OF SOUTH CAROLINA
COUNTY OF LAURENS
IN THE COURT OF COMMON PLEAS**

**JUDGMENT IN A CIVIL CASE
CASE NUMBER 2021CP3000256**

Guadalupe J Colorado	Sandra B Colorado	Maurice Powers	
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PLAINTIFF(S)	DEFENDANT(S)
Submitted by: Christopher L. Jones	Attorney for: <input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Defendant <input type="checkbox"/> Self-Represented Litigant

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. See Page 2 for additional information.
- 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:

ORDER INFORMATION

This order ends does not end the case. per verdict form- awarded in favor for Defendant, Maurice Powers
Additional Information for the Clerk: See Verdict

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
Maurice Powers	Guadalupe J. Colorado and Sandra Colorado	\$70,000

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.
Note: Title abstractors and researchers should refer to the official court order for judgment details.

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

Circuit Court Judge	2167	11/16/2022
	Judge Code	Date

For Clerk of Court Office Use Only

This judgment was entered on , and a copy mailed first class or placed in the appropriate attorney's box on , to attorneys of record or to parties (when appearing pro se) as follows:

Christian Hill Thorndike PO Box 9246 Greenville, SC
29604

Christopher L. Jones 650 E. Washington St Greenville, SC
29601

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter Donna Toland, DCRP

K Michelle Simmons /Donna Morris- Clerk of Court

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

ELECTRONICALLY FILED - 2022 Nov 16 2:54 PM - LAURENS - COMMON PLEAS - CASE#2021CP3000256



Laurens Common Pleas

Case Caption: Guadalupe J Colorado , plaintiff, et al VS Maurice Powers

Case Number: 2021CP3000256

Type: Order/Form 4

Circuit Court Judge

s/Donald B. Hocker, Judge Code 2167

EXHIBIT 3

STATE OF SOUTH CAROLINA)	
)	IN THE COURT OF COMMON PLEAS
COUNTY OF LAURENS)	
)	
Guadalupe J. Colorado and Sandra)	
B. Colorado)	C.A. No.: 2021-CP-30-000256
)	
Plaintiffs,)	ORDER
)	
vs.)	
)	
Maurice Powers,)	
)	
Defendant.)	
_____)	

Plaintiffs’ sole cause of action was the Defendant’s violation of the Restrictive and Protective Covenants filed in Book 296 at Page 347 Office of the Clerk of Court for Laurens County. In particular, the Plaintiffs claim a violation of the Covenants (Sections A, I, K) by the Defendant operating an automobile body painting business on his property.

A trial was conducted the week of November 14, 2022. The Defendant’s counterclaim was tried by the jury and the Plaintiff’s claim was tried by the Court.

After a thorough and careful consideration of the testimony and evidence presented at trial, the Court finds in favor of the Defendant on Plaintiffs’ claim. While the Court finds some of the Defendant’s actions to be suspect, the Plaintiffs were unable to convince the Court, by a preponderance of the evidence, that the Defendant has engaged in operating a business on his property. While the Defendant admitted to painting cars on his property, he claimed that it was done as a favor for friends and family and not for profit. If the Plaintiffs had any corroborating evidence to support their claims, the outcome could have been in their favor. In fact, witnesses for the Defendant contradicted much of what the Plaintiffs claimed.

This ruling is not to be considered as a license to violate these Covenants by the Defendant as he and his property are still subject to them and the Covenants can still be enforced by the Courts. In addition, and to reiterate what the Court told the lawyers and litigants in this case, the outcome on the Defendant’s counterclaim has had no effect on the Court’s decision on the Plaintiffs’ claims.

SO ORDERED.

November 22, 2022
Laurens, South Carolina

Donald B. Hocker
Circuit Court Judge



Laurens Common Pleas

Case Caption: Guadalupe J Colorado , plaintiff, et al VS Maurice Powers

Case Number: 2021CP3000256

Type: Order/Other

Circuit Court Judge

s/Donald B. Hocker, Judge Code 2167

EXHIBIT 4

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
COUNTY OF LAURENS)	EIGHTH JUDICIAL CIRCUIT
)	CIVIL ACTION NO.: 2021-CP-30-00256
)	
Guadalupe J. Colorado and)	ORDER
Sandra B. Colorado,)	
Plaintiffs,)	
)	
v.)	
Maurice Powers,)	
_____ Defendant.)	

THIS MATTER IS BEFORE THE COURT on Plaintiffs’ Motion to Alter or Amend Judgement and Plaintiffs’ Motion for Judgement Notwithstanding Verdict, New Trial Absolute, New Trial Pursuant to the Thirteenth Juror Doctrine, and New Trial Nisi Remittitur.

After some consideration, the Court hereby denies Plaintiffs’ Motions. The Court finds no error of law compelling it to alter or amend its judgement in this case. Viewing reasonable inferences in favor of the nonmoving party, the Court finds that Plaintiffs have not met the necessary standard to entitle them to Judgement Notwithstanding the verdict. The Court finds that granting a new trial is not appropriate in this case. Finally, the Court finds that the jury’s verdict in this case did not excessively compensate the Defendant.

SO ORDERED.

DONALD B. HOCKER
CIRCUIT COURT JUDGE

Laurens, South Carolina

Date: 12/16/2022