

STATE OF SOUTH CAROLINA COUNTY OF Richland Vanessa Holloway, <p style="text-align: center;">PLAINTIFF(S),</p> -VS- Legrantt Nesbitt, <p style="text-align: center;">DEFENDANT(S).</p>	<p style="text-align: center;">IN THE COURT OF COMMON PLEAS</p> <p style="text-align: center;">CASE#2022CP4001357</p> <p style="text-align: center;">ORDER DENYING DEFENDANT'S MOTION FOR RELIEF FROM DEFAULT</p>
--	--

This matter comes before the court upon an action in which the Defendant has filed a motion for Relief from Judgment under SCRCP 55 and 60(b). A hearing was held on this matter on November 12, 2024, in which all parties were afforded the opportunity to present arguments. Plaintiff was represented by Trevor P. Eddy, Esq. and Defendant was represented by Herbert E. Buhl, III, Esq.

This Court makes the following findings:

1. Plaintiff brought this action against Defendant on March 16, 2022 arising out of an incident in which Plaintiff was a victim of assault by Defendant.
2. Plaintiff validly served Defendant, who was incarcerated at the time, through the office of the Lexington County Sheriff Department in compliance with SCRCP 4(d)(2).
3. Defendant failed to timely Answer and was placed in Default by order of this Court on May 18, 2022.
4. Plaintiff moved for a Default Damages Hearing on May 24, 2022 that was served upon Defendant again through the Lexington County Sheriff's Department on May 26, 2022.
5. Plaintiff provided notice of the schedule of the hearing through the Lexington County Sheriff's Department on March 7, 2023.
6. On March 23, 2023, a hearing was held on Plaintiff's Motion for Default Damages. Neither Defendant nor representative for Defendant attended the hearing, though due notice was given.

RECEIVED
Dec 18 2024
SC Court of Appeals

7. On May 8, 2023, Judge Clifton Newman issued a Judgment in favor of the Plaintiff in an amount of Actual Damages of \$750,000 and Punitive Damages in the amount of \$900,000.
8. On June 2, 2023, the Probate Court of Lexington County ordered that Defendant was to be declared mentally ill and legally incompetent.

WHEREFORE,

As Defendant was not declared legally incompetent by the Probate Court until after all relevant events of the procedural history of the present lawsuit above, the May 8, 2023 Default Judgment shall stay in force and not be overturned.

The Honorable Daniel Coble

DATE:



Richland Common Pleas

Case Caption: Vanessa Holloway vs Legrantt Nesbitt
Case Number: 2022CP4001357
Type: Order/Other

So Ordered

s/ Daniel Coble, 2774

Electronically signed on 2024-11-20 14:33:27 page 3 of 3

ELECTRONICALLY FILED - 2024 Nov 20 2:36 PM - RICHLAND - COMMON PLEAS - CASE#2022CP4001357