

STATE OF SOUTH CAROLINA,  
COUNTY OF GREENVILLE

IN THE COURT OF COMMON PLEAS OF  
THE THIRTEENTH JUDICIAL CIRCUIT

Bruce Wilson, )  
)  
Plaintiff, )  
)  
vs. )  
)  
Princeton Rodrigues Williams, and )  
Ennis M. Fant )  
)  
Defendants. )

CASE NO.: 2024-CP-23-02744

ORDER  
**RECEIVED**  
**Aug 01 2025**  
SC Court of Appeals

This matter came before the Court on April 24, 2025, for a hearing on Defendant Ennis M. Fant’s Motion to Dismiss Plaintiff’s Amended Complaint and Motion for Sanctions, pursuant to South Carolina Rules of Civil Procedure (“SCRPC”) Rule 12(b)(6). As set forth below, Defendant Fant’s Motion to Dismiss Plaintiff’s Amended Complaint and Motion for Sanctions is granted in part and denied in part.

**PROCEDURAL HISTORY**

Plaintiff Bruce Wilson commenced this lawsuit against Defendants Fant and Princeton Rodrigues Williams on May 6, 2024, alleging Intentional Infliction of Emotional Distress and Civil Conspiracy. Plaintiff served Defendant Fant with the Summons and Complaint on or about May 10, 2024. Defendant Fant filed his Motion to Dismiss and Motion for Sanctions on June 10, 2024. On January 23, 2025, this Court granted Defendant Fant’s Motion to Dismiss Plaintiff’s Complaint and denied Fant’s Motion for Sanctions without prejudice. The Court stated specifically,

In looking at the four corners of the complaint and viewed in light most favorable to the Plaintiff the Complaint fails to properly allege a cause of action for Intentional Infliction of Emotional Distress. The facts supporting this cause of action mostly describe the conduct of Defendant Williams. The allegations do not

assert any intentional or reckless act by Defendant Fant nor any facts supporting damages other than mere bald assertions. See *Hansson v. Scalise Builders of S.C.*, 374 S.C. 352 (2007) and *Ford v. Hutson*, 276 S.C. 157 (1981). As to the Civil Conspiracy cause of action, Plaintiff merely repeats the allegations supporting the previous causes of action. In a claim for civil conspiracy, a plaintiff must allege “additional facts in furtherance of the conspiracy separate and independent from other wrongful acts alleged in the Complaint and the failure to properly plead such acts will merit the dismissal of the claim. *Hackworth v. Greywood at Hammet*, 385 S.C. 110 (Ct. App. 2009).

See J. Gravely Order, January 22, 2025. Based on this decision, the Court allowed Plaintiff 20 days to file an Amended Complaint to address these deficiencies.

On February 11, 2025, Plaintiff filed an Amended Summons and Complaint against both Defendants and alleged the following against Defendant Fant: 1) Defamation, 2) Intentional Infliction of Emotional Distress, 3) Civil Conspiracy, and 4) Extortion. Plaintiff failed to properly serve Defendant Fant with a copy of his Amended Complaint. On February 28, 2025, Plaintiff filed a Second Amended Summons and Complaint and failed to properly serve Fant with a copy of his Second Amended Complaint. Upon discovering Plaintiff’s Amended Complaint and subsequent Second Amended Complaint through a review of the public index, Defendant Fant filed a Motion to Dismiss Plaintiff’s Second Amended Complaint. On March 31, 2025, this Court informed defense counsel that a hearing for Plaintiff’s Emergency Motion for Temporary Restraining Order was scheduled for April 4, 2025. Defendant Fant did not receive notice or service of this motion from Plaintiff. On March 31, 2025, Defendant filed a “Notice to Clerk of Court Regarding Second Amended Complaint” withdrawing his Second Amended Complaint and

seeking to reinstate his Amended Complaint. In response, Defendant Fant filed this Motion to Dismiss Plaintiff's Amended Complaint on April 8, 2025.

### **LEGAL STANDARD**

Rule 12(b)(6), SCRPC, allows the court to dismiss a party's claim for "failure to state facts sufficient to constitute a cause of action." In evaluating a motion to dismiss pursuant to this rule, the circuit court must view the facts alleged in the complaint and any reasonable inferences to be drawn therefrom in the light most favorable to the plaintiff. *Gentry v. Yonce*, 337 S.C. 1, 5, 522 S.E.2d 137, 139 (1999).

"The trial court must base its ruling solely on allegations set forth in the complaint." *Doe v. Marion*, 373 S.C. 390, 395, 645 S.E.2d 245, 247 (2007). "The trial court's grant of a motion to dismiss will be sustained if the facts alleged in the complaint do not support relief under any theory of law." *Flateau v. Harrelson*, 355 S.C. 197, 202, 584 S.E.2d 413, 416 (Ct. App. 2003).

### **DISCUSSION**

This Court instructed Plaintiff to amend his pleadings to correct the deficiencies in his original complaint for his claims of Intentional Infliction of Emotional Distress and Civil Conspiracy. Plaintiff has failed to do so and added additional claims. Defendant Fant asserts Plaintiff's Amended Complaint falls outside the limited instruction and leave from this Court. The Court finds Plaintiff failed to plead the necessary elements sufficient to state a cause of action for Defamation, Intentional Infliction of Emotional Distress, Civil Conspiracy, and Extortion. Therefore, Plaintiff's Amended Complaint against Defendant Fant is dismissed, pursuant to SCRPC Rule 12(b)(6).

#### **I. PLAINTIFF FAILED TO STATE A CLAIM FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS.**

In order to succeed on a claim for intentional infliction of emotional distress a Plaintiff must prove, "(1) the defendant intentionally or recklessly inflicted severe emotional distress, or

was certain, or substantially certain, that such distress would result from his conduct; (2) the conduct was so “extreme and outrageous” so as to exceed “all possible bounds of decency” and must be regarded as “atrocious, and utterly intolerable in a civilized community”; (3) the actions of the defendant caused plaintiff’s emotional distress; and (4) the emotional distress suffered by the plaintiff was “severe” such that “no reasonable man could be expected to endure it.” *Hansson v. Scalise Builders of S.C.*, 374 S.C. 352, 356, 650 S.E.2d 68, 70 (2007).

***A. Fant did not intentionally or recklessly inflict severe emotional distress on Plaintiff.***

Plaintiff failed to plead that Defendant Fant committed any action or conduct which intentionally or recklessly inflicted severe emotional distress. Rather, Plaintiff makes speculative assertions that Defendant Fant collaborated with Defendant Williams on his alleged defamatory April 25, 2025 Facebook Live Video by providing false information about Plaintiff and instructing Defendant Williams to share it on his live video. Plaintiff does not allege that Defendant Williams stated he learned the alleged defamatory information from Defendant Fant. Absent any of these facts, Plaintiff relies on speculation in his assertion that Defendant Fant controlled and directed Defendant Williams to post his Facebook Live Video. In the Court’s initial order dismissing Plaintiff’s Complaint, the Court found that “[t]he facts supporting this cause of action mostly describe the conduct of Defendant Williams. The allegations do not assert any intentional or reckless act by Defendant Fant nor any facts supporting damages other than mere bald assertions. See *Hansson v. Scalise Builders of S.C.*, 374 S.C. 352 (2007) and *Ford v. Hutson*, 276 S.C. 157 (1981).” See J. Gravely Order, January 22, 2025. The Court finds that Plaintiff has not pled any additional facts that would change this finding.

***B. Plaintiff failed to allege any facts supporting extreme and outrageous conduct so as to exceed all possible bounds of decency.***

Upon reading the Complaint and Amended Complaint, it is clear the public hearing concerned a dispute between two competing political candidates, Defendant Fant and Derrick Quarles (“Quales”). See Plt. Compl. ¶¶ 8-12; Plt. Am. Compl. ¶ 7. Plaintiff admits he was in no way involved in the hearing and that neither Defendant Fant nor Quarles informed him the hearing was occurring. See Plt. Compl. ¶ 10; Plt. Am. Compl. ¶ 6. Plaintiff states he attended the hearing and is aware of the events that occurred during the hearing. See Plt. Am. Compl. ¶ 6. Plaintiff’s Complaint and Amended Complaint shows that Defendant Fant knew and understood his political opponent, Quarles, filed the action against him and that Quarles was challenging his candidacy. See Plt. Compl. ¶¶ 16-21; Plt. Am. Compl. ¶ 6-7. Plaintiff now asserts that Defendant Fant conspired with Defendant Williams, who was not in attendance at the hearing, to convince the community that Plaintiff filed the complaint against Defendant Fant, instead of Quarles, despite the hearing being publicly recorded and Defendant Fant knowing Quarles was his challenger in the matter.

Plaintiff’s Complaint failed to make a showing of extreme and outrageous conduct that exceeds all possible bounds of decency. Plaintiff claims Defendant Fant instructed Defendant Williams to state that Plaintiff attempted to remove Defendant Fant from office, lied to the Board of Commission to have Defendant Fant removed from office, testified against Defendant Fant, spied on Defendant Fant, and took videos and photos of Defendant Fant. See Plt. Am. Compl. ¶ 9. Plaintiff relies on these assertions to support his claim for defamation against Defendant Williams. Plaintiff also claims Defendant Fant instructed members of the community to watch Defendant Williams’ Facebook post to support his current claims against Defendant Fant. See Plt. Am. Compl. ¶ 11-12.

There is nothing to support the claim that directing members of the public to watch a publicly issued social media post, published by someone else, amounts to extreme and outrageous conduct. There is also nothing to support Plaintiff's claim that stating he filed an administrative complaint and publicly recorded an individual is seen as offensive or morally deficient conduct.

***C. Plaintiff failed to plead any facts supporting a claim of severe emotional distress and damages attributable to Fant.***

Plaintiff stated he suffered emotional distress that was severe. However, Plaintiff failed to assert any facts supporting this claim and failed to plead any facts detailing damages. Relying solely on the Complaint and Amended Complaint, Plaintiff failed to allege any damages or injury resulting from any conduct of Fant.

**II. PLAINTIFF FAILED TO STATE A CLAIM FOR DEFEMATION.**

Plaintiff failed to plead any facts showing that Defendant Fant made any defamatory statements toward Plaintiff. "In order to prove defamation, the plaintiff must show (1) a false and defamatory statement was made; (2) the unprivileged publication was made to a third party; (3) the publisher was at fault; and (4) either actionability of the statement irrespective of special harm or the existence of special harm caused by the publication." *Erickson v. Jones St. Publishers, LLC*, 368 S.C. 444, 465, 629 S.E.2d 653, 664 (2006), disapproved of by *Floyd v. WBTW*, No. CIV.A. 4:06CV3120-RB, 2007 WL 4458924 (D.S.C. Dec. 17, 2007) (quoting *Fleming v. Rose*, 350 S.C. 488, 494, 567 S.E.2d 857, 860 (2002)).

Plaintiff, by way of this lawsuit and by way of his public actions and conduct, holds himself out to be a public figure to the community at large. "All three types of public figures, just as public officials, must meet the New York Times standard of actual malice in order to recover damages for defamation. Public figures and public officials are entitled to less protection from defamation than private figures because they enjoy greater media access and are less vulnerable to injury from

defamatory statements due to their ability to publicly rebut such statements. Furthermore, both public figures and public officials are less deserving of protection because they have voluntarily exposed themselves to the increased risk of defamation.” *Erickson*, 368 S.C. at 473, 629 S.E.2d at 668 (citing *Foretich v. Capital Cities/ABC, Inc.*, 37 F.3d 1541, 1551 (4th Cir.1994)). “Consequently, to prove fault in a defamation action, a plaintiff who is a public official or public figure must prove by clear and convincing evidence that the defendant acted with actual malice in publishing a false and defamatory statement about the plaintiff.” *Id.* at 467, 629 S.E.2d at 665.

Plaintiff failed to plead that Defendant Fant published any defamatory statement by way of libel or slander. Plaintiff failed to plead Defendant Fant published any statement whatsoever. Rather, Plaintiff asserted Defendant Fant directed members of the community to review a publicly available video published on Defendant Williams’ public Facebook profile. The Court finds this assertion is insufficient to prove Defendant Fant published a false statement.

Additionally, since Defendant Fant did not directly make a defamatory statement, he may only be held liable for Defendant Williams’ alleged defamatory statements if an agency relationship existed and the statement was made in the scope of that agency. *See Murray v. Holnam*, 344 S.C. 129, 139, 542 S.E.2d 743, 748 (Ct. App. 2001) (“[A] principal may be held liable for defamatory statements made by an agent acting within the scope of his employment or within the scope of his apparent authority.”). Plaintiff failed to plead an agency relationship existed and on the face of the Amended Complaint there is no factual support to presume an apparent authority exists amounting to Defendant Williams’ acting as an agent on Defendant Fant’s behalf. Absent a showing of a principal/agent relationship, Defendant Fant cannot be held liable for Defendant Williams’ conduct. *See id.* at 139, 542 S.E.2d at 748.

Absent the necessary elements for Defamation, Plaintiff's claim against Defendant Fant is dismissed with prejudice.

### **III. PLAINTIFF FAILED TO STATE A CLAIM FOR CIVIL CONSPIRACY.**

Plaintiff failed to plead the necessary elements sufficient to state a cause of action for civil conspiracy. The elements of civil conspiracy are: “(1) the combination or agreement of two or more persons, (2) to commit an unlawful act or a lawful act by unlawful means, (3) together with the commission of an overt act in furtherance of the agreement, and (4) damages proximately resulting to the plaintiff.” *Paradis v. Charleston Cty. Sch. Dist.*, 433 S.C. 562, 576, 861 S.E.2d 774, 780 (2021), reh'g denied (Aug. 18, 2021). “[I]n civil conspiracy, the gravamen of the tort is the damage resulting to plaintiff from an overt act done pursuant to a common design.” *Hackworth v. Greywood at Hammett*, 385 S.C. 110, 115, 682 S.E.2d 871, 874 (Ct. App. 2009).

“In a civil conspiracy claim, one must plead additional acts in furtherance of the conspiracy separate and independent from other wrongful acts alleged in the complaint, and the failure to properly plead such acts will merit the dismissal of the claim.” *Id.* at 115-116, 682 S.E.2d at 875. In this case, Plaintiff failed to state a claim because (1) he has not pled the existence of any combination or agreement between Defendants Fant and Williams; (2) he has not alleged any unlawful or lawful act by unlawful means; (3) he has not plead any overt act in furtherance of the conspiracy; and (4) he has not alleged any damages, in which this Court may grant relief.

Based on the allegations contained in the Amended Complaint, Plaintiff failed to correct the deficiencies in Plaintiff's claim, per this Court's instruction. See J. Gravely Order, January 22, 2025. Plaintiff failed to allege Defendant Fant committed any unlawful act or lawful act by unlawful means. Plaintiff failed to make a showing of Defamation, Intentional Infliction of Emotional Distress, and Extortion. Absent a showing of underlying conduct that is unlawful or

committed through unlawful means, Plaintiff failed to properly plead a claim for civil conspiracy. *Paradis*, 433 S.C. 562.

As stated by the Court in the January 22, 2025 Order, Plaintiff must allege “additional acts in furtherance of the conspiracy separate and independent from other wrongful acts alleged in the Complaint and the failure to properly plead such acts will merit the dismissal of the claim.” *Hackworth*, 385 S.C. at 115-16, 682 S.E.2d at 875. Plaintiff failed to allege additional acts in furtherance of the conspiracy. Plaintiff asserted that an alleged phone call between himself and Defendant Williams, and a separate call between himself and Defendant Fant, amounts to a showing of an additional act in furtherance of the conspiracy. This assertion does not support a factual showing of an overt act in the furtherance of the conspiracy. Plaintiff claims Defendant Fant entered into an unlawful agreement “to defame Plaintiff and cause harm to Plaintiff’s reputation, emotional well-being, and standing in the community.” See Plt. Am. Compl. ¶ 67.

Plaintiff alleged that Defendant Fant’s overt act in furtherance of this conspiracy is that he contacted, “multiple community leaders and members of the community, instructing them to view the defamatory video posted by Defendant Williams,” and that shortly after contacting members of the community, Defendant Williams called Plaintiff and stated he would remove the videos and Defendant Fant directed him to stop attacking Plaintiff if Plaintiff agreed to endorse Defendant Fant for political office. See Plt. Am. Compl. ¶ 69-70. Plaintiff failed to plead any communication or agreement between Defendants Fant and Williams for the purpose of unlawfully defaming Plaintiff. The only alleged communication pled is that Defendant Williams told Plaintiff that Defendant Fant encouraged him to stop attacking Plaintiff. Plaintiff does not plead anyone informed him that Defendant Fant directed them to watch the video, and Plaintiff does not plead that the alleged defamatory statement derived from Defendant Fant. Plaintiff failed to plead any

agreement or communication ever occurred between Defendants Fant and Williams in furtherance of the conspiracy. The only alleged communication between the Defendants, as pled, occurred after Defendant Williams posted the alleged defamatory video. Plaintiff alleged these communications occurred approximately one month after the alleged defamatory video. As pled, Defendant Fant expended efforts to stop Defendant Williams from continuing any attacks on Plaintiff, which appears to have been unsuccessful. It is improper to assert that actions occurring a month after the alleged recognized harm and injury, support an overt act in the furtherance of a conspiracy to cause such recognized harm and injury. Particularly given the only newly alleged conduct is Fant's attempt to prevent Plaintiff any future harm.

Therefore, as a matter of law, Plaintiff's claim for civil conspiracy is dismissed, as Plaintiff failed to plead any agreement between Defendants Fant and Williams for the purpose of defaming Plaintiff, and Plaintiff failed to plead any overt act in furtherance of the civil conspiracy.

#### **IV. PLAINTIFF FAILED TO STATE A CLAIM FOR EXTORTION.**

Plaintiff failed to plead facts supporting his Extortion claim. South Carolina does not recognize a civil claim for extortion and no elements or burden of proof are established for this alleged civil cause of action. Plaintiff argues that S.C. Code Ann. § 16-9-10 allows him the ability to plead extortion; however, S.C. Code Ann. § 16-9-10 refers to the criminal penalty of perjury and subornation of perjury and does not relate to a criminal charge of "extortion." However, in viewing this claim in a light most favorable to Plaintiff, Plaintiff asserts that South Carolina defines extortion as, "the obtaining of property or other benefit from another induced by wrongful use of force, fear, or threats." Plaintiff failed to plead that Defendant Fant obtained property or benefit from another by the use of force, fear, or threats.

Therefore, Plaintiff's causes of action against Defendant Fant for civil extortion is dismissed with prejudice.

**V. DEFENDANT FANT’S REQUEST FOR SANCTIONS IS DENIED.**

Defendant Fant requested sanctions, pursuant to S.C. Code Ann. § 15-36-10. “In order for a litigant to receive attorney's fees and costs under the Act, he has the burden of proving: (1) the other party has procured, initiated, continued, or defended the civil proceedings against him; (2) the proceedings were terminated in his favor; (3) the primary purpose for which the proceedings were procured, initiated, continued, or defended was not that of securing the proper discovery, joinder of parties, or adjudication of the civil proceedings; (4) the aggrieved person has incurred attorney's fees and court costs; and (5) the amount of the fees and costs set forth in item (4).” *Rutland v. Holler, Dennis, Corbett, Ormond & Garner (L. Firm)*, 371 S.C. 91, 97, 637 S.E.2d 316, 319 (Ct. App. 2006).

After review of the facts, pleadings, and arguments of the parties, this Court denies Defendant Fant’s Motion for Sanctions.

**THEREFORE, IT IS HEREBY ORDERED:**

Based on the above reasons, Defendant Fant’s Motion to Dismiss is granted and the causes of actions against him are dismissed. Plaintiff’s Amended Complaint is dismissed as Plaintiff has failed to plead an actionable claim of Intentional Infliction of Emotional Distress, Defamation, Extortion and Civil Conspiracy. Furthermore, Defendant Fant’s Motion for Sanctions is denied.

**AND IT IS SO ORDERED!**

**[SIGNATURE PAGE TO FOLLOW]**



Greenville Common Pleas

**Case Caption:** Bruce Wilson vs. Pranceton Rodrigues Williams , defendant, et al

**Case Number:** 2024CP2302744

**Type:** Order/Dismissal

So Ordered

Jessica A. Salvini