

STATE OF SOUTH CAROLINA)
)
COUNTY OF HAMPTON)
)
CHARLES BRIGHT,)
)
)
Plaintiff,)
)
vs.)
)
JOSEPH BROWN and FERGUSON)
FOREST PRODUCTS, INC.,)
)
)
Defendants.)
_____)

IN THE COURT OF COMMON PLEAS
CASE NUMBER: 2022-CP-25-00154

AMENDED ORDER

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Apr 16 2024
SC Court of Appeals

This matter came before the Court upon the Plaintiff’s Motion for Partial Summary Judgment as to Liability Against the Defendants. A hearing was conducted before this Court on January 29, 2024.

This case arises from a collision that occurred on Jacksonboro Road in Colleton County on May 17, 2021, between Plaintiff’s tractor and farming implements, and Defendant Ferguson Forest Products, Inc.’s logging truck and trailer being driven by Defendant Joseph Brown. Plaintiff filed a Motion for Partial Summary Judgment.

THEREFORE, after reviewing Plaintiff’s Motion and Memorandum, Defendants’ Memorandum, and after also hearing arguments by both sides, this Court denies Plaintiff’s Motion for Summary Judgment as to liability under general negligence. Additionally, Plaintiff seeks summary judgment as to liability based on Defendant’s alleged violation of S.C. Code Ann. § 38-77-340. There is no genuine issue of material fact that Defendant is in violation of SC Code Ann. § 38-77-340. However, the question of liability remains a fact question for the jury.

THEREFORE, IT IS SO ORDERED that Plaintiff’s Motion for Partial Summary Judgment is denied in part and granted in part.

Judge R. Lawton McIntosh

_____, 2024
Hampton County, South Carolina



Hampton Common Pleas

Case Caption: Charles Bright VS Joseph Brown , defendant, et al

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