

TO THE APPELLATE COURT OF SOUTH CAROLINA
INITIAL BRIEF BY Appellant

103664

IN THE ACTION OF 2024-000657

Timothy Meyers, Appellant,

v.

Affordable Concrete and Masonry, Respondent.

RECEIVED

JAN 07 2025

SC Court of Appeals

BACKGROUND

THIS CASE WAS INITIALLY FILED BY THE RESPONDENT IN HORRY COUNTY MAGISTRATE OFFICE OF MAGISTRATE MAYES BY THE RESPONDENT. MAGISTRATE MAYES HAD A CONFLICT, AND THE CASE WAS REASSIGNED TO ANOTHER MAGISTRATE. AFTER DISPOSITION, THIS CASE WAS APPEALED BY THE NOW PLAINTIFF, TO THE HORRY COUNTY COMMON PLEAS COURT. AFTER DISPOSITION, THE CASE WAS APPEALED TO THE APPELLATE COURT OF SOUTH CAROLINA AND ASSIGNED THE CASE NUMBER OF 2024-000657.

STATEMENT OF FACTS

1. ON THE DATE OF THE INITIAL MAGISTRATE HEARING THAT HAD A REASSIGNED MAGISTRATE, THE APPELLANT IN THIS CASE MR MEYERS WAS AT THE COURTHOUSE READY FOR TRIAL AND CHECKED IN SOME 30 MINUTES PRIOR TO THE SCHEDULED HEARING TIME OF 10AM.
2. ON THIS SAME DAY, AND AS TIME WAS PASSING, MR MEYERS AT 10:16AM NOTICE THAT THE NOW RESPONDENT "AFFORDABLE CONCRETE" HAD NOT YET CHECKED IN FOR THE HEARING, AND FACTUALLY WASN'T IN THE BUILDING.

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