

Emily Major
PLAINTIFF(S)

James Major
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:

This appeal from Magistrate's Court was heard via WebEx on June 14, 2024. After hearing arguments of counsel, the appeal is denied and the Magistrate's decision is affirmed. I find the Magistrate correctly determined that Family Court has exclusive jurisdiction over this matter under the Protection from Domestic Abuse Act, § 20-4-10 et seq. Section 20-4-20(b) defines a "household member" as a spouse or former spouse. The act further states that family court has jurisdiction over all proceedings under this chapter except that it may be heard by a magistrate during nonbusiness hours or when court is not in session. §20-4-30. In those instances, however, the magistrate is expressly limited to granting only the relief provided in the Protection from Domestic Abuse Act at §20-4-60. I find this shows the clear legislative intent to give Family Court exclusive jurisdiction over the subject matter. The decision of the magistrate is therefore AFFIRMED.

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 06/28/2024 .

RECEIVED

Sep 17 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.



Richland Common Pleas

Case Caption: Emily Major VS James Major

Case Number: 2023CP4003612

Type: Order/Electronic Form 4

So Ordered

s/ Kristi F. Curtis, Circuit Court Judge, No. 2762