

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF CHESTERFIELD )  
  
Craig Hanna, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
Bradley J. Hann and Wilkie )  
Development, LLC, )  
 )  
Defendants. )  
\_\_\_\_\_ )

IN THE COURT OF COMMON PLEAS

Case No. 2024-CP-13-01093

**ORDER GRANTING**  
**DEFENDANT WILKIE**  
**DEVELOPMENT, LLC'S**  
**MOTION FOR JUDGMENT**  
**ON THE PLEADINGS**

THIS MATTER is before the Court on the Motion for Judgment on the Pleadings pursuant to Rule 12(c), SCRCPP (the "Motion"), of Defendant Wilkie Development, LLC ("Defendant" or "Wilkie Development").

This Court heard the Motion on May 7, 2025, via Webex and the Court's virtual courtroom. Ty McTier appeared on behalf of the Plaintiff Craig Hanna, Kevin Barth appeared on behalf of Defendant Bradley J. Hanna ("B. Hanna"), and Paul Hoefler appeared on behalf of Wilkie Development. The Motion was granted via Form 4 Order entered May 18, 2025. This Order follows.

**BACKGROUND**

Plaintiff commenced this action by filing a Summons and Complaint on December 20, 2024, against B. Hanna and Wilkie Development asserting claims for (1) Breach of Fiduciary Duty (as to B. Hanna only), (2) Constructive Fraud (as to B. Hanna only), (3) Declaratory Action to Quiet Title (as to B. Hanna and Wilkie Development), and (4) Fraudulent Transfer (as to B. Hanna and Wilkie Development).

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**Jul 18 2025**

**SC Court of Appeals**

At the core of the Complaint, Plaintiff seeks an Order setting aside a conveyance evidenced by a deed dated February 3, 2022, and recorded on February 7, 2022 with the Register of Deeds for Chesterfield County, South Carolina in Book 544 at Page 455 (the “Subject Deed”). The grantors of the Subject Deed are B. Hanna as conservator for Georgia J. Hanna, Judy J. Speckman, Denise Herring as P.R. of the Estate of Betty J. Lundy, Zora J. Ritter, and Sandra J. Clodfelte. The grantee of the Subject Deed is Wilkie Development. The property conveyed by the Subject Deed includes a portion of TM No. 182-000-000-041 and a portion of TM No. 182-000-000-009, as more specifically described in the Deed (the “Property”).

According to allegations of the Complaint, Plaintiff is the son of Georgia J. Hanna, one of the previous owners of the Property and whose interest was conveyed by B. Hanna as her Court-appointed conservator.

Wilkie Development filed its responsive Answer on February 28, 2025. Thereafter, on April 23, 2025, Wilkie Development filed its Motion for Judgment on the Pleadings, pursuant to Rule 12(c), SCRCPP, contending the Complaint fails to set forth any allegations that would entitle Plaintiff to judgment, and more specifically that Plaintiff lacks standing to bring this action or to challenge the conveyance or set aside the Subject Deed.

#### **STANDARD**

After the pleadings are closed, but within such time as not to delay the trial, any party may move for judgment on the pleadings. Rule 12(c), SCRCPP. A judgment on the pleadings is proper where there is no issue of fact raised in a pleading that would entitle claimant to judgment if resolved in claimant’s favor. *Sapp v. Ford Motor Co.*, 386 S.C. 143, 146, 687 S.E.2d 47, 49 (2009) (citing *Russell v. Columbia*, 305 S.C. 86, 89, 406 S.E.2d 338, 339 (1991)). Judgment on the

pleadings is also proper where the pleadings are fatally deficient in substance or fail to state a good cause of action. *Rosenthal v. Unarco Indus., Inc.*, 278 S.C. 420, 422, 297 S.E.2d 638, 640 (1982).

### ANALYSIS

For a plaintiff to have standing to bring an action, three elements must be satisfied: (1) plaintiff must have suffered an injury-in-fact, which is a concrete, particularized, and actual or imminent invasion of a legally protected interest; (2), a causal connection must exist between the injury and the challenged conduct; and (3) it must be likely that a favorable decision will redress the injury. *Carnival Corp. v. Historic Ansonborough Neighborhood Ass'n.*, 407 S.C. 67, 75, 753 S.E.2d 846, 850 (2014) (citing *Sea Pines Ass'n for the Prot. of Wildlife v. S.C. Dep't of Natural Res.*, 345 S.C. 594, 600-01, 550 S.E.2d 287, 291f-92 (2001)). “To have standing, one must have a personal stake in the subject matter of the lawsuit, i.e., one must be a real party in interest.” *Charleston Cty. Sch. Dist. v. Charleston Cty. Election Comm'n*, 336 S.C. 174, 181, 519 S.E.2d 567, 571 (1999). Prospective or the potential for future harm falls short of the standard for a “concrete and particularized and ... actual or imminent” harm as required for a party to have standing. *Beaufort Realty Co. v. Beaufort Cty.*, 346 S.C. 298, 303, 551 S.E.2d 588, 590 (Ct. App. 2001) (quoting *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560, 119 L. Ed. 2d 351, 364, 112 S. Ct. 2130, 2136 (1992)).

Here, Plaintiff has failed to set forth facts evidencing any ownership interest in the Property or any legitimate future interest he may have in the Property, and Plaintiff has failed to show actual injury suffered from the conveyance of the Property. Instead, Plaintiff alleges only that an interest in the Property “would flow to him.” (Complaint ¶ 19). Even if Plaintiff alleged a legitimate future interest he may have in the Property, the “mere expectancy or future interest fails to satisfy” the requirements set forth in *Lujan* that there be a “concrete and particularized” and “actual or

imminent” injury and not merely a “conjectural or hypothetical” one. *Meehan v. Meehan*, 2006 S.C. App. Unpub. LEXIS 28 \*; 2006 WL 7285712.

Therefore, Plaintiff lacks standing to challenge the validity of the Subject Deed, and the Complaint fails to state a cause of action under which Plaintiff is entitled to relief against Wilkie Development. Accordingly, the Court grants the Motion.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Wilkie Development is entitled to judgment on the pleadings in this action, and all of Plaintiff’s claims asserted against Wilkie Development in this action are dismissed.

AND IT IS SO ORDERED.

[Judge’s signature page follows]



Chesterfield Common Pleas

**Case Caption:** Craig Hanna VS Bradley J. Hanna , defendant, et al  
**Case Number:** 2024CP1301093  
**Type:** Order/Other

So Ordered

William C. McMaster, III

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**Courtesy NEF RE: 2024CP1301093**

**From** efiledonotreply@sccourts.org <efiledonotreply@sccourts.org>  
**Date** Wed 6/18/2025 3:17 PM  
**To** Ty McTier <tmctier@mctierlaw.com>  
**Cc** Admin McTier Law <abowman@mctierlaw.com>

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**Court:** CIRCUIT COURT  
Common Pleas  
Chesterfield  
**Case Caption:** Craig Hanna VS Bradley J. Hanna , defendant, et al  
**Document(s) Submitted:** Order/Electronic Form 4 - Motion to Reconsider Denied  
Order/Electronic Form 4 - Motion to Reconsider Denied  
**Filed by or on behalf of:** William C McMaster, III

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**The following people were served electronically:**

- Clara Elizabeth Weston for Wilkie Development, Llc
- Paul Hamilton Hoefler for Wilkie Development, Llc
- Christopher Lee Boguski for Wilkie Development, Llc
- Kevin Mitchell Barth for Bradley J. Hanna
- Ty Kimmell McTier for Craig Hanna

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