

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

JUDGMENT IN A CIVIL CASE

CASE NO. 2023CP2302780

Armando Despaifgne Zuiveta  
PLAINTIFF(S)

Augusta Lawn Care Of Greenville Llc  
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:

See Page 2 for Order of Court.

**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 05/08/2025 .

Armando Despaifgne Zuiveta for Armando Despaifgne Zuiveta  
 Augusta Lawn Care Of Greenville Llc  
 Armando Despaifgne Zuiveta for Armando Despaifgne Zuiveta

**RECEIVED**  
AUG 05 2025  
SC Court of Appeals

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

ELECTRONICALLY FILED - 2025 May 09 8:24 AM - GREENVILLE - COMMON PLEAS - CASE#2023CP2302780

**Court Reporter:**

**E-Filing Note:** The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRPC.

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This matter was dismissed by Order filed May 1, 2025 for Plaintiff's failure to prosecute. Upon review of the previous Order, the Court has determined that the actual basis for the dismissal should have been that Plaintiff has never filed a Proof of Service documenting that Service of the Summons and Complaint as required by Rule 4(d), South Carolina Rules of Civil Procedure. The Plaintiff filed documentation that the Summons and Complaint were served on the South Carolina Secretary of State. Since this company maintains a Registered Agent, service on the Secretary of State would not be proper. See S.C. Code Section 33-33-111 (a) and (b). Further, the Plaintiff took no additional action since filing his Notice even after communication from the Clerk of Court. Therefore, this Order confirms this matter is dismissed without prejudice and no further action can be taken by the Court. The Plaintiff will need to refile his action if he wishes to proceed. It is so Ordered.