

STATE OF SOUTH CAROLINA

) IN THE COURT OF COMMON PLEAS

COUNTY OF GREENWOOD

)

2021-CP-24-784

Greenwood Mills Inc.

)

Plaintiff

)

vs.

)

)

Rodney White,

)

)

Defendant

)

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)

)

RECEIVED

Mar 21 2025

FINAL ORDER

SC Court of Appeals

This matter was before me, as Special Referee, on November 27, 2024 at 9:00 a.m. for a hearing on counterclaims filed by the Defendant against the Plaintiff. I previously bifurcated the issues raised in the counterclaims when the Defendant did not attend the prior hearing due to a death in the family. At that hearing, I granted summary judgment to the Plaintiff, finding that the Plaintiff owned fee simple title to the property in question and that the Defendant did not have any legal or equitable interest in the property. Brandon A. Smith appeared for the Plaintiff along with Jay Self, President of Greenwood Mills Inc. Aaron Wallace appeared with the Defendant.

Prior to beginning the hearing, I considered a motion filed by the Defendant asking me to grant him a jury trial and return the case to circuit court. I denied the motion for two reasons. First, I ruled that the order referring the case to me did not include the power to return the case to the circuit court for a jury trial. Second, even if I did have that power, I would not grant the request for a jury trial due to the length of time that this case has been pending. Rule 39, SCRC.P.

At the call of the case, the Defendant testified that he had numerous items of valuable, personal property that were inside of a house located on the property. In July or August of 2022, the Plaintiff had the house demolished, and the Defendant seeks compensation for his personal property which he claims the Plaintiff destroyed in connection with the demolition.

FINDINGS OF FACT

1. In my Order Granting Partial Summary Judgment, I have already found that the Plaintiff was the sole owner of the property that is the subject of this action.
2. I find that a residential structure house used to be present on this property, and that the Plaintiff had the structure demolished in around July or August 2022.
3. Based on the testimony of the Defendant, which I found to be completely credible, I find that the Defendant previously occupied the structure and there were numerous items of his personal property inside the house when he last visited the house, approximately two months prior to the demolition. A list of most of those items was entered as Defendant's Exhibit No 2, and the Defendant testified as to his opinion of the value of most of those items. The Defendant contends that the Plaintiff should be found liable for the value of that property which the Defendant claims was destroyed with the house.
4. Based on the testimony of Mr. Reed Goings, Facilities Supervisor for the Plaintiff, which I also found to be completely credible, I find that none of the items on the Defendant's list were located in the house when he inspected it, just prior to its being demolished. Mr. Goings produced photographs, entered as Plaintiff's Exhibit Nos 9 through 12, documenting that the contents of the house at that time were just trash and debris.
5. Based on the testimony of Ms. Camala Hinkle, who inspected the house prior to its demolition in order to prepare a bid for the demolition work, whose testimony I also found to be completely credible, I find that the house had been inhabited by one or more vagrants at some point prior to her inspection. I also find that house had been infested with pests, possibly including racoons, mice, rats and snakes. Although they visited the house at separate times, she corroborated that none of the items on the Defendant's list were present when she inspected the house.

6. No evidence was presented to establish what happened to the Defendant's personal property between the time the Defendant last visited the house, two months prior to the demolition, and the time that Mr. Goings and Ms. Hinkle inspected the house in connection with its impending demolition.

CONCLUSIONS OF LAW

I have no choice but to conclude, as a matter of law, that the Defendant has failed to prove, by the greater weight or preponderance of the evidence, that any of the property listed on Defendant's Exhibit No 2 was located in the house when it was demolished.

IT IS THEREFORE ORDERED that judgment be entered in favor of the Plaintiff on the Defendant's counterclaims.

IT IS FURTHER ORDERED that the Defendant's Motion for Reconsideration of my Order Granting Partial Summary Judgment be denied.

AND IT IS SO ORDERED!

February 21, 2025

/s/ Charles M. Watson Jr.
Special Referee

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)
 Greenwood Mills Inc.)
)
 Plaintiff)
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 vs.) FINAL ORDER
)
 Rodney White,)
)
 Defendant)
)
 _____)

Submitted by: Charles Watson	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or <input type="checkbox"/> Self-Represented Litigant

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. See Page 2 for additional information.
- 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: _____

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk :

Information for the Judgment Index		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
n/a	n/a	\$

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.

Note: Title abstractors and researchers should refer to the official court order for judgment details.

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

/s/ Charles M. Watson Jr. _____ 2-21-25
 Special Referee _____ Judge Code _____ Date _____

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____, and a copy mailed first class or placed in the appropriate attorney's box _____ day of _____, 20____, to attorneys of record or to parties (when appearing pro se) as follows:

Brandon A. Smith
104 Maxwell Ave
Greenwood SC 29646
 ATTORNEY(S) FOR THE PLAINTIFF(S)

Aaron Wallace
1416 Laurel Street, STE B
Columbia SC 29201
 ATTORNEY(S) FOR THE DEFENDANT(S)

 CLERK OF COURT

Court Reporter: None

E-Filing Note: In E-Filing counties, 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 judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRPC.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.