

Date November 16
Clerk of Court SE
Court of Appeals
Jenny A Kitchings

Case No: 2023-000061

Judge Brian Gibbons

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NOV 28 2023

SC Court of Appeals

Hon. Judge/Clerk

Although the respondent has his certification of service dated Oct 30 2023 It was not received at MacDougalls Mailroom until Nov 15 2023 thus allowing me a very limited time to respond to his final brief. I have tried my best to be responsive as possibly sending all my briefs in a timely matter allow them time to review and respond.

I can only assume this is a tactic by the respondent. Can you please help me with this.

IN THE SUPREME COURT
[state of south carolina]

Randall D. Price # 386694)
Appellant.)
-vs-)
Deputy Compton and the)
STATE OF SOUTH CAROLINA)
Granville County)
Respondent.)
Sheriff's Dept.)

C/A No: 2023-000061

REPLY TO RESPONDENTS FINAL
BRIEF

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Comes now Appellant, Randall D. Price, # 386694 who specifically makes his reply to the respondents final brief based on the following facts and laws of the case. On page 6 of 14 of the Respondents Final Brief the Respondents asserts that the circuit court correctly ruled that the Appellant has not raised sufficient facts to state a claim at the minimum of the standards see Judge Gravely's order, nonetheless the Appellant was allowed the opportunity to amend his complaint to allege any facts that tended to establish that respondents had any duty to Appellant in their dealings with Dalton Taylor, and that Respondents had some how breached that duty, or that Respondents were grossly negligent or outside of the course and scope of their duties such that they would not be entitled to immunity under the South

Carolina Tort Claims Act. The circuit court was wrong in its ruling that the Appellant has not raised sufficient facts to state a claim. The Appellant alleged that deputy Compton was negligent in his duties that caused the death of Mr. Dalton Taylor, because deputy Compton let the victim keep the unsafe moped which was not safe to operate on the streets with no lights after dark. Deputy Compton should have removed the victim out of harms way, which is his job to serve and protect the public. This " spilled over" into the Appellants claim of negligence because the Appellant inherited this duty from deputy Compton from this act. Deputy Compton forgot this part of his job "to serve and protect" the citizens of his county, "thus" rendering him incompetent and negligent of which amounts to gross negligents. This act mirrors the (4) four prongs in Doe v. Marion, 373 S.C. 390, 400, 645 S.E.2d 245(2002). The circuit court misconstrued the Appellants claims forgetting that you cannot advertise one thing and do the opposit, this is a failure to exercise slight due care see: Jinks v. Richland County, 355 S.C. 341, 345(2003). To serve and protect is a prerequisite duty and element that renders the Respondents grossly negligent. On page 11 of 14 the Respondents alleges that neither deputy Compton or

the Greenville Sheriffs Department owed the Appellant a duty of care, "however" they are wrong in their thinking on this issue. The duty of care was inherited by special circumstances created by deputy Compton and the Greenville Sheriffs Department when he was sucked into this vortex that was created by deputy Compton on that fatal night. The "SPILLOVER EFFECT DOCTRINE" shows that deputy Compton had a conscious, and wonton disregard of the probability that death or injury would result from the willful creation of an unreasonable risk that he himself created by leaving the victim on the side of the road with the dangerous moped unequipped with lights after he was told by the victim that he was going to try to make it to the gas station. Deputy Compton told the victim that he would get hurt if he tried to make it to the gas station, but knowing that the victim was going to try anyway was "grossly negligent" in that regard. The Respondents are not entitled to to a dismissal of this case by a long shot on the grounds alleged in their Final Brief or any other proceedings. The Appellant forever prays.

3 Randall D. Orr

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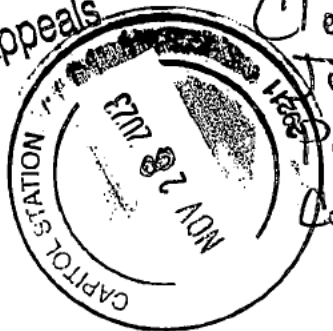
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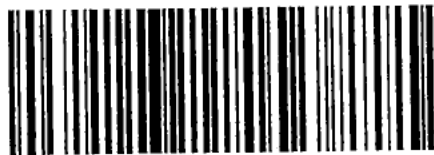
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Clerk of S.C. Court of Appeal
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