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SC Court of Appeals www.theclarklawfirm.com

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April 8, 2025

The Honorable Jeanette McBride
Clerk of Court for Richland County
Post Office Box 2766
Columbia, South Carolina 29202

RE: Eugene Jacobs, Appellant, v. William A. Barr, Respondent, Case No.
2024-CP-40-04885

Dear Mrs. McBride:

Enclosed for filing is a notice of appeal in the above case.

Sincerely,

s/ John D. Clark
John D. Clark
Post Office Box 880
Sumter, South Carolina 29151
(803) 775-1234
Attorney for Appellant

cc: Charles S. Gwynne, Jr.
1901 Main Street
Columbia, South Carolina 29201
(803) 254-2200
Attorney for Respondent

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SC Court of Appeals

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**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

**APPEAL FROM RICHLAND COUNTY
Court of Common Pleas**

Patrick C. Fant, III, Circuit Court

Judge

Case No. 2024-CP-40-04885

Eugene Jacobs,

Appellant,

v.

William A. Barr,

Respondent.

NOTICE OF APPEAL

Eugene Jacobs appeals the order of the Honorable Patrick C. Fant, III dated March 23, 2025. Appellant received written notice of entry of this order on March 23, 2025.

April 8, 2025

s/ John D. Clark
John D. Clark
Post Office Box 880
Sumter, South Carolina 29151
(803) 775-1234
Attorney for Appellant

**Other Counsel of Record:
Charles S. Gwynne, Jr.
1901 Main Street
Columbia, South Carolina 29201
Attorney for Respondent
(803) 254-2200**

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PROOF OF SERVICE

I certify that I have served the Notice of Appeal on William A. Barr by depositing a copy of it in the United States Mail, postage prepaid, on April 8, 2025, addressed to his attorney of record, Charles S. Gwynne, Jr., 1901 Main Street, Columbia, South Carolina 29201.

April 8, 2025

**s/ John D. Clark
John D. Clark
Post Office Box 880
Sumter, South Carolina 29151
(803) 775-1234
Attorney for Appellant**

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3) The applicable statute of limitations for an action involving personal injury from a motor vehicle accident is three years. See S.C. Code § 15-3-530(5) (providing three years for “an action for . . . any injury to the person or rights of another, not arising on contract and not enumerated by law,...”).

4) In this case, Plaintiff filed her action 2 years, 8 months, and 8 days after the motor vehicle accident giving rise to Plaintiff’s actions for negligence against Defendant. In order to commence her action against Defendant, Plaintiff was required to serve Defendant with the Summons and Complaint by December 4, 2024, or December 10, 2024. To date, Defendant has not been served with this lawsuit.

5) Pursuant to SCRCP, Rule 12(b)(2), (4), and (5), the Court lacks jurisdiction over Defendant, due to insufficiency of process, and insufficiency of service of process.

For the reasons stated herein, the Court hereby grants Defendant’s Motion and this action is hereby dismissed with prejudice.

AND IT IS SO ORDERED.

Patrick C. Fant, III
Circuit Court Judge



Richland Common Pleas

Case Caption: Eugene Jacobs vs William A Barr
Case Number: 2024CP4004885
Type: Order/Dismissal

So Ordered

Patrick C. Fant, III