

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF YORK

Triando Stroud,

C/A NO: 2024-CP-46-05025

Appellant,

v.

ORDER

Rock Hill Nissan,

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Respondent.

APR 08 2025

SC Court of Appeals

This matter comes before the Court on Appellant Triando Stroud’s (“Appellant”) Motion for Appeal from an Order of the Catawba / Ebenezer Magistrate Court. A hearing on Appellant’s Motion for Appeal was held on February 26, 2025 via WebEx. Sarah Addy, Esq. appeared for Respondent Rock Hill Nissan (“Respondent”). Appellant appeared telephonically.

After considering Appellant’s Notice of Civil Appeal, the Magistrate Court’s Return, and the arguments of the parties this Court finds the Magistrate Court’s findings are supported by evidence, or lack thereof, in record, there is no legal error presented on appeal, and the Order of the Magistrate Court is AFFIRMED.

BACKGROUND

A bench trial was held on December 17, 2024 before the Catawba / Ebenezer Magistrate Court. The Magistrate Judge issued an Order in favor of Respondent. On December 26, 2024, Appellant timely filed a Notice of Civil Appeal. The basis of Appellant’s Motion for Appeal was (1) the Magistrate Judge did not explain each detail of Court proceedings to Appellant, and (2) Appellant did not know he was required to prove elements of a claim and/or call witnesses. On January 24, 2025, the Magistrate Judge filed the Return of Civil Appeal.

STANDARD OF REVIEW

Under the South Carolina Code, Chapter 7 of Title 18, “when a judgment is rendered by a magistrate’s court . . . the appeal shall be to the circuit court of the county wherein the judgment was rendered.” *See* S.C. Code Ann. § 18-7-10 (1985). The standard of review to be applied by the circuit court on appeal of a magistrate’s judgment is articulated in Section 18-7-170 of the South Carolina Code (1985). Upon hearing the Appeal, the appellate court may “affirm or reverse the judgment of the court below, in whole or in part, as to any or all the parties and for errors of law or fact.” *Bowers v. Thomas*, 373 S.C. 240, 644 S.E.2d 751 (Ct. App. 2007); *see also Hadfield v. Gilchrist*, 343 S.C. 88, 92–93, 538 S.E.2d 268, 270 (Ct. App. 2000).

ANALYSIS

Appellant based his appeal on the allegation the Magistrate Court did not properly explain court procedure to him, that he did not know he was required to prove elements of his claim, and attempted to re-litigate the factual issues in this matter. The Magistrate’s Return directly contradicts Appellant’s allegation that court procedure was not explained to him. Nevertheless, the standard of review is clear that a circuit court reviewing an appeal from a magistrate’s judgment is limited to errors of law or fact. *See* S.C. Code Ann. § 18-7-10 (1985). On appeal, it is incumbent upon the Appellant to present evidence to indicate an error exists. This Court finds the Appellant did not introduce any such evidence. Thus, this Court is restricted to errors of law and the Magistrate Court’s Return.

CONCLUSION

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that Appellant’s attempt to re-litigate the factual issues on appeal is improper as this Court’s appellate review is limited to correcting errors of law, and seeing that no such error of law exists, the Magistrate Court’s decision is AFFIRMED.

AND IT IS SO ORDERED.

[Judge's electronic signature page to follow]



York Common Pleas

Case Caption: Triando Stroud VS Rock Hill Nissan

Case Number: 2024CP4605025

Type: Order/Other

IT IS SO ORDERED

Charles J. McCutchen

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The South Carolina Court of Appeals

Triando Stroud

04/08/2025

RECEIPT #104406

Fee Type: Case Initiation Fee Filed After 10-15-18
Amount: \$250.00
Payment Type: Cash
Reference No:
Check/Money Order Date:
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