

John Sloan et al  
PLAINTIFF(S)

Clemson University et al  
DEFENDANT(S)

**DISPOSITION TYPE (CHECK ONE)**

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  
 Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

**IT IS ORDERED AND ADJUDGED:**  See attached order (formal order to follow)  Statement of Judgment by the Court:

See page two below.

**ORDER INFORMATION**

This order  ends  does not end the case.  See Page 2 for additional information.

**For Clerk of Court Office Use Only**

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 06/27/2024 .

Nolas Trading Co Inc

**RECEIVED**  
**Aug 23 2024**  
**SC Court of Appeals**

**NAMES OF TRADITIONAL FILERS SERVED BY MAIL**

**Court Reporter:**

**E-Filing Note:** The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

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This matter is before the Court on Appellant's appeal from an order from the Probate Court entered on April 3, 2023. Counsel for all parties made compelling arguments. Based on a review of the file, submissions of the parties, and oral arguments, the findings and conclusions of law in the order of the Probate Court are hereby affirmed. The Court finds that the successor trustees are not elected or appointed as contemplated by the South Carolina Constitution. Even if it was determined they were elected or appointed, which the Court finds they were not, the language in the Constitution of 1868 and 1895 is similar and therefore does not give Appellant relief. Also, the Constitution protects against any impairment of contracts, which would occur here if Appellant is granted relief, as does the South Carolina Probate Code for charitable trusts. Counsel for Respondent is to prepare a formal order.

It is so ordered.



Pickens Common Pleas

**Case Caption:** John Sloan , plaintiff, et al VS Clemson University , defendant, et al

**Case Number:** 2023CP3900416

**Type:** Order/Electronic Form 4

So Ordered

G.D. Morgan Jr.