

STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS  
FIFTH JUDICIAL CIRCUIT

Logan Saunders,

Plaintiff,

vs.

Beta Upsilon Chi Fraternity, Inc., a/k/a Beta  
Upsilon Chi, Michael Vinzani, Graham  
Harmon, and Walker Wood,

Defendants.

Civil Action No. 2021-CP-40-03542

**Order Granting Defendant Beta Upsilon Chi  
Fraternity, Inc. Relief from Default**

Before the Court is the Motion for Relief from Default filed by Defendant Beta Upsilon Chi Fraternity, Inc. (the “Fraternity Corporation”), which made a limited appearance to challenge the Court’s personal jurisdiction under Rules 12(b)(2) and (5), SCRCF, and to seek relief from the default erroneously entered against it under Rule 55, SCRCF. The Fraternity Corporation challenges whether service of process by certified mail was completed on it in Texas, and requests the Court vacate its prior order entering default.

The Court **GRANTS** the motion. It finds and concludes that the record confirms service of process was not perfected on the Fraternity Corporation.<sup>1</sup> As a result, the Court **ORDERS**:

- A. That the adjudication of default and entry of default is hereby vacated.
- B. As the Fraternity Corporation offered to do in its motion, the Fraternity Corporation shall accept service of process and make a formal appearance in this case. Thereafter, it shall have thirty days to answer or otherwise respond to the Summons and Complaint, retaining all defenses given its limited appearance to date.

**IT IS SO ORDERED.**

ELECTRONIC SIGNATURE TO FOLLOW

<sup>1</sup> And in any event, the record lacks a sufficient certified mail return receipt for default to be procedurally proper.



Richland Common Pleas

**Case Caption:** Logan Saunders vs Beta Upsilon Chi Fraternity Inc , defendant, et al

**Case Number:** 2021CP4003542

**Type:** Order/Relief

So Ordered

s/ Daniel Coble, 2774