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**Apr 18 2023**

**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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APPEAL FROM AIKEN COUNTY  
Courtney Clyburn Pope, Circuit Court Judge

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Appellate Case Number 2023-000009  
Case No. 2017-CP-02-1413

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Otis Owens, ..... Respondent,

v.

Michael Hunt, in his Official Capacity as Sheriff  
of Aiken County, Aiken County Sheriff's Office,  
Aiken County Detention Center, and Aiken County, ..... Appellants.

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**RESPONDENT'S REPLY TO APPELLANTS' RETURN IN OPPOSITION TO  
RESPONDENT'S MOTION FOR ORDER TO MEDIATE**

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The respondent respectfully files his reply to the appellants' return to the respondent's motion for an order to mediate.

The respondent has been trying to resolve this case for years. He has done everything in his power to urge the Aiken County Sheriff's Office to take responsibility for conduct that was witnessed by multiple people and unacceptable by anyone's standards. Notwithstanding those efforts, the Sheriff's Office forced a trial where opposing counsel objected over 120 times in five days, ending in a verdict of 10 times the highest amount ever offered by the Sheriff's office and

multiple times the last demand the respondent made. The respondent beat the offer of judgment he filed by \$50,000<sup>1</sup>.

The respondent believes that mediation might be more fruitful now that a jury has returned a verdict in his favor. If a settlement were reached at mediation, it would bind the parties as long as they comply with SCRCP 43(k). It would also conserve time and expenses for both this Court and the parties. The respondent is willing to pay for the mediation, as long as the appellant mediates in good faith. There is nothing for the appellants to lose, and mediation is in the best interest of all parties. The respondent therefore respectfully requests that the Court of Appeals order the parties to mediate in good faith.

Respectfully Submitted,

Hawkins & Jedziniak, LLC

s/ Joshua T. Hawkins

Joshua T. Hawkins, S.C. Bar No. 78470  
Helena L. Jedziniak, S.C. Bar No. 100825  
Ethan L. Jedziniak, S.C. Bar No. 105785  
1225 South Church Street  
Greenville, South Carolina 29605  
(864) 275-8142 (telephone)  
(864) 752-0911 (facsimile)  
josh@hjllcsc.com  
helena@hjllcsc.com  
ethan@hjllcsc.com

***Attorneys for Respondent***

Greenville, South Carolina  
April 18, 2023

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<sup>1</sup> The respondent's motion for costs and interest was denied by the trial court, and the respondent chose not to appeal that issue in order to narrow the scope of the issues before this Court.

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**PROOF OF SERVICE**

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I certify that I filed Respondent's Reply to Appellants' Return in Opposition to Respondent's Motion to For an Order to Mediate, with the South Carolina Court of Appeals, (*electronically via ctappfilings@sccourts.org*), and served a copy upon Appellants Michael Hunt, Aiken County Sheriff's Office, Aiken County Detention Center, and Aiken County (*via electronic mail to their attorneys of record: w davidson@dml-law.com, andrew@ldlawsc.com*), and to the South Carolina Court of Appeals Clerk of Court, by depositing a copy of it in the United States Mail, postage prepaid, on April 18, 2023, addressed to 1220 Senate Street, Columbia, SC.

**\*Space left intentionally blank. Please see signature block to follow.\***

Hawkins & Jedziniak, LLC

s/ Joshua T. Hawkins

Joshua T. Hawkins, S.C. Bar No. 78470

Helena L. Jedziniak, S.C. Bar No. 100825

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1225 South Church Street

Greenville, South Carolina 29605

(864) 275-8142 (telephone)

(864) 752-0911 (facsimile)

josh@hjlsc.com

helena@hjlsc.com

ethan@hjlsc.com

*Attorneys for Respondent*

Greenville, South Carolina

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**Joshua T. Hawkins**

*josh@hjllcsc.com*

**Helena L. Jedziniak \***

*helena@hjllcsc.com*

*\* also licensed in North Carolina*

**Ethan L. Jedziniak**

*ethan@hjllcsc.com*

1225 South Church Street, Greenville, SC 29605

P: (864) 275-8142 ▪ F: (864) 752-0911 ▪ [www.hjllcsc.com](http://www.hjllcsc.com)

April 18, 2023

--via U.S. Mail and electronic filing: [ctappfilings@sccourts.org](mailto:ctappfilings@sccourts.org)--

Jenny Abbot Kitchings

Clerk of Court

South Carolina Court of Appeals

1220 Senate Street

Columbia, SC 29201

RE: *Otis Owens v. Michael Hunt, et al.*

Appellate Case No.: 2023-000009

Dear Ms. Kitchings,

Please find enclosed for filing, Respondent's Reply to the Appellants' Return to the Respondent's Motion for an Order to Mediate, in the above-captioned case, along with Proof of Service upon Appellants.

Should the Court have any questions, or need anything further, please do not hesitate to contact our office.

Sincerely,



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*Monica Brody*  
Certified Paralegal  
*monica@hjllcsc.com*

Enclosures

CC:

--via electronic mail and U.S. Mail:

William H. Davidson, II: [w davidson@dml-law.com](mailto:w davidson@dml-law.com)

Andrew F. Lindemann: [andrew@ldlawsc.com](mailto:andrew@ldlawsc.com)

*Attorneys for Appellants*