

STATE OF SOUTH CAROLINA  
COUNTY OF NEWBERRY

) IN THE COURT OF COMMON PLEAS  
) EIGHTH JUDICIAL CIRCUIT  
) CIVIL ACTION NO.: 2020-CP-36-00384

JEFFERSON DAVIS, JR,

Plaintiff,

ORDER

v.

CHAD CONNELLY; TOM PERSONS,  
GEOFFREY CHAMBERS, ESQ.; AND  
SOUTH CAROLINA EDUCATIONAL  
CREDIT FOR EXCEPTIONAL NEEDS  
CHILDREN FUND

Defendants.

**RECEIVED**

**Oct 13 2023**

**SC Court of Appeals**

A hearing was held on February 12, 2021 via the Judicial Branch's Virtual Courtroom. The Plaintiff appeared pro se. Justin Novak appeared on behalf of Defendants Connelly, Persons, and The Fund. Defendant Chambers appeared pro se. (The Court notes that this action refers to a prior action filed by the Plaintiff and Connelly, Persons, and The Fund were the named Defendants. 2020-CP-36-00093)

Defendants' (Except Chambers) Motion to Dismiss: Rules 8(a) and 12(b)(6)

In this present action, the Plaintiff asserts five causes of action against the Defendants: Defamation Per Se and Per Quod; Defamation by Innuendo; Negligence; Intentional Infliction of Emotional Distress; and Conspiracy. Once again, in ruling on this Motion, the Court is not concerned with the merits of these various causes of action.

The Court will be consistent with its ruling in Case No. 00382 as it applies to Connelly and Persons in this case. The Court denies the Motion as to Defamation Per Se/Per Quod, Intentional Infliction of Emotional Distress and Conspiracy. The Court finds that the Complaint alleges sufficient facts to constitute a cause of action. The elements are sufficiently pled. As to



Negligence and Defamation by Innuendo, the Court grants the Motion to Dismiss based upon the Order in Case No. 00382, the same being incorporated herein by reference.

As to the Fund, the Court grants the Motion to Dismiss as to all causes of action as a non-profit corporation, in and of itself, cannot be held liable for committing a tort as alleged to by the Plaintiff.

As to Rule 8(a), the Court adopts its findings in its Order in Case No. 00382, the same being incorporated herein by reference.

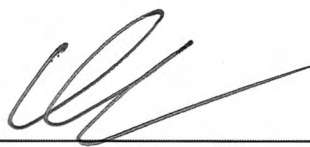
Defendant Chambers Motion to Dismiss: Rules 12(b)(2), (3), (4), (5), (6), (7)

It is not in dispute that service of the Summons (and Complaint) was never effected on this Defendant. Based upon Rule 12(b)(2), (4) and (5), the Motion to Dismiss is granted and the arguments made by said Defendant in his Motion to Dismiss on this issue is incorporated herein by reference. This Order is temporary and Mr. Chambers is directed to prepare for the Court a more formal Order on this issue. The Court is not making a ruling either way, at this time, on the other issues raised in the Motion.

Plaintiff's Motion for Default Judgment as it relates to Defendant Chambers

In light of the above ruling, this Motion is now moot.

SO ORDERED.



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DONALD B. HOCKER  
CIRCUIT COURT JUDGE

Laurens, South Carolina  
Date: 03/26/2021





Newberry Common Pleas

**Case Caption:** Jefferson Davis Jr VS Chad Connelly , defendant, et al

**Case Number:** 2020CP3600384

**Type:** Order/Other

Circuit Court Judge

s/Donald B. Hocker, Judge Code 2167