

STATE OF SOUTH CAROLINA)

COUNTY OF HORRY)

Benjamin Shirley,)

Plaintiff,)

vs.)

Christopher Martin, Stephanie)
Martin,)

Defendants.)

IN THE COURT OF COMMON PLEAS
FIFTEENTH JUDICIAL CIRCUIT

CASE NO.: 2023-CP- _26-02193 ____

Master's Decree and Judgment
(Damages Hearing)

RECEIVED

Aug 06 2024

SC Court of Appeals

Pursuant to Rule 53 of the South Carolina Rules of Civil Procedure (hereinafter "SCRCP"), the above-entitled matter was referred to the undersigned Master in Equity to make appropriate findings of fact and conclusions of law, with authority to enter a final Judgment in the cause. Any appeal from the decision of the Master in Equity shall be directly to the South Carolina Supreme Court. Pursuant to the said reference, a hearing was held, attended by the attorneys of record, and the testimony was taken, which is reported herewith.

The court has ruled in the above-referenced case as follows: Judgment in favor of Defendant Stephanie Martin is appropriate due to Plaintiff's failure to complete the painting of the Martin home in a good and workmanlike manner. Mrs. Martin presented credible evidence that Plaintiff's work product was not consistent with a professional who has purported to have the knowledge, skill and experience to perform such tasks. For this reason, Plaintiff's

compensation shall be limited to the initial deposit of \$2500.00 according to evidence presented in the court record. No additional damages are awarded to Plaintiff against Mrs.

Martin. Regarding Mr. Martin, the court has determined that Mr. Martin is in default for failure to respond to the Summons and Complaint personally served upon him. However, Plaintiff's compensation shall also be limited to the initial deposit of \$2500.00 and no additional damages are awarded against Mr. Martin. The Plaintiff also failed to properly plead causes of action that authorize attorney's fees by statute or by contract. Therefore, no attorney's fees are awarded to Plaintiff.

AND IT IS SO ORDERED.

Alan D. Clemmons

Master in Equity for Horry County



Horry Common Pleas

Case Caption: Benjamin Shirley VS Christopher Martin , defendant, et al

Case Number: 2023CP2602193

Type: Master/Order/Other

So Ordered

s/Alan D. Clemmons 3088 Master in Equity