

STATE OF SOUTH CAROLINA
COUNTY OF KERSHAW

IN THE COURT OF COMMON PLEAS
CASE NO. 2022-CP-28-00229

Jasmine Gibson,

Plaintiff,
vs.

Rosa DeVeaux and Virginia Patterson,

Defendants.

ORDER OF JUDGMENT
FOR DAMAGES

RECEIVED

Jul 10 2023

SC Court of Appeals

This matter comes before the Court for a damages hearing the trial week of February 27, 2023. The Order on Summary Judgment issued a declaratory judgment in Plaintiff's favor that she has a valid lease of the property subject of this action and adjudged liability in the Plaintiff's favor on the abuse of process cause of action.

FINDINGS OF FACT

As a result of the Defendants' abuse of process, Plaintiff has experienced significant stress and anxiety. She also incurred \$6,000.00 in attorneys' fees to combat the improper use of the process by the Defendants. The Court finds that the amount of \$20,000.00 is sufficient to compensate the Plaintiff for the substantial psychological injury caused by the abuse of process by the Defendants, who are the Plaintiff's aunt and grandmother.

CONCLUSIONS OF LAW

"Damages recoverable for abuse of process are compensatory for the natural results of the wrong, and may include recompense for physical or mental injury; expenses; loss of time; and injury to business, property or financial standing." Huggins v. Winn-Dixie Greenville, Inc., 252 S.C. 353, 362, 166 S.E.2d 297, 301 (1969). The tort of abuse of process is intended to compensate a party for harm resulting from another party's misuse of the legal system, and attorney's fees incurred for combating the improper process are recoverable as damages for abuse of process.

Patterson v. Bogan, 261 S.C. 87, 95, 198 S.E.2d 586 (1973); Jones v. Ingles Supermks., Inc., 293 S.C. 490, 493, 361 S.E.2d 775, 777 (Ct. App. 1987).

Accordingly, the Plaintiff is entitled to recover both the attorneys' fees she incurred to combat the abuse of process and an amount to compensate her for the stress and anxiety the Defendants' abuse of process caused.

ORDER

Accordingly, it is therefore hereby ORDERED that the Plaintiff have judgment against the Defendants, jointly and severally, in the amount of \$26,000.00.

And IT IS SO ORDERED.

SIGNATURE PAGE TO FOLLOW

Jasmine Gibson

Rosa DeVeaux

PLAINTIFF(S)

Virginia Patterson

DEFENDANT(S)

Submitted by: Andrew S. Radeker	Attorney for : <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or <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 Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.
 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.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
Jasmine Gibson	Rosa DeVeaux	\$ 26,000.00
Jasmine Gibson	Virginia Patterson	\$26,000.00
		\$
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

Judge Code

Date

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20____ to attorneys of record or to parties (when appearing pro se) as follows:

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

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), SCRPC.



Kershaw Common Pleas

Case Caption: Jasmine Gibson VS Rosa Deveaux , defendant, et al

Case Number: 2022CP2800229

Type: Order/Damages

IT IS SO ORDERED!

s/ Alison Renee Lee

Electronically signed on 2023-04-04 08:54:29 page 5 of 5