

MOTION TO KEEP INITIAL BRIEFS AND
DESIGNATION OF MATTER SEPARATE
FOR EACH RESPONDANT WITH
DIFFERENT LEGAL ISSUES
THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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APR 14 2025

SC Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

Daniel Coble, Circuit Court Judge

Appellant Case No. 2024-001242
Case No. 2023-CP-400-4408

Kamarah Reynolds-Hall

Appellant,

v.

**Jammie Robinson, John Dixon,
Dominic Hill, Joseph Hunter, Anthony
(AJ) Lawson, Javon Benson, Jahmar
Brown, Cincere Scott, Jasmine
Alexander-Coleman, Holder
Properties, University of South
Carolina, Defendants,**

Respondents.

**University of South Carolina
Holder Properties**

MOTION TO KEEP INITIAL BRIEFS AND
DESIGNATION OF MATTER SEPARATE
FOR EACH RESPONDANT WITH
DIFFERENT LEGAL ISSUES

I am asking the Honorable Court to allow **Motion To Keep Initial Briefs and Designation of Matters** separate for each defendant.

Rule 208(a) of The South Carolina Rule of Appellate Procedure states that initial briefs with different legal issues per defendant should be filed separately.

This rule outlines the requirements for filing initial briefs in appellate cases, **emphasizing that each defendant with distinct legal issues should have their own separate brief.**

The rule mandates that if a defendant has different legal issues compared to other defendants, they must submit their own separate brief.

This ensures that the court has a clear understanding of each defendants individual argument and legal positions.

The purpose is to **help streamline the appellate process and provides a more organized presentation of the arguments before the court.**

It allows the court to focus on the specific issues raised by each defendant without being confused by combined arguments.

Defendant # 1 University of South Carolina

Legal Issue: Statute of Limitation for Tort Claim

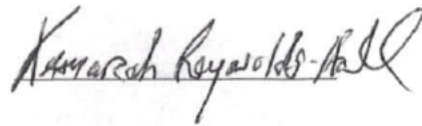
Defendant #2 Holder Properties

Legal Issue: Insufficiency of Service of Process Only

I have provided attachments to support the **Keep Initial Briefs and Designation of Matters** separate for each defendant.

1. **Form 4 Judgement in a Civil Case# 2023-CP40-04408**
2. **USC Court Order in Case#2023-CP40-04408**
3. **Holder Properties in Case#2023-CP40-04408**

April_14_2025



Catherine Garbee Griffin

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PO Box 8057

Columbia, South Carolina 29202

803-799-9091

Attorney for Holder Properties

David DeMasters

2838 Divine Street

Columbia, South Carolina 29205

803-799-9993

Attorney for University of South Carolina

Damon Christian Wlodarczyk

PO Box 12009

Columbia, South Carolina 29211

Attorney for University of South Carolina

Kamarah Reynolds-Hall

5 Alatera Court

Columbia, South Carolina 29229

803-237-6057

PRO SE



The South Carolina Court of Appeals

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CATHERINE S. HARRISON
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April 10, 2025

Kamarah Reynolds-Hall
5 Alatera Court
Columbia SC 29229

Re: Kamarah Reynolds-Hall v. USC
Appellate Case No. 2024-001242

Dear Ms. Reynolds-Hall:

We are in receipt of two appellant's initial briefs and designations of matter filed on February 28, 2025. You must serve and file a single appellant's initial brief and designation of matter within ten (10) days of the date of this letter or this appeal will be dismissed.

Very truly yours,


CLERK

cc: David Allan DeMasters, Esquire
Damon Christian Wlodarczyk, Esquire
Catharine Garbee Griffin, Esquire
Michal Kalwajtys, Esquire

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF Richland
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2023CP4004408

Kamarah Reynolds Hall
PLAINTIFF(S)

Jammie Robinson et al
DEFENDANT(S)

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.
- 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:

This matter was heard in Judge Coble's virtual court on July 9, 2024. Appearing before the court were Kamarah Reynolds Hall, as Plaintiff pro se, Dave DeMasters, on behalf of USC, and Catharine Griffin, on behalf of Holder.

After carefully considering oral arguments and the pleadings, USC's Motion to Dismiss based on the Statute of Limitations is granted. Holder Properties' Motion to Dismiss based on insufficient service of process is granted. The prevailing parties shall provide a proposed order to the court within ten (10) days.

ORDER INFORMATION

This order ends does not end the case. See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 07/15/2024 .

Cincere Scott
 Jahmar Brown
 Javon Benson
 Anthony Randolph Lawson
 Joseph Hunter
 Kamarah Reynolds Hall for Kamarah Reynolds Hall
 Dominic Hill
 John Dixon
 Jammie Robinson
 Jasmine Alexander Coleman
 Kamarah Reynolds Hall for Kamarah Reynolds Hall

NAME(S) OF PARTY(IES) SERVED BY MAIL



Richland Common Pleas

Case Caption: Kamarah Reynolds Hall vs Jammie Robinson , defendant, et al
Case Number: 2023CP4004408
Type: Order/Electronic Form 4

So Ordered

s/ Daniel Coble, 2774

Electronically signed on 2024-07-15 11:34:58 page 3 of 3

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

Kamarah Reynolds-Hall,

Plaintiff,

v.

Jammie Robinson et al.,

Defendants.

IN THE COURT OF COMMON PLEAS

C/A NO.: 2023-CP-40-04408

**ORDER GRANTING DEFENDANT
USC'S MOTION TO DISMISS**

This matter came before the Court via WebEx on July 9, 2024, for a hearing on the Motion to Dismiss filed by Defendant University of South Carolina ("USC"). Present and appearing at the hearing were Plaintiff, Kamarah Reynolds-Hall, Travis Hall, who presented arguments on behalf of the *pro se* Plaintiff, with the consent of the Court, and David A. DeMasters for Defendant USC. Defendant Holder Properties, Inc also filed a motion to dismiss and was represented by Catharine Garbee Griffin. That motion will be addressed in a separate order.

Defendant USC's motion to dismiss was filed on October 6, 2023 and argued that Plaintiff's Complaint is time barred as it was filed more than two (2) years after the allegations in the Complaint occurred. Based on the applicable law and the arguments presented by the Parties, the Court finds that Plaintiff's claims against Defendant USC must be dismissed as a matter of law, as is set out in detail herein, and that Defendant USC's pending motion must be, and hereby is, **GRANTED**.

DISCUSSION

According to Plaintiff's Complaint, the "events giving rise to this matter happened in Richland County on August 23, 2020" and that all "defendants are responsible for the

Assault by Mob therefore causing Head Injury to the plaintiff, psychological and non-economic damages.” As to Defendant USC, Plaintiff alleges that:

30. On August 27, 2020. The plaintiff went to the University Police Department to report the assault. Despite the egregious and violent nature of the crime. The University waited 4 days to file the assault as they tried to figure out how to conceal this report.

31. The University of South Carolina continues to hinder my athletic opportunity therefore causing me to seek education and athletic career in North Carolina.

See, Complaint at 4. Based on these allegations, Plaintiff filed his Complaint on August 22, 2023. In the documents attached to the Complaint, Plaintiff states that “the video evidence was assembled by the victim father once the Discovery was released 7 months later March 2021.”

Plaintiff’s claims are barred by the applicable Statue of Limitations. Because this action is brought against a governmental entity, it is governed by the South Carolina Tort Claims Act (“Tort Claims Act”). The Tort Claims Act “constitutes the exclusive remedy for any tort committed by an employee of a governmental entity.” S.C. Code Ann. § 15-78-70(a). Under the Tort Claims Act, the statute of limitations for suit against a state agency or its employees is two years after the “date the loss was or should have been discovered.” S.C. Code Ann. § 15-78-110. If the action is not brought within the required statute of limitations it is “forever barred.” *Id.*

A loss should be discovered when the “circumstances would put a person of common knowledge and experience on notice that some right has been invaded, or that some claim against another party might exist.” *Joubert v. DSS*, 341 S.C. 176, 191, 534 S.E.2d 1, 9 (Ct. App. 2000). “The important date under the discovery rule is the date that a

plaintiff discovers the injury, not the date of the discovery of the identity of [the] wrongdoer.” *Wiggins v. Edwards*, 314 S.C. 126, 128, 442 S.E.2d 169, 170 (1994).

In this case, the incident that is the subject of the Complaint occurred on August 23, 2020 and even Plaintiff admits that the “video evidence” was obtained in March of 2021. Based on the arguments presented at the hearing, Plaintiff knew of his loss on August 23, 2020. *Bayle v. S.C. Dep’t of Trans.*, 344 S.C. 115, 121, 542 S.E.2d 736, 739 (Ct. App. 2001) (the two-year period begins the date of loss regardless of whether plaintiff knew the cause of the loss.). As such, Plaintiff’s claims are barred by the statute of limitations and his Complaint must be dismissed in its entirety as to Defendant USC.

CONCLUSION

Therefore, the Court finds that Defendant USC’s Motion to Dismiss is **GRANTED**, and Plaintiff’s Complaint as to Defendant USC must be, and hereby is, **DISMISSED WITH PREJUDICE**.

AND IT IS SO ORDERED

The Honorable Daniel Coble
Fifth Judicial Circuit

_____, 2024

Columbia, South Carolina



Richland Common Pleas

Case Caption: Kamarah Reynolds Hall vs Jammie Robinson , defendant, et al
Case Number: 2023CP4004408
Type: Order/Dismissal

So Ordered

s/ Daniel Coble, 2774

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)
)
 Kamarah Reynolds-Hall,)
)
)
 Plaintiff,)
)
)
 v.)
)
)
 Jammie Robinson, John Dixon, Dominic)
 Hill, Joseph Hunter, Anthony (AJ))
 Lawson, Javon Benson, Jahmar Brown,)
 Cincere Scott, Jasmine Alexander-)
 Coleman, Holder Properties, University)
 of South Carolina,)
)
)
 Defendants.)

IN THE COURT OF COMMON PLEAS
 FOR THE FIFTH JUDICIAL CIRCUIT

C.A. No.: 2023-CP-40-04408

ORDER

This matter came before this court via WebEx on July 9, 2024, for a hearing on the defendant, Holder Properties, Inc.'s Rule 12 (b) (2) and (5) Motion to Dismiss for insufficient service of process and lack of jurisdiction. Present and appearing at the hearing were the plaintiff, Kamara Reynolds-Hall, his father, Travis Hall, who presented arguments on behalf of the *pro se* plaintiff, with the consent of the court, Catharine Garbee Griffin for Holder Properties, Inc., and David A. DeMasters for the University of South Carolina. The University of South Carolina also filed a motion to dismiss which was heard at the same time and will be addressed in a separate order. Defendant, Holder Properties, Inc.'s motion to dismiss was filed on October 18, 2023 and served on the *pro se* plaintiff on the same date.

Based on the affidavit of Adam Sonenshine, the applicable law, and the arguments presented by the parties, this court finds that the plaintiff did not properly serve the Summons and Complaint on Holder Properties, Inc., and, therefore this Court dismisses the Complaint as to Holder Properties, Inc.

DISCUSSION

The plaintiff initiated this action by filing a Summons and Complaint on August 22, 2023. The plaintiff has not filed any evidence with this court regarding the proper service of the Summons and Complaint on Holder Properties, Inc. Rule 5(d) of the South Carolina Rules of Civil Procedure requires that “proof of service shall be filed within ten (10) days after service of the summons and complaint.” During the hearing the plaintiff’s father held up a green card which apparently was the receipt from service by certified mail of the summons and complaint on Holder Properties, Inc. The plaintiff argued that “someone” signed for the Summons and Complaint, but did not present any evidence that the person who signed for the Summons and Complaint had authority from Holder Properties, Inc. In contrast, the defendant, Holder Properties, Inc. presented the affidavit of Adam Sonenshine, the chief operating officer and general counsel for Holder Properties, Inc., in which he averred that Holder Properties, Inc. has never been served with the lawsuit brought by the plaintiff. Sonenshine further stated that Brittany McJunkin, who works for C&M Realty, Inc., an unaffiliated company that currently manages the property located at 601 Main Street in Columbia, South Carolina (The Adesso Condominiums) inadvertently signed for the lawsuit, but did not have the authority of Holder Properties, Inc. to accept service of the lawsuit. Mr. Sonenshine confirmed that Brittany McJunkin was not, and has never been, an employee, managing agent, general agent, or officer of Holder Properties, Inc.

To properly effect service on a corporation, such as Holder Properties, Inc., Rule 4(d)(3), SCRCP, requires that the Summons and Complaint be served on an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process. Although Rule 4 (d) (8), SCRCP, allows process to be served by certified mail,

addressee restricted and return receipt requested, the rule requires that the service must be made on the named defendant through their authorized representatives delineated as an officer, managing agent, general agent or any other agent authorized by appointment or law to receive service of process. In this case, there is no dispute that the plaintiff failed to serve an authorized representative of the corporation, Holder Properties, Inc., with the lawsuit.

Therefore, this court dismisses the plaintiff's Complaint pursuant to South Carolina Rules of Civil Procedure 12(b)(2) and 12(b)(5) on the basis that the summons and complaint have not been properly served on Holder Properties, Inc and, therefore there is no jurisdiction over Holder Properties, Inc.

AND IT IS SO ORDERED.

The Honorable Daniel Coble

Columbia, South Carolina



Richland Common Pleas

Case Caption: Kamarah Reynolds Hall vs Jammie Robinson , defendant, et al
Case Number: 2023CP4004408
Type: Order/Dismissal

So Ordered

s/ Daniel Coble, 2774

PROOF OF SERVICE

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
[In The Supreme Court]

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APR 14 2025

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas

SC Court of Appeals

Daniel Coble, Circuit Court Judge

Appellant Case No. 2024-001242
Case No. 2023-CP-400-4408

University of South Carolina
Holder Properties

Respondents,

v.

Kamarah Reynolds-Hall

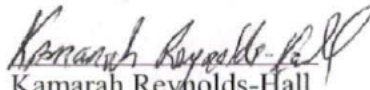
Appellant.

PROOF OF SERVICE

I certify that I have filed a **Motion To Keep Initial Briefs and Designation of Matters** separate for each defendant by depositing a copy of it in the United States Mail, postage prepaid, on April 10, 2025 addressed to the attorney of record for each defendant.

The attorneys of record for the **University of South Carolina** are David DeMasters PO Box 11412 Columbia, South Carolina 29211 and Damon Wlodarczyk PO Box 12009 Columbia, South Carolina 29211. The attorney of record for **Holder Properties** Catherine Garbee Griffin

April 14, 2025


Kamarah Reynolds-Hall
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PRO SE