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Jan 04 2024

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM HAMPTON COUNTY
Court of Common Pleas

Walter H. Sanders, Jr., Special Referee

Case No. 2023-001001

Donald Youngblood,.....Respondent,

v.

Sheila Wright,.....Appellant.

RECORD ON APPEAL

/s/F. Truett Nettles, II
F. Truett Nettles, II, Esq.
Rosen Hagood, LLC
40 Calhoun Street, Suite 450
Charleston, SC 29401
SC Bar#: 4195
(843) 266-8122
tnettles@rosenhagood.com
Attorney for the Appellant

John E. Parker, Jr., Esq.
John E. Parker, Esq.
Post Office Box 487
Hampton, South Carolina 29924
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jparker@parkerlawgroupsc.com
jayparker@parkerlawgroupsc.com
Attorneys for the Respondent

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STATE OF SOUTH CAROLINA)
COUNTY OF HAMPTON)
DONALD YOUNGBLOOD,)
Plaintiff,)
v.)
SHEILA WRIGHT,)
Defendant.)

IN THE COURT OF COMMON PLEAS
CIVIL ACTION NO.: 2022-CP-25-_____

SUMMONS
(Jury Trial Demanded)

TO THE DEFENDANT ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to this complaint upon the subscriber, at Peters, Murdaugh, Parker, Eltzroth & Detrick, PA, 101 Mulberry Street East, P.O. Box 457, Hampton, SC 29924, within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the complaint, judgment by default will be rendered against you for the relief demanded in the complaint.

PETERS, MURDAUGH, PARKER, ELTZROTH
& DETRICK, P.A.

BY: /s/ John E. Parker
John E. Parker SC Bar No.4442
John E. Parker, Jr. SC Bar No.104225
101 Mulberry Street East
P.O. Box 457
Hampton, SC 29924
Phone: (803) 943-2111
Fax: (803) 914-2014
jparker@pmped.com
jayparker@pmped.com

ATTORNEYS FOR PLAINTIFF

January 25, 2022
Hampton, South Carolina

STATE OF SOUTH CAROLINA)
COUNTY OF HAMPTON)
DONALD YOUNGBLOOD,)
Plaintiff,)
v.)
SHEILA WRIGHT,)
Defendant.)

IN THE COURT OF COMMON PLEAS
CIVIL ACTION NO.: 2022-CP-25-_____

COMPLAINT
(Jury Trial Demanded)

The Plaintiff alleges:

1. The defendant is a resident of Hampton County and the events giving rise to the case occurred in Hampton County; venue is proper in Hampton County.
2. On April 14, 2020, the plaintiff was an invitee at the house of the defendant at 18 Wright Street, Yemassee, S.C.; that as the plaintiff crossed the defendant’s yard he stepped in a hole which was covered with grass causing him to fall injuring his shoulder, head and neck.
3. The injuries to Plaintiff were due to the following acts of negligence by the defendant:
 - a) In failing to warn;
 - b) In failing to repair the hole;
 - c) In failing to properly mark the hole to warn; and
 - d) In failing to exercise that degree of care required under the circumstances.
4. As a result of the defendant’s negligence Plaintiff suffered the above described injuries and has incurred medical expenses and lost income; the plaintiff has suffered pain and discomfort all to his actual damages.

WHEREFORE, Plaintiff prays for judgment against the Defendant for actual damages and for the costs of this action, and for such other and further relief as the Court may deem just and proper.

PETERS, MURDAUGH, PARKER, ELTZROTH
& DETRICK, P.A.

BY: /s/ John E. Parker

John E. Parker SC Bar No.4442
John E. Parker, Jr. SC Bar No.104225
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jayparker@pmped.com

ATTORNEYS FOR PLAINTIFF

January 25, 2022
Hampton, South Carolina

IN THE COURT OF COMMON PLEAS OF THE STATE OF SOUTH CAROLINA FOR HAMPTON COUNTY

DONALD YOUNGBLOOD

Plaintiff/Petitioner

vs.

SHEILA WRIGHT

Defendant/Respondent

DOCKET NO: 2022CP2500017

FILING DATE: 01/25/2022

AFFIDAVIT OF SERVICE OF:

SUMMONS; COMPLAINT; LETTER DATED 01/25/2022

The undersigned, being first duly sworn, on oath deposes and says: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, has the authority to serve pleadings in the State named below, and is competent to be a witness therein.

On the 29th day of January, 2022, at 10:18 AM, at the address of 18 Wright Street, Yemassee, Hampton County, SC 29945; this affiant served the above described documents upon Sheila Wright by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with Sheila Wright, I delivered the documents to Sheila Wright with identity confirmed by subject stating their name. The individual accepted service with direct delivery. The individual appeared to be a brown-haired black female contact 55-65 years of age, 5'-5'4" tall and weighing 200-240 lbs. I identified a Black 2017 DODGE CHARGER UMQ775, a 2010 NISSAN MAXIMA SAQ494 and a Silver 2018 NISSAN MURANO RSF564 registered to the subject..

Is defendant active duty military? (X) NO () YES

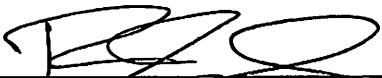
Is the place of service the dwelling house or usual abode for the party being served? () NO (X) YES

Is the Subject Property a Mobile Home? (X) NO () YES

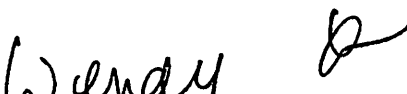
Is a Mobile Home VIN # visible? () NO () YES

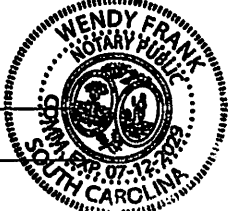
VIN #: _____

Date: 1.31.22


Brenda Lee Cooper

SUBSCRIBED AND SWORN to before me this 31st day of Jan, 2022.


NOTARY PUBLIC in and for the State of South Carolina
My commission expires 07.12.29



REF: 017306-021447 Youngblood
FOR: Peters Murdaugh Parker Eltzroth

PAGE 1 OF 1
ORIGINAL AFFIDAVIT OF SERVICE



Tracking #: 0082386324


ELECTRONICALLY FILED - 2022 Jan 31 2:02 PM - HAMPTON - COMMON PLEAS - CASE#2022CP2500017

July 21, 2022

RECEIVED

JUL 25 2022

NAT. SEC.

Via Fax and Regular Mail
Fax 1-334-897-5694
Ms. Crystal Clark
National Security Fire & Casualty Company
P. O Box 703
Elba, Alabama 36323

Re: *Donald Youngblood v. Sheila Wright*
Case No. 2022-CP-25000017

Dear Ms. Clark:

Enclosed please find a copy of the summons and complaint served on your insured on January 29, 2022. We have not received an answer and the case is in default. Please have the appropriate person with your company get in touch with me about this case.

With kind regards, I am

Sincerely,


John E. Parker

JEP/cc
Enclosures as stated.

7/22/2022 8:57:11 AM	5263933	Agent Claim Reopen Notice Sent	NSGDOM\cclark	Agent Claim Reopen Notice Sent
7/22/2022 8:57:09 AM	5263933	Message	NSGDOM\CClark	<p>National Security Fire and Casualty Company 661 East Davis Street Post Office Box 703 Elba, AL 36923 Phone: (866)253-2145 Fax: (855)562-2460</p> <p>The claim identified below has been reopened.</p> <p>Policy Number: 1595132 Type of Loss: Bodily Injury Insured's Name: SHELIA WRIGHT</p>
7/22/2022 8:57:09 AM	5263933	Claim Reopened	NSGDOM\cclark	Claim reopened.
7/22/2022 7:52:46 AM	5263933	Task Comments	NSGDOM\ndawson	Task: Register Suit Comments: REGISTERED SC-22-002
7/22/2022 7:52:29 AM	5263933	Task Comments	NSGDOM\ndawson	Task: Correspondence related to a lawsuit has been received regarding Comments: REGISTERED SUIT
3/3/2022 2:38:12 PM	5263933	Important Note	NSGDOM\ljones	ins called and states she is now retaining legal doc on this incident. gave fax to forward for review - advised her to put her telephone number for
2/23/2021 2:00:22 PM	5263933	Task Comments	NSGDOM\JMedley	Task: printed envel, medicaid ltr, atty letter, ck copy- pls mail. Comment
2/23/2021 12:01:20 PM	5263933	Task Comments	NSGDOM\bcole	Task: ok to send copy of ltr to atty and ck copy - see ltr from DHHS 2/1
2/19/2021 1:00:51 PM	5263933	Task Comments	NSGDOM\CClark	Task: General correspondence has been received regarding this claim. (FROM DHHS FOR UPDATE
2/18/2021 7:52:15 AM	5263933	Task Comments	NSGDOM\JMedley	Task: pls mail ltr and enclosures (prior letters/ck copy) Comments: MAIL
2/17/2021 4:37:38 PM	5263933	Agent Closed Notice	NSGDOM\cclark	Agent Claim Closed Notice Sent

Also, the plaintiff was on disability at the time of the accident.

Loss Event 5263933 - Shelia Wright

Actions

- [Accept Claim](#)
- [Complete Claim](#)
- [Decline Claim](#)

- [Overview](#)
- [History](#)
- [Prior Claims](#)
- [Claim Documents](#)

- ▼ 2022-08-15 Legal
 - ▶ Page 0 email
- ▼ 2022-08-01 Legal
 - ▶ Page 0
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- ▼ 2022-07-27 Legal
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- ▼ 2022-07-22 Legal
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 - ▶ Page 1 FILE NOTE
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- ▼ 2022-07-22 Correspo
 - ▶ Page 1
 - ▶ Page 2

To Print or Save:



July 26, 2022

National Security Fire & Casualty Company
CERTIFIED MAIL RETURN

Shelia Wright
PO Box 964
Yemassee SC 29945-0964

In Re: Policy Number: 1595132
Reported Date of Incident: 04/14/2020
Claim Number: 5263933

Dear Ms. Wright:

You have a liability policy with our company with the limits of \$50,000.00

We are defending the suit filed for the loss, which occurred on April 14, 2020 and have employed a defense attorney to represent you. He is Truett Nettles and he can be reached at 843-901-9753.

Due to the severity of the incident, the policy limits of our policy may be inadequate to handle the suit filed. Since you will be personally liable for any amount in excess of \$50,000.00, you may want to contact your own personal attorney for assistance.

Please do not discuss this case with anyone except Mr. Truett Nettles, your personal attorney, or a representative of this Company.

We will, of course, attempt to settle this claim for its realistic value. The purpose of this letter is to alert you to the possibility that a settlement within your policy limits may not be possible and to give you notice of this possibility so that you may take the appropriate action to protect your interests.

Please feel free to contact us if you have any questions or feel that further discussion is needed.

Sincerely,
National Security Fire & Casualty Company

Crystal Clark
Claims Examiner

/s

Cc: Truett Nettles

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF HAMPTON	)	CIVIL ACTION NO.: 2022-CP-25-00017
)	
DONALD YOUNGBLOOD,)	
)	
Plaintiff,)	
)	
v.	)	AFFIDAVIT OF
	)	JOHN E. PARKER
)	
SHEILA WRIGHT,)	
)	
Defendant.)	

Personally appeared before me, John E. Parker, having first been duly sworn, depose and say that the following is true and correct:

1. I have personal knowledge of the facts set forth in this Affidavit. I am a citizen of the State of South Carolina and am competent to swear to the matters set forth below and do so of my own free will.

2. I am the attorney for the Plaintiff, Donald Youngblood, in the above-captioned action.

3. The summons and complaint in this action was filed in the Hampton County Court of Common Pleas on January 25, 2022.

4. The Defendant, Sheila Wright was served by process server, Brenda Lee Cooper on January 29, 2022, as evidenced by Exhibit A - Affidavit of Service.

5. No answer, motion or pleading has been served on me or on behalf of the Defendant, Sheila Wright, as required by the Summons in this action.

6. More than thirty (30) days have elapsed since the service of the

summons and complaint, exclusive of the day of such service.

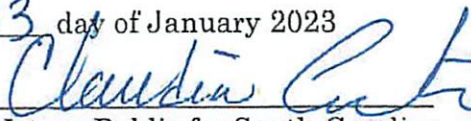
7. I declare under penalty of perjury, under the laws of the United States of America and of the State of South Carolina, that the above is true and correct.

AS TO ANYTHING FURHTER, THE AFFLIANT SAITH NOT.


John E. Parker

Sworn to before me this

13 day of January 2023


Notary Public for South Carolina
My Commission Expires: 3/11/2029



STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF HAMPTON	)	CIVIL ACTION NO.: 2022-CP-25-00017
)	
DONALD YOUNGBLOOD,)	
)	
Plaintiff,)	
	)	ENTRY AND ORDER OF DEFAULT
v.)	
)	
SHEILA WRIGHT,)	
)	
Defendant.)	

This matter comes before the Court on the Plaintiff’s motion, pursuant to Rule 55(c), SCRCF for an Entry and Order of Default against the Defendant, Sheila Wright.

The Summons and Complaint were filed in this action on January 25, 2022. It appears from the Affidavit of Service, that the Defendant, Sheila Wright, was served on January 29, 2022, with the Summons and Complaint (Ex. A). The affidavit of John E. Parker, counsel for the Plaintiff, indicates that more than thirty (30) days have elapsed since January 29, 2022, excluding the day of such service and that no answer, pleading, or motion of appearance was served upon him by or on behalf of the Defendant, Sheila Wright, within the time required by the South Carolina Rules of Civil Procedure. Additionally, no answer, pleading, or motion of appearance was filed in the Hampton County Court of Common Pleas by or on behalf of the Defendant, Sheila Wright, within the time required by the South Carolina Rules of Civil Procedure.

Rule 12(a) mandates that “[a] defendant shall service his answer within 30 days after the service of the complaint upon him” Rule 12(a), SCRCF. The defendant.

Sheila Wright by not filing an answer, other pleadings or motion , is in default as an answer was not filed within thirty-days as required by Rule 12(a), SCRCPP.

Based on the above, the Court finds that the Defendant, Sheila Wright, was properly served with the Summons and Complaint in accordance with Rule 4, SCRCPP, on January 29, 2022. The Defendant failed to properly answer or otherwise appear in this action as required by the South Carolina Rules of Civil Procedure, and is therefore in default pursuant to Rule 55, SCRCPP.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the Defendant, Sheila Wright, is in default in this matter pursuant to Rule 55, SCRCPP and the allegations of the Complaint are deemed admitted.

IT IS SO ORDERED.

Chief Administrative Judge
Fourteenth Judicial Circuit

January_____, 2022
_____, South Carolina



Hampton Common Pleas

Case Caption: Donald Youngblood , plaintiff, et al VS Sheila Wright , defendant, et al
Case Number: 2022CP2500017
Type: Order/Entry of Default

So Ordered

s/Carmen T Mullen 2142

Electronically signed on 2023-01-15 20:22:53 page 3 of 3

ELECTRONICALLY FILED - 2023 Jan 18 10:58 AM - HAMPTON - COMMON PLEAS - CASE#2022CP2500017

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF HAMPTON	)	CIVIL ACTION NO.: 2022-CP-25-00017
)	
DONALD YOUNGBLOOD,)	
)	
Plaintiff,)	
	)	ORDER OF REFERENCE TO
v.	)	SPECIAL REFEREE
)	
SHEILA WRIGHT,)	
)	
Defendant.)	

THIS MATTER IS BEFORE THE COURT on motion of the Plaintiff, Donald Youngblood, for a Reference to a Special Referee pursuant to Rule 53, SCRCF. This motion is based on the entry of default against the Defendant, Sheila Wright, that is contemporaneously entered by the Court.

IT IS FURTHER ORDERED that this matter is referred to Walter H. Sanders, Esquire, pursuant to Rule 53, SCRCF, for all purposes including but not limited to taking testimony and determining the amount of damages on all causes of action contained in Plaintiff's Complaint against the Defendant, Sheila Wright. Pursuant to Rule 53(c), the special referee shall have and exercise all power and authority which a circuit judge sitting without a jury would have in a similar matter for the claims. Any appeal from any order or judgment issued by the special referee shall be to the South Carolina Supreme Court or South Carolina Court of Appeals as provided by the South Carolina Appellate Court Rules. Rule 53(e), SCRCF.

[SIGNATURE PAGE FOLLOW]

IT IS SO ORDERED.

Chief Administrative Judge
Fourteenth Judicial Circuit

January _____, 2023
_____, South Carolina

I SO CONSENT:

s/Walter H. Sander, Jr.
Walter H. Sanders, Jr., Esquire
Post Office Box 840
Fairfax, SC 29827-0840
Phone: (803) 632-3347

The e-filer hereby certifies that she has obtained the required consent from Counsel of Record to e-file this document.



Hampton Common Pleas

Case Caption: Donald Youngblood , plaintiff, et al VS Sheila Wright , defendant, et al
Case Number: 2022CP2500017
Type: Order/Referred to Master or Special Referee

So Ordered

s/Myllinda D. Nettles, Hampton County Clerk of Court

Electronically signed on 2023-01-20 11:37:38 page 3 of 3

ELECTRONICALLY FILED - 2023 Jan 20 11:37 AM - HAMPTON - COMMON PLEAS - CASE#2022CP2500017

STATE OF SOUTH CAROLINA)
)
COUNTY OF HAMPTON)

IN THE COURT OF COMMON PLEAS
FOR THE FOURTEENTH JUDICIAL CIRCUIT
CASE NUMBER: 2022-CP-25-00017

DONALD YOUNGBLOOD)
)
)
Plaintiff,)
)
)
v.)
)
SHELIA WRIGHT,)
)
)
Defendant.)
_____)

**AFFIDAVIT OF DEFENDANT'S
ATTORNEY**

The undersigned Affiant, legal counsel for the Defendant, being duly sworn, deposes and says that:

1. The Affiant makes this statement base upon his own knowledge and information and on the business records of the Defendant's homeowner insurance company which had been entrusted to this Affiant for the purposes of this lawsuit.
2. This lawsuit was filed on January 25, 2022, and the Defendant was personally served with the Summons and Complaint on January 29, 2022.
3. The Defendant called her homeowner insurance carrier on March 3, 2022, to advise that she had received some type of legal papers. The insurance company advised her to send a copy of the Summons and Complaint by fax or email immediately.
4. The Defendant's homeowner insurance company did not receive any further communication or documents from the Defendant.
5. During this same period, early March 2022, the Defendant's homeowner insurance company was transferring its electronic claim management system to a "cloud" basis and, by mistake, no alert or reminder date was assigned to this claim in the new system.

6. The Plaintiff's attorney mailed a copy of the Summons and Complaint to the Defendant's homeowner insurance company, and it was received by fax on July 22, 2022.

7. The Defendant's homeowner insurance company immediately assigned defense of this case to the undersigned legal counsel for the Defendant.

8. After reviewing the investigation, photos and recorded statement of the Plaintiff and Defendant and the insurance company's denial of liability, the undersigned Affiant attempted to communicate with the Plaintiff's legal counsel.

9. The undersigned Affiant sent an email to the Plaintiff's attorney on July 29, 2022, advising the representation of the Defendant.

10. In a subsequent telephone conversation with Plaintiff's attorney the undersigned Affiant offered the Plaintiff's attorney policy limits and understood that the case would be settled at that amount.

11. The undersigned Affiant later drafted a Settlement Agreement, an Order of Dismissal and sent Form W-9 to the Plaintiff's attorney in order to prepare a settlement check.

12. The undersigned Affiant received no further communications from the Plaintiff's attorney, and the undersigned Affiant extended the professional courtesy to the Plaintiff's attorney to not pressure him, due to the reorganization of his law firm and the pending murder trial of a senior partner.

13. The Plaintiff's attorney did not reciprocate the professional courtesy to the undersigned Affiant by providing this Affiant with Notice of a Motion for Default.

14. After receiving no communications from the Plaintiff's attorney for an extended time, the undersigned Affiant reviewed the cases filed in this Court, and determined that an Order of Default had been signed in this discovery by the undersigned was made on February 23, 2023.

15. The undersigned Affiant has not had an opportunity to discuss this matter with the Defendant since her telephones have been disconnected and she does not respond to U.S. mail or emails.

Sworn and subscribed before me on this 24 day of March, 2023.

[Signature]
Notary Public, State of South Carolina
Name of Notary: Jessica McDonald
(printed)

My commission expires: 9-4-2023

[Signature]

F. Truett Nettles, Esquire
Rosen Hagood, LLC
40 Calhoun Street, Suite 450
Charleston, SC 29401
(843) 577-6726

Attorney for the Defendant





email the document to the homeowner insurance company immediately. The homeowner insurance company never received a copy of the pleading from the Defendant.

The Plaintiff's attorney wrote a letter to the Defendant's homeowner insurance company and it was received by FAX on July 22, 2022. On that same day, the homeowner insurance company retained the undersigned legal counsel to represent the Defendant in this case. After reviewing documents from the insurance company (statements of both parties and photographs), I discussed the matter with the Chief Claims Manager for the insurance company.

While the insurance company had denied legal liability of the Defendant, the insurance company authorized payment of policy limits to the Plaintiff because of the default. The undersigned attorney communicated that offer to the Plaintiff's attorney and he suggested that he thought it would work and he would discuss it with his client. The undersigned legal attorney has never received any further communications from the Plaintiff's attorney, despite emails from the undersigned to the Plaintiff's attorney, requesting documents to proceed with settlement and payment.

The defense counsel discovered the Order of Default dated February 23, 2023 by reviewing the Jasper County Court electronic filing system. The Defendant is filing this motion within 30 days of the Order of Default.

LAW

The Defendant is entitled to have the Order of Default set aside pursuant to Rule 55(c) South Carolina Rules of Civil Procedure. The Defendant would also argue that her legal counsel is entitled to notice of the Motion for Default pursuant to Rule 55(b)(2) SCRPC. In order to obtain such relief, a Defendant must first show "good cause" for the default. Sundown Operating Co., Inc. v. Intedge Industries, Inc., 383 S.C. 601, 681 S.E.2d 885 (2009). While this standard under

Rule 55 is less strenuous than the standard to vacate a Default Judgement under Rule 60 SCRPC, the South Carolina Supreme Court has stated that proof of any one of the factors set forth in Rule 60 would be sufficient to show “good cause.” *Id at 889*. In this case, the Defendant had difficulty delivering legal papers to her homeowners insurance company. Subsequently, the insurance company considered the matter dormant and due to the installation of a new “cloud” electronic file management system, the insurance company did not receive an alert or reminder that there might be a matter pending. The insurance company only received the Summons and Complaint on July 22, 2022, six months after the Summons and Complaint was filed and served. We have a good faith mistake together with no attempt to “thwart justice” and the Motion to Set Aside Default should be granted. Columbia Pools Inc. v. Galvin, 288 S.C. 59, 339 S.E.2d 524 (Ct. App. 1986). A simple mis-calendar of a hearing date by a parties lawyer has been found to be a good faith error. Micronics Inc. v. S.C. Dep’t of Rev., 345 S.C. 506, 548 S.E.2d 223 (Ct. App. 2001).

After showing “good cause” for the default, the Defendant must address three additional factors:

1. The timing of the Motion for Relief;
2. Whether the Defendant has a meritorious defense; and
3. The degree of prejudice, if any, to the Plaintiff.

In this case, the Defendant did not learn of the Order of Default until February 23, 2023.

Wham v. Shearson Lehman Bros. Inc., 298 S.C. 462, 381 S.C.2d 499 (Ct. App. 1989).

After attempting to communicate with the Plaintiff’s attorney, consent to a late filed Answer was denied by the Plaintiff’s legal counsel. The undersigned counsel for the Defendant did not receive notice of the Plaintiff’s Notice of Default. Upon discovery of the Motion and Order of Default, this motion followed promptly. The Defendant has numerous defenses in this slip and

fall case. The Plaintiff claims to be an “invitee.” However, the Plaintiff may be a “licensee”, coming into the Defendant’s front yard for other than business purposes. Further, the Defendant may have been on notice of the conditions of the front yard because he visited previously. The Defendant will also allege comparative negligence because the Plaintiff had walked through the same front yard area on prior occasions and admitted in a statement to an insurance investigator, that he was not paying attention to the surface of the ground. Lastly, the Defendant does not believe that full litigation of this matter will result in any prejudice to the Plaintiff. There is no lost evidence or unavailable witnesses.

“The touchstone here is good cause, a standard designed to excuse honest, harmless human mistakes so a case may be judged on its merits rather than its missteps.”

Jordan v. Hartford Financial Group Inc., 435 S.C., 868 S.E.2d 400 (Ct. App. 2021).

The Defendant has offered real, honest, mistakes leading to this default and suggests that there is “good cause”, under Rule 55(c) SCRPC. Further, the Defendant has shown the Court the Wham factors supporting this Motion to Vacate the default. The Defendant is not attempting to avoid justice or obtain some unfair advantage. She is requesting this Court allow this matter to proceed through normal litigation and ultimate jury trial so that justice may be achieved for all parties.

Dated: March 24, 2023
Charleston, South Carolina

Respectfully submitted,

By: /s/ F. Truett Nettles, II
F. Truett Nettles, Esquire
Rosen Hagood, LLC
40 Calhoun Steet, Suite 450
P.O. Box 893
Charleston, SC 29401
(843) 577-6726

Attorney for Defendant

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF HAMPTON	)	CIVIL ACTION NO.: 2022-CP-25-00017
)	
DONALD YOUNGBLOOD,)	
)	
Plaintiff,)	
)	
v.	)	ORDER
)	
SHEILA WRIGHT,)	
)	
Defendant.)	

Walter H. Sanders heard testimony in the case as Special Referee on May 2, 2023, in Fairfax, South Carolina. Present at the hearing were the plaintiff, his attorney John E. Parker and the attorney for the defendant, F. Truett Nettles.

MOTION TO SET ASIDE THE DEFAULT

Prior to testimony being taken the Court heard the defendant's motion to set aside the default in the case. In order to set aside the default, the burden is on the defendant to present evidence establishing good cause for setting aside a default. The only evidence presented to the court was the affidavit of the defendant's attorney, F. Truett Nettles. The affidavit fails to establish good cause. The affidavit consists of hearsay evidence describing when the defendant's insurer received notice of the lawsuit from the defendant. The affidavit states the insured notified the insurance company of the default in early March after service but that due to the insurance company transferring it electronic claims management system to a "cloud" system, a mistake was made which resulted no alert or reminder date being assigned to the claim in the new system.

An order setting aside default must be supported by evidence. *Williams v. Vanvolkenburg*, 312 S.C. 373, 375, 440 S.E.2d 408, 409 (Ct. App. 1994); *Limehouse v.*

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wls

Hulsey, 397 S.C. 49, 70, 723 S.E.2d 211, 222 (Ct. App. 2011). “The good cause standard of Rule 55(c) requires, as a threshold burden, a party to put forth ‘an explanation for the default and give reasons why vacation of the default entry would serve the interests of justice.’” *Id.* (citing *Sundown Operating Co. v. Intedge Indus. Inc.*, 383 S.C. 601, 607, 681 S.E.2d 885, 888 (2009)). “Rule 55(a) provides that when a party fails to respond to a complaint, the clerk shall record an entry of default. However, Rule 55(c) permits a party to move to set aside the entry of default. The standard for granting relief from an entry of default under Rule 55(c) is mere ‘good cause.’” *Sundown*, 383 S.C. at 607, 681 S.E.2d at 888.

Then and only if this threshold burden is met does the Court make inquiry into the three factors enunciated in *Wham v. Shearson Lehman Bros.*, 298 S.C. 462, 381 S.E.2d 499 (Ct. App. 1989). In other words, only once a party has put forth a satisfactory explanation for the default must a trial court consider: (1) the timing of the motion for relief; (2) whether the defendant has a meritorious defense; and (3) the degree of prejudice to the plaintiff if relief is granted. *Wham, supra*. The hearsay affidavit of the defendant’s attorney completely fails to provide a reasonable, satisfactory explanation for why the plaintiff’s complaint was not answered by the defendant within the time prescribed by Rule 12, SCRPC. If anything, the affidavit only demonstrates neglect on the part of the defendant which does not constitute good cause. Because the defendant failed to establish good cause the defendant’s motion to set aside the default is denied.

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DEFAULT

The plaintiff testified under oath at the hearing. His testimony established the following findings:

1) On April 4, 2020, the plaintiff was at the defendant's home at 18 Wright Street, Yemassee, South Carolina, at the defendant's invitation to consult with her about some work she would like to have done on the home.

2) As the plaintiff crossed her yard, he stepped in a hole covered with grass, injuring his shoulder, head and neck.

3) The plaintiff filed his complaint on January 25, 2022, and the defendant was served on January 29, 2022.

4) The defendant did not timely answer the complaint and the case is in default which admits the well pled allegations of the complaint and concedes liability. *Roche v. Young Brothers, Inc. of Florence*, 332 S.C. 75, 504 S.E.2d 311 (1998).

5) The default admits liability for the plaintiff's injuries from the fall. The plaintiff suffered injuries in the fall which resulted in his having to have medical treatment which culminated in him having surgery on his right shoulder. On September 3, 2020, plaintiff had surgery on his right shoulder which cost \$50, 851.80.

7) Plaintiff's total medical treatment cost for his injuries in the fall is \$68,773.80

8) The plaintiff lost income for missing 34 weeks of work at \$1,000.00 per week.

9) The plaintiff has suffered permanent injuries to his neck and shoulder and he has a significant limitation in raising his right arm.

10) The plaintiff's date of birth is August 5, 1965.

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11) His life expectancy is 22 years. S.C. Code Ann. § 19-1-150 (1976).

12) Based on the plaintiff's life expectancy, his significant injuries and his limitations from the injuries the Court finds for the plaintiff a judgment of Six Hundred Thousand Thirty-Two Thousand Seven Hundred Seventy-Three 80/100 (\$632,773.80) for actual damages.

It is therefore Ordered that a judgement for actual damages in the amount of \$632,773.80 be entered against the defendant.

IT IS SO ORDERED.



Walter H. Sanders, Jr., Esquire
Special Referee

May 31, 2023

Fairfax, South Carolina

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**Medical Expense Worksheet
Donald Youngblood
DOB: 08/05/1965**

Occurrence Date: 04/14/2020

Provider	Account Number	Service Date(s)	Costs Incurred				
DOCTOR							
Edisto Orthopedics & Sports Medicine		5/11/2020	\$ 133.00				
Edisto Orthopedics & Sports Medicine		6/1/2020	\$ 197.00				
Edisto Orthopedics & Sports Medicine		9/3/2020	\$ 6,715.00				
Edisto Orthopedics & Sports Medicine		9/30/2020	\$ 89.00				
Edisto Orthopedics & Sports Medicine		4/22/2020	\$ 197.00				
HOSPITAL							
Colleton Medical Center		4/15/2020	\$ 1,820.00				
Colleton Medical Center		9/3/2020	\$ 50,851.80				
PHYSICAL THERAPIST							
Colleton Medical Center		09/22/20-09/29/20	\$ 509.00				
Colleton Medical Center		10/08/20-10/27/20	\$ 3,300.00				
RADIOLOGY/LABORATORY							
Colleton Medical Center		5/21/2020	\$ 4,962.00				
Total Medical Costs			\$ 68,773.80				



PATIENT NO: 113539641 COLLETON MEDICAL CENTER BILLING DATE PAGE 1 00391

ID REC NO: 11341 501 ROBERTSON BLVD 04/20/20

PATIENT NO:

PATIENT: WALTERBORO SC 294882787 ADMITTED DISCHARGE

YOUNGBLOOD DONALD 04/15/20 04/16/20

MAIL TO ADDRESS: COLLETON MEDICAL CENTER
PO BOX 402719
ATLANTA
GA 303842719

CALL TO: YOUNGBLOOD DONALD EMERGENCY FC=99
1320 BRITTLE BANK RD ADMIT THRU DISCHARGE CLAIM
WALTERBORO SC
29488

DATE OF SERVICE	BATCH REF	F DEPT S	PROC	NDC/CPT-4/ HCPCS	QTY	SERVICE DESCRIPTION	CHARGES
320-DIAGNOSTIC X RAY							
11520	16B204	0728	413730	73030RT	1	XR SHOULDER 2 + V RT	712.00
SUBTOTAL:							712.00
450-EMERGENCY ROOM							
11520	17B309	0780	418661	99283	1	LVL 3 EMER DEPT	1094.00
SUBTOTAL:							1094.00
259-OUTPT PO PHARMACY							
11620	16B203	0712	904841	60687041811	1	HYDROCODONE APAP 10/32	14.00
SUBTOTAL:							14.00
TOTAL ANCILLARY CHARGES							1820.00
TOTAL CHARGES							1820.00
PAYMENTS							.00
ADJUSTMENTS							.00
BALANCE							1820.00

INSURANCE BENEFITS ASSIGNED TO COLLETON MEDICAL CENTER

PATIENT NO: 113539641 COLLETON MEDICAL CENTER BILLING DATE PAGE 2 00391
 ED REC NO: 11341 501 ROBERTSON BLVD 04/20/20
 GUARANTOR NO:
 PATIENT: WALTERBORO SC 294862787 ADMITTED DISCHARGE
 JUNG BLOOD DONALD 04/15/20 04/16/20

DEPARTMENTAL CHARGE SUMMARY
 DEPT DESCRIPTION AMOUNT
 0712 PHARMACY 14.00
 0728 RADIOLOGY/ULTRASOUND 712.00
 0780 EMERGENCY ROOM 1,094.00

REVENUE CHARGE SUMMARY
 REV CD DESCRIPTION BILLABLE NON-BILLABLE TOTAL
 0259 OUTPT PO PHARMACY 14.00 .00 14.00
 0320 DIAGNOSTIC X RAY 712.00 .00 712.00
 0450 EMERGENCY ROOM 1,094.00 .00 1,094.00

TOTAL CHARGES: 1,820.00
 TOTAL PAYMENTS: .00
 TOTAL ADJUST: .00

PATIENT NO:	113573744	COLLETON MEDICAL CENTER	BILLING DATE	PAGE	2	00391
MED REC NO:	11341	501 ROBERTSON BLVD	05/25/20			
GUARANTOR NO:						
PATIENT:		WALTERBORO	SC 294882787	ADMITTED		DISCHARGED
YOUNGBLOOD DONALD				05/21/20		05/21/20

DEPARTMENTAL CHARGE SUMMARY		
DEPT	DESCRIPTION	AMOUNT
0734	MRI	4,962.00

REVENUE CHARGE SUMMARY				
REV CD	DESCRIPTION	BILLABLE	NON-BILLABLE	TOTAL
0610	MRI GENERAL	4,962.00	.00	4,962.00

TOTAL CHARGES:	4,962.00
TOTAL PAYMENTS:	.00
TOTAL ADJUST:	.00

PATIENT NO: 113741537 COLLETON MEDICAL CENTER BILLING DATE PAGE 1 00391
 MED REC NO: 11341 501 ROBERTSON BLVD 09/10/20

GUARANTOR NO:
 PATIENT: WALTERBORO SC 294882787 ADMITTED DISCHARGED
 YOUNGBLOOD DONALD 09/03/20 09/03/20

PAY TO ADDRESS: COLLETON MEDICAL CENTER
 PO BOX 402719
 ATLANTA
 GA 303842719

BILL TO:
 YOUNGBLOOD DONALD SAME-DAY SURGERY FC=09
 1320 BRITTLE BANK RD ADMIT THRU DISCHARGE CLAIM
 WALTERBORO SC
 29488

DATE OF SERVICE	BATCH REF	F DEPT S	PROC	NDC/CPT-4/ HCPCS	QTY	SERVICE DESCRIPTION	CHARGES
250-PHARMACY							
090320	03B337	0712		907371	3	LIDOCAINE 2% 1ML	12.00
090320	03B337	0712		903455	5	ROCURONIUM 100 MG/10 M	310.00
090320	03B337	0712		904975	1	FAMOTIDINE 20MG/2ML VI	186.00
090320	03B337	0712		904530	1	MARCAINE 0.5% 30ML VIA	148.00
090320	03B337	0712		904437	1	LIDOCN 2% W EPI 20ML S	140.00
090320	03B337	0712		901816	1	EPHEDRINE 50MG INJ	65.00
090320	03B337	0712		902068	3	GLYCOPYRROLATE 1 MG/5	273.00
090320	03B337	0712		907371	3	LIDOCAINE 2% 1ML	12.00
						SUBTOTAL:	1146.00
258-IV SOLUTIONS							
090320	03B356	0716		905108 338004941	1	SOD CHLOR 9% PC IV 50M	73.00
						SUBTOTAL:	73.00
270-MED SURG SUPPLIES							
090320	04B473	0718		424753	1	SLING ORTH LG ARM 13IN	1985.00
						SUBTOTAL:	1985.00
272-STERILE SUPPLIES							
090320	04B473	0718		424444	1	SET IV SECONDARY 30IN	44.00
090320	04B473	0718		472872	1	CATHETER IV 18GA 1.25I	205.00

INSURANCE BENEFITS ASSIGNED TO COLLETON MEDICAL CENTER

PATIENT NO: 113741537 COLLETON MEDICAL CENTER BILLING DATE PAGE 2 00391
 MED REC NO: 11341 501 ROBERTSON BLVD 09/10/20
 GUARANTOR NO:
 PATIENT: WALTERBORO SC 294882787 ADMITTED DISCHARGE
 YOUNGBLOOD DONALD 09/03/20 09/03/20

DATE OF SERVICE	BATCH REF	F DEPT S	PROC	NDC/CPT-4/ HCPCS	QTY	SERVICE DESCRIPTION	CHARGES
090320	04B473	0718		934641	1	KIT IV START LSL	24.00
090320	04B473	0718		453181	1	CANN ASCP L76 ID8 W/OB	644.00
090320	04B473	0718		487338	1	DRESSING PETRO IX8IN	14.00
090320	04B473	0718		933570	1	PROBE ABL SERFAS ENERG	5197.00
090320	04B473	0718		947519	1	BLADE SHVR 13CM 4.5MM	2207.00
090320	04B473	0718		947521	1	NEEDLE SPECTRUM AUTOPA	5384.00
090320	04B473	0718		960887	1	TUBE CNSL ARTHSCP 10K1	1508.00
090320	04B473	0718		961290	1	BLADE SHVR 13CM 4.2MM	1947.00
090320	04B473	0718		424860	1	SUTURE NYL MONO 3-0 66	55.00
						SUBTOTAL:	17229.00
278-OTHER/IMPLANTS							
090320	04B473	0717		925645 C1713	1	SUTURE Y KNOT RG #2	2388.00
						SUBTOTAL:	2388.00
360-OPERATING ROOM SURGERY							
090320	04B473	0701		412769	1	OR LEVEL 3 FIRST 30 MI	6596.00
090320	04B473	0701		412770	7	OR LEVEL 3 ADDL 15 MIN	13867.00
						SUBTOTAL:	20463.00
370-ANESTHESIA							
090320	04B473	0722		412915	1	ANESTHESIA FIRST 60 MI	729.00
090320	04B473	0722		412916	3	ANESTHESIA ADDL 30 MIN	705.00
						SUBTOTAL:	1434.00
636-DRUGS REQ DETAIL CODE							
090320	03B356	0712		903009 J2550	1	PROMETHAZINE 25 MG INJ	81.00
090320	03B337	0716		904818 J7030	4	NS 1000 ML	176.00

INSURANCE BENEFITS ASSIGNED TO COLLETON MEDICAL CENTER

PATIENT NO: 113741537 COLLETON MEDICAL CENTER BILLING DATE PAGE 3 00391
 MED REC NO: 11341 501 ROBERTSON BLVD 09/10/20
 GUARANTOR NO:
 PATIENT: WALTERBORO SC 294882787 ADMITTED DISCHARGE
 YOUNGBLOOD DONALD 09/03/20 09/03/20

DATE OF SERVICE	BATCH REF	F DEPT S	PROC	NDC/CPT-4/ HCPCS	QTY	SERVICE DESCRIPTION	CHARGES
090320	03B337	0712	903478	J2405	4	ONDANSETRON 4 MG VL	93.00
090320	03B337	0712	903337	J3301	4	TRIAMCINOLN ACE 40MG I	249.00
090320	03B337	0712	903478X	J2405	4	ONDANSETRON 4 MG VL	93.00
090320	03B337	0712	906125X	J2704	20	PROPOFOL 200 MG INJ	106.00
090320	03B337	0712	901903X	J3010	1	FENTANYL CIT 0.1 MG IN	125.00
090320	03B337	0712	904310X	J2250	2	MIDAZOLAM 2 MG INJ	54.00
090320	03B337	0712	901375X	J0690	4	CEFAZOLIN 1 G VL	172.00
090320	03B337	0712	906877X	J2370	1	PHENYLEPHN 1 ML INJ	7.00
090320	03B337	0712	902653X	J2710	4	NEOST METH UP TO 0.5 M	552.80
090320	03B337	0716	904818X	J7030	1	NS 1000 ML	44.00
090320	04B473	0716	904912X	J7120	1	LR UP TO 1000 ML	261.00
SUBTOTAL:							2013.80
710-RECOVERY ROOM							
090320	04B473	0704	412803		1	PACU FIRST 60 MIN	1436.00
090320	04B473	0704	412804		4	PACU ADDL 30 MIN	2684.00
SUBTOTAL:							4120.00
TOTAL ANCILLARY CHARGES							50851.80

DATE OF PAYMENT	BATCH REFER	PAY TYPE	PROC	INS PLAN	BILL THRU DT	DESCRIPTION / COMMENT	AMOUNT
09/03/20	10NBIL	4	999999		09/03/20	NON-BILLABLE ADJ	1,414.80
TOTAL PAYMENTS							1,414.80

INSURANCE BENEFITS ASSIGNED TO COLLETON MEDICAL CENTER

PATIENT NO: 113741537 COLLETON MEDICAL CENTER BILLING DATE PAGE 4 00391
MED REC NO: 11341 501 ROBERTSON BLVD 09/10/20
GUARANTOR NO:
PATIENT: WALTERBORO SC 294882767 ADMITTED DISCHARGED
YOUNGBLOOD DONALD 09/03/20 09/03/20

TOTAL CHARGES	50851.80
PAYMENTS	.00
ADJUSTMENTS	1414.80
BALANCE	49437.00

INSURANCE BENEFITS ASSIGNED TO COLLETON MEDICAL CENTER

PATIENT NO: 113741537 COLLETON MEDICAL CENTER BILLING DATE PAGE 5 00391
 MED REC NO: 11341 501 ROBERTSON BLVD 09/10/20
 GUARANTOR NO:
 PATIENT: WALTERBORO SC 294882787 ADMITTED DISCHARGE I
 YOUNGBLOOD DONALD 09/03/20 09/03/20

DEPARTMENTAL CHARGE SUMMARY

DEPT	DESCRIPTION	AMOUNT
0701	OPERATING ROOM	20,463.00
0704	RECOVERY ROOM	4,120.00
0712	PHARMACY	2,678.80
0716	IV THERAPY	554.00
0717	SURGICAL IMPLANTS	2,388.00
0718	CENTRAL SUPPLY	19,214.00
0722	ANESTHESIA	1,434.00

REVENUE CHARGE SUMMARY

REV CD	DESCRIPTION	BILLABLE	NON-BILLABLE	TOTAL
0250	PHARMACY	1,146.00	.00	1,146.00
0258	IV SOLUTIONS	73.00	.00	73.00
0270	MED SURG SUPPLIES	1,985.00	.00	1,985.00
0272	STERILE SUPPLIES	17,229.00	.00	17,229.00
0278	OTHER/IMPLANTS	2,388.00	.00	2,388.00
0360	OPERATING ROOM SURGERY	20,463.00	.00	20,463.00
0370	ANETHESIA	1,434.00	.00	1,434.00
0636	DRUGS REQ DETAIL CODE	599.00	1,414.80	2,013.80
0710	RECOVERY ROOM	4,120.00	.00	4,120.00

TOTAL CHARGES: 50,851.80
 TOTAL PAYMENTS: .00
 TOTAL ADJUST: 1,414.80

PATIENT NO: 113779308 COLLETON MEDICAL CENTER BILLING DATE PAGE 1 00391
 ID REC NO: 11341 501 ROBERTSON BLVD 10/03/20

PATIENT NO:

PATIENT: WALTERBORO SC 294882787 ADMITTED DISCHARG
 YOUNGBLOOD DONALD 09/22/20 09/29/2

PHY TO ADDRESS: COLLETON MEDICAL CENTER
 PO BOX 402719
 ATLANTA
 GA 303842719

CALL TO: YOUNGBLOOD DONALD OUTPATIENT FC=09
 1320 BRITTLE BANK RD ADMIT THRU DISCHARGE CLAIM
 WALTERBORO SC
 29488

DATE OF SERVICE	BATCH REF	F DEPT S	PROC	NDC/CPT-4/ HCPCS	QTY	SERVICE DESCRIPTION	CHARGES
				424-EVALUATION OR RE-EVAL PT			
02220	22B077	0762	432004	97163GP	1	1 EVAL PT HIGH COMPLEX	509.00
						SUBTOTAL:	509.00
						TOTAL ANCILLARY CHARGES	509.00
						TOTAL CHARGES	509.00
						PAYMENTS	.00
						ADJUSTMENTS	.00
						BALANCE	509.00

INSURANCE BENEFITS ASSIGNED TO COLLETON MEDICAL CENTER

TIENT NO: 113798675 COLLETON MEDICAL CENTER BILLING DATE PAGE 1 00391
 D REC NO: 11341 501 ROBERTSON BLVD 10/31/20
 ARANTOR NO:
 TIENT: WALTERBORO SC 294882787 ADMITTED DISCHARG
 UNGBLOOD DONALD 10/08/20 10/27/2

Y TO ADDRESS: COLLETON MEDICAL CENTER
 PO BOX 402719
 ATLANTA
 GA 303842719

LL TO:
 YOUNGBLOOD DONALD OUTPATIENT FC=09
 1320 BRITTLE BANK RD ADMIT THRU DISCHARGE CLAIM
 WALTERBORO SC
 29488

TE OF SERVICE	BATCH REF	F DEPT S	PROC	NDC/CPT-4/ HCPCS	QTY	SERVICE DESCRIPTION	CHARGES	
420-PHYSICAL THERAPY								
0820	08B741	0762	418083	97110GP	3	THER EXERCISES 15 MIN	894.00	
							SUBTOTAL:	894.00
420-PHYSICAL THERAPY								
1320	13B177	0762	418083	97110GP	3	THER EXERCISES 15 MIN	894.00	
1320	13B177	0762	418112	G0283GP	1	EL ST UN IND NOT WC PT	160.00	
							SUBTOTAL:	1054.00
420-PHYSICAL THERAPY								
2020	20B877	0762	418083	97110GP	1	THER EXERCISES 15 MIN	298.00	
							SUBTOTAL:	298.00
420-PHYSICAL THERAPY								
2220	22B090	0762	418083	97110GP	3	THER EXERCISES 15 MIN	894.00	
							SUBTOTAL:	894.00
420-PHYSICAL THERAPY								
2720	27B548	0762	418112	G0283GP	1	EL ST UN IND NOT WC PT	160.00	
							SUBTOTAL:	160.00
							TOTAL ANCILLARY CHARGES	3300.00

SURANCE BENEFITS ASSIGNED TO COLLETON MEDICAL CENTER

PATIENT NO: 113798675 COLLETON MEDICAL CENTER BILLING DATE PAGE 2 00391
ID REC NO: 11341 501 ROBERTSON BLVD 10/31/20

PARENT NO:
PATIENT: WALTERBORO SC 294882787 ADMITTED DISCHARG
MUNGBLOOD DONALD 10/08/20 10/27/2

TOTAL CHARGES	3300.00
PAYMENTS	.00
ADJUSTMENTS	.00
BALANCE	3300.00

INSURANCE BENEFITS ASSIGNED TO COLLETON MEDICAL CENTER

TIENT NO: 113798675 COLLETON MEDICAL CENTER BILLING DATE PAGE 3 00391

D REC NO: 11341 501 ROBERTSON BLVD 10/31/20

ARANTOR NO:

TIENT: WALTERBORO SC 294882787 ADMITTED DISCHARG

UNGBLOOD DONALD 10/08/20 10/27/2

DEPARTMENTAL CHARGE SUMMARY

DEPT	DESCRIPTION	AMOUNT
0762	REHAB PHY THERAPY	3,300.00

REVENUE CHARGE SUMMARY

REV CD	DESCRIPTION	BILLABLE	NON-BILLABLE	TOTAL
0420	PHYSICAL THERAPY	3,300.00	.00	3,300.00

TOTAL CHARGES: 3,300.00

TOTAL PAYMENTS: .00

TOTAL ADJUST: .00

Patient Ledger

Patient (Account):

Youngblood, Donald

Responsible Person:

Youngblood, Donald

1320 BRITTLE BANK RD

WALTERBORO, SC 29488-6255

Daytime Phone: 843-305-9488

Last Payment Date: 9/14/2020

Last Statement Date: 9/14/2020

Patient Liability: \$0.00

Last Patient Payment: (\$150.00)

Unapplied Payments: \$0.00

Claim Number: 511547117		Practice Name: EDISTO ORTHO AND SPORTS MED (COID: 26130, Siteld: 3569)							
Account Number: 8X835501		Copay Required: \$0.00							
Type	From	To	Charge				Amount		
Charge	04/22/20	04/22/20	99203 - OFFICE/OUTPATIENT VISIT NEW				\$197.00		
Type	Date	Payment ID	Payment From	Payment Type	Batch Name	Co Ins	Deduct	Member Balance	Amount
Payment	04/22/20	506515403	Patient	Credit Card		\$0.00	\$0.00	\$0.00	\$150.00
Payment	05/27/20	506588692	MEDICAID SC	Insurance		\$0.00	\$0.00	\$0.00	\$0.00
Payment	08/26/20	506798680	MEDICAID SC	Insurance		\$0.00	\$0.00	\$0.00	\$0.00
Payment	08/26/20	506798680	MEDICAID SC	Insurance		\$0.00	\$0.00	\$0.00	\$80.29
Payment	09/14/20	506839384	Patient	Cash	091420.M00001	\$0.00	\$0.00	\$0.00	(\$150.00)
Type	Date	Code	Adjustment Name				Amount		
Adjustment	04/23/20	3361	Uninsured Discount				\$68.95		
Adjustment	05/11/20	3361	Uninsured Discount				(\$68.95)		
Adjustment	08/26/20		Contractual Adjustment MEDICAID SC				\$116.71		
Amount Billed: \$197.00		Amount Paid: \$80.29		Insurance Liability: \$0.00					
Total Amount Due: \$0.00		Amount Adjusted: \$116.71		Patient Liability: \$0.00					

Claim Number: 511626959		Practice Name: EDISTO ORTHO AND SPORTS MED (COID: 26130, Siteld: 3569)							
Account Number: 8X835501		Copay Required: \$0.00							
Type	From	To	Charge				Amount		
Charge	05/11/20	05/11/20	99213 - OFFICE/OUTPATIENT VISIT EST				\$133.00		
Type	Date	Payment ID	Payment From	Payment Type	Batch Name	Co Ins	Deduct	Member Balance	Amount
Payment	05/27/20	506588692	MEDICAID SC	Insurance		\$0.00	\$0.00	\$0.00	\$0.00
Payment	08/26/20	506798680	MEDICAID SC	Insurance		\$0.00	\$0.00	\$0.00	\$0.00
Payment	08/26/20	506798680	MEDICAID SC	Insurance		\$0.00	\$0.00	\$0.00	\$55.27
Type	Date	Code	Adjustment Name				Amount		
Adjustment	08/26/20		Contractual Adjustment MEDICAID SC				\$77.73		
Amount Billed: \$133.00		Amount Paid: \$55.27		Insurance Liability: \$0.00					
Total Amount Due: \$0.00		Amount Adjusted: \$77.73		Patient Liability: \$0.00					

Patient Ledger

Claim Number: 511725434		Practice Name: EDISTO ORTHO AND SPORTS MED (COID: 26130, Siteld: 3569)							
Account Number: 8X835501		Copay Required: \$0.00							
Type	From	To	Charge				Amount		
Charge	06/01/20	06/01/20	99214 - OFFICE/OUTPATIENT VISIT EST				\$197.00		
Type	Date	Payment ID	Payment From	Payment Type	Batch Name	Co Ins	Deduct	Member Balance	Amount
Payment	06/15/20	506632765	MCD SC WELLCARE CLAIMS AFTER 100113	Insurance		\$0.00	\$0.00	\$0.00	\$85.21
Type	Date	Code	Adjustment Name				Amount		
Adjustment	06/15/20		Contractual Adjustment MCD SC WELLCARE CLAIMS AFTER 100113				\$111.79		
Amount Billed: \$197.00			Amount Paid: \$85.21			Insurance Liability: \$0.00			
Total Amount Due: \$0.00			Amount Adjusted: \$111.79			Patient Liability: \$0.00			

Claim Number: 512206899		Practice Name: EDISTO ORTHO AND SPORTS MED (COID: 26130, Siteld: 3569)							
Account Number: 8X835501		Copay Required: \$0.00							
Type	From	To	Charge				Amount		
Charge	09/03/20	09/03/20	29824 - SHOULDER ARTHROSCOPY/SURGERY				\$1,866.00		
Charge	09/03/20	09/03/20	29826 - SHOULDER ARTHROSCOPY/SURGERY				\$1,849.00		
Charge	09/03/20	09/03/20	29827 - ARTHROSCOP ROTATOR CUFF REPR				\$3,000.00		
Type	Date	Payment ID	Payment From	Payment Type	Batch Name	Co Ins	Deduct	Member Balance	Amount
Payment	09/14/20	506839384	Patient	Cash	091420.M00001	\$0.00	\$0.00	\$0.00	\$150.00
Payment	09/16/20	506845799	MCD SC WELLCARE CLAIMS AFTER 100113	Insurance		\$0.00	\$0.00	\$0.00	\$0.00
Payment	09/29/20	506871178	MCD SC WELLCARE CLAIMS AFTER 100113	Insurance		\$0.00	\$0.00	\$0.00	\$0.00
Payment	10/12/20	506900467	MCD SC WELLCARE CLAIMS AFTER 100113	Insurance		\$0.00	\$0.00	\$0.00	\$0.00
Type	Date	Code	Adjustment Name				Amount		
Amount Billed: \$6,715.00			Amount Paid: \$150.00			Insurance Liability: \$6,565.00			
Total Amount Due: \$6,565.00			Amount Adjusted: \$0.00			Patient Liability: \$0.00			

Claim Number: 512206901		Practice Name: EDISTO ORTHO AND SPORTS MED (COID: 26130, Siteld: 3569)							
Account Number: 8X835501		Copay Required: \$0.00							
Type	From	To	Charge				Amount		
Charge	09/03/20	09/03/20	29824 - SHOULDER ARTHROSCOPY/SURGERY				\$1,866.00		
Charge	09/03/20	09/03/20	29826 - SHOULDER ARTHROSCOPY/SURGERY				\$1,849.00		
Charge	09/03/20	09/03/20	29827 - ARTHROSCOP ROTATOR CUFF REPR				\$3,000.00		
Type	Date	Payment ID	Payment From	Payment Type	Batch Name	Co Ins	Deduct	Member Balance	Amount
Payment	09/16/20	506845799	MCD SC WELLCARE CLAIMS AFTER 100113	Insurance		\$0.00	\$0.00	\$0.00	\$0.00
Payment	09/29/20	506871178	MCD SC WELLCARE CLAIMS AFTER 100113	Insurance		\$0.00	\$0.00	\$0.00	\$0.00
Payment	10/12/20	506900467	MCD SC WELLCARE CLAIMS AFTER 100113	Insurance		\$0.00	\$0.00	\$0.00	\$0.00
Type	Date	Code	Adjustment Name				Amount		
Amount Billed: \$6,715.00			Amount Paid: \$0.00			Insurance Liability: \$6,715.00			
Total Amount Due: \$6,715.00			Amount Adjusted: \$0.00			Patient Liability: \$0.00			

Patient Ledger

Claim Number: 512261244		Practice Name: EDISTO ORTHO AND SPORTS MED (COID: 26130, SiteId: 3569)							
Account Number: 8X835501		Copay Required: \$0.00							
Type	From	To	Charge					Amount	
Charge	09/16/20	09/16/20	99024 - POSTOP FOLLOW-UP VISIT					\$0.00	
Type	Date	Payment ID	Payment From	Payment Type	Batch Name	Co Ins	Deduct	Member Balance	Amount
Type	Date	Code	Adjustment Name					Amount	
Amount Billed: \$0.00			Amount Paid: \$0.00			Insurance Liability: \$0.00			
Total Amount Due: \$0.00			Amount Adjusted: \$0.00			Patient Liability: \$0.00			
Claim Number: 512332426		Practice Name: EDISTO ORTHO AND SPORTS MED (COID: 26130, SiteId: 3569)							
Account Number: 8X835501		Copay Required: \$0.00							
Type	From	To	Charge					Amount	
Charge	09/30/20	09/30/20	73030 - X-RAY EXAM OF SHOULDER					\$89.00	
Charge	09/30/20	09/30/20	99024 - POSTOP FOLLOW-UP VISIT					\$0.00	
Type	Date	Payment ID	Payment From	Payment Type	Batch Name	Co Ins	Deduct	Member Balance	Amount
Payment	10/12/20	506899618	MCD SC WELLCARE CLAIMS AFTER 100113	Insurance		\$0.00	\$0.00	\$0.00	\$23.13
Type	Date	Code	Adjustment Name					Amount	
Adjustment	10/12/20		Contractual Adjustment MCD SC WELLCARE CLAIMS AFTER 100113					\$65.87	
Amount Billed: \$89.00			Amount Paid: \$23.13			Insurance Liability: \$0.00			
Total Amount Due: \$0.00			Amount Adjusted: \$65.87			Patient Liability: \$0.00			
Claim Number: 512485154		Practice Name: EDISTO ORTHO AND SPORTS MED (COID: 26130, SiteId: 3569)							
Account Number: 8X835501		Copay Required: \$0.00							
Type	From	To	Charge					Amount	
Charge	10/28/20	10/28/20	99024 - POSTOP FOLLOW-UP VISIT					\$0.00	
Type	Date	Payment ID	Payment From	Payment Type	Batch Name	Co Ins	Deduct	Member Balance	Amount
Type	Date	Code	Adjustment Name					Amount	
Amount Billed: \$0.00			Amount Paid: \$0.00			Insurance Liability: \$0.00			
Total Amount Due: \$0.00			Amount Adjusted: \$0.00			Patient Liability: \$0.00			

Patient Ledger

Claim Number: 512589235		Practice Name: EDISTO ORTHO AND SPORTS MED (COID: 26130, SiteId: 3569)							
Account Number: 8X835501		Copay Required: \$0.00							
Type	From	To	Charge					Amount	
Charge	11/18/20	11/18/20	99024 - POSTOP FOLLOW-UP VISIT					\$0.00	
Type	Date	Payment ID	Payment From	Payment Type	Batch Name	Co Ins	Deduct	Member Balance	Amount
Type	Date	Code	Adjustment Name					Amount	
Amount Billed: \$0.00			Amount Paid: \$0.00			Insurance Liability: \$0.00			
Total Amount Due: \$0.00			Amount Adjusted: \$0.00			Patient Liability: \$0.00			

Patient Ledger

Report Parameters
COID: 28180-EDISTO ORTHOPEDICS AND SPORTS MEDICINE
Provider:
Patient Account Number: 766845
Printed Date: 12/4/2020 7:32:33 AM
Printed By: HCA\NZU9012

The undersigned hereby certifies that the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

January 4, 2024

/s/ F. Truett Nettles, II
F. Truett Nettles, II, Esq.
Rosen Hagood, LLC
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Charleston, SC 29401 SC Bar# 4195
(843) 266-8122
SC Bar# 4195
tnettles@rosenhagood.com
Attorney for the Appellant

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Jan 04 2024

SC Court of Appeals

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Jan 04 2024

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM HAMPTON COUNTY

Court of Common Pleas

Walter H. Sanders, Jr., Special Referee

Case No. 2023-001001

Donald Youngblood,.....Respondent,

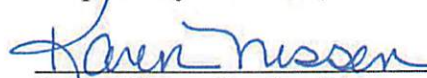
v.

Sheila Wright,.....Appellant.

CERTIFICATE OF SERVICE

I certify that I have served the Record on Appeal on Donald Youngblood by sending a copy via e-mail, on January , 2024 to his attorneys of record John E. Parker, Jr. and John E. Parker, at their email addresses jparker@parkerlawgroupsc.com and jayparker@parkerlawgroupsc.com.

Respectfully submitted,



Karen Nissen, Paralegal to
F. Truett Nettles, II
Rosen Hagood, LLC
40 Calhoun Street, Suite 450
Charleston, SC 29401
(843) 266-8122
nettles@rosenhagood.com
Attorney for the Appellant

January 4, 2024

ROSEN | HAGOOD

RECEIVED

Jan 04 2024

SC Court of Appeals

KAREN NISSEN
Email: knissen@rosenhagood.com
Direct dial: (843) 266-8133

January 4, 2024

FOR ELECTRONIC FILING VIA EMAIL (ctappfilings@sccourts.org):

The Honorable Jenny Abbott Kitchings
Clerk of Court
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Donald Youngblood vs. Sheila Wright
Appellate Case No.: 2023-001001

Dear Ms. Kitchings:

On behalf of Appellant Sheila Wright, please find enclosed for filing the following:

1. Record on Appeal; and
2. Certificate of Service

We would greatly appreciate your filing these on our behalf and returning date-stamped copies to us. We will be mailing one bound copy of the Record on Appeal to the Court today.

With best regards, I am

Sincerely,



Karen Nissen
Paralegal to F. Truett Nettles, II

/kn

Enclosures

cc: John E. Parker, Esq. (via email w/ encls.)
John E. Parker, Jr., Esq. (via email w/ encls.)