

STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

Kanisha Nash,

Plaintiff,

v.

Patrick Montgomery, Sabrina Montgomery,
and Montgomery Construction, LLC,

Defendants.

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
CASE NO. 2023-CP-08-01652

SUPPLEMENTAL ORDER GRANTING
PLAINTIFF'S MOTION FOR
RULE TO SHOW CAUSE

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SC Court of Appeals

On June 18, 2025, this case came before the Court in response to Defendant Sabrina Montgomery and Defendant Patrick Montgomery's ("Defendants") failure to comply with the Court's March 28, 2025 Order granting Plaintiff's Rule to Show Cause.¹ Since the issuance of the Rule to Show Cause Order, which held the imposition of sanctions in abeyance, Defendant Sabrina Montgomery and Defendant Patrick Montgomery still did not comply with the Court's ruling. In fact, Defendant Sabrina Montgomery, through her counsel, confessed to destroying evidence on her cellular device that the Court had previously ordered produced for forensic examination. Accordingly, Plaintiff asked the Court to impose severe sanctions for egregious discovery abuse and willful noncompliance with multiple Orders of the Court.

As detailed herein, the procedural history of this case demonstrates a pervasive and blatant disregard for the judicial system and the rights afforded to Plaintiff to timely pursue her claims and conduct discovery. Thus, the Court finds that severe sanctions are warranted in this third Order regarding discovery compliance. Given Defendants' willingness to ignore this Court's Order and their discovery obligations, there exists a clear and irrefutable pattern of discovery abuse that is likely

¹ The Court adopts its March 28, 2025 Order and the numerous filings related to discovery abuse as if repeated herein verbatim.

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to continue unless sanctions are imposed. Thus, judicial intervention is necessary, and consequences, pursuant to Rule 37, SCRC, are merited.

PROCEDURAL HISTORY

On January 6, 2025, this matter came before the Court on Plaintiff's Motion for Rule to Show Cause against Defendant Sabrina Montgomery and Defendant Patrick Montgomery for their failures to comply with the Court's prior Order entered on February 2, 2024, compelling supplemental discovery responses. After hearing the argument of Counsel, the Court granted Plaintiff's Motion. A detailed Order was issued on March 28, 2025 (hereinafter referred to as the "Order"). In the Order, the Court required Defendant Sabrina Montgomery to produce additional records and her cellular device for purposes of conducting a forensic inspection and download by Plaintiff's counsel. The deadline for compliance was April 14, 2025. As to Defendant Patrick Montgomery, the Court likewise ordered the production of additional discovery by April 14, 2025. The Court held sanctions in abeyance allowing each Defendant one final opportunity to cure the discovery abuses.

Neither Defendant Patrick Montgomery nor Defendant Sabrina Montgomery complied with the Court mandated deadline. The present Order is one of three issued by the Court commanding discovery compliance. Despite the Court's directives, Defendant Patrick Montgomery and Defendant Sabrina Montgomery still fail to comply. Defendants' willful discovery abuse has resulted in the destruction of evidence, caused irreparable harm, and unfairly prejudiced Plaintiff's ability to pursue her claims.

A. Procedural History as to Defendant Patrick Montgomery

In its Order, the Court directed Defendant Patrick Montgomery to serve additional discovery responses on Plaintiff by April 14, 2025. After the expiration of the mandated deadline,

Defendant Patrick Montgomery did not produce any documents or serve supplemental written responses. To date, no supplemental discovery has been issued by Defendant Patrick Montgomery or his counsel as directed by the Order. The Court has ordered the same on two (2) separate occasions.

Instead of serving discovery responses as ordered by the Court, counsel for Defendant Patrick Montgomery waited until April 14, 2025 – the last day to comply with the Order – and filed a motion styled “Motion to Protect Defendant’s Interests Pursuant to Rule 1.14(B).” The Court is highly critical of the timing of this Request. Most notably, at the first hearing on Plaintiff’s Rule to Show Cause, counsel for Defendant Patrick Montgomery did not raise any issue concerning Defendant Patrick Montgomery’s alleged mental incapacity. The Court also notes the same Motion was not filed in the companion criminal case. Nonetheless, out of an abundance of caution, Defendant Patrick Montgomery’s Motion was granted in a separate Order dated June 20, 2025. While the Court granted Defendant’s Motion to Protect his Interests, such relief in no way alleviates the year and a half long discovery noncompliance. Against Defendant Patrick Montgomery, sanctions are appropriate. His willful noncompliance with two prior Court Orders demonstrates pervasive and longstanding discovery abuse.

B. Procedural History as to Defendant Sabrina Montgomery

Defendant Sabrina Montgomery also failed to comply with the Order, and instead, destroyed evidence on her cellular device. The Court ordered Defendant Sabrina Montgomery to produce her cellular device for forensic inspection and download. After producing the device, it was determined by Plaintiff’s expert that it had been manually wiped the day before it was produced for inspection. Counsel for Defendant Sabrina Montgomery concedes his client wiped her cellular device before the forensic inspection and download.

The Court cannot discern a more egregious discovery abuse. Defendant Sabrina Montgomery consciously and intentionally destroyed evidence ordered to be produced by the Court. While she feigned compliance with the Court's Order and produced her cellular device for forensic inspection, Defendant Sabrina Montgomery's actions demonstrate an utter disregard for the judicial system and warrant severe sanctions. The destruction of evidence is particularly egregious in light of the Court Order commanding its production.

APPLICABLE LAW

"The orders of the trial court are not Shakespearean in nature 'full of sound and fury, signifying nothing.'" *Griffin Grading & Clearing, Inc. v. Tire Service Equip. Manufacturing Co., Inc.*, 334 S.C. 193, 199, 511 S.E.2d 716, 719 (Ct. App. 1999). "If a party fails to obey an order to provide or permit discovery, the trial court may impose sanction such as striking the pleadings, dismissing the action, or rendering a default judgment." *Id.* at 198. "The selection of a sanction for discovery violations is within the trial court's discretion." *Id.* The imposition of discovery sanctions under the South Carolina Rules of Civil Procedure is entrusted to the sound discretion of the trial judge, and the trial judge's exercise of discretionary powers regarding discovery sanctions will not be overturned on appeal absent a clear abuse of discretion. *Halverson v. Yawn*, 328 S.C. 618, 620, 493 S.E.2d 883, 884 (Ct. App. 1997). As in all cases involving violations of applicable discovery rules, the touchstone in determining whether to order sanctions, and the nature of sanctions, the court should consider the nature of the discovery request, the discovery posture of the case, the willfulness of the violation, and the degree of prejudice to the opposing party. *Historic Charleston Holdings, LLC v. Mallon*, 381 S.C. 417, 435, 673 S.E.2d 448, 457 (2009). The court has the authority to order severe sanctions, such as dismissal of an action, in cases involving bad faith, willful disobedience, or gross indifference to the opposing party's rights.

“Even though the imposition of sanctions is usually left to the sound discretion of the trial judge, whatever sanction the judge imposes ‘should serve to protect the rights of discovery provided by the Rules.’ Overly lenient sanctions are to be avoided where they result in inadequate protection of discovery.” *Id.* at 114, 495 S.E.2d at 217 (citations omitted).

1. The nature of the discovery.

The nature of the discovery sought by Plaintiff which serves as the subject of these numerous Court Orders was not complex or overburdensome. Rather, the interrogatories and requests for production sought relevant, non-privileged information that was readily available without imposing a burden on Defendants. Likewise, the production of Defendant Sabrina Montgomery’s cellular device for forensic inspection and download posed no undue burden on her. Defendant Sabrina Montgomery was not even asked to pay the costs associated with the forensic inspection and download; instead, she was simply ordered to turn over the cellular device to her counsel.

2. Discovery posture of the case.

This case has been litigated for over two (2) years with little discovery conducted to date as a result of the delays. Plaintiff is at a standstill and there is no other procedural mechanism for relief that has not previously been addressed by the Court. Plaintiff’s Motion to Compel was granted. Plaintiff’s Rule to Show Cause was granted. After several motions and two (2) Court Orders, Defendants have not complied, and evidence has been spoliated. This case should be ready for trial, but it is not due to Defendants’ delays and discovery abuse.

3. The degree of prejudice to the Plaintiff and the other Defendants.

Defendants’ pervasive conduct has delayed discovery, unfairly prejudiced Plaintiff’s ability to conduct timely discovery, and wasted significant resources. “[T]he rights of discovery provided

by the rules give the trial lawyer the means to prepare for trial, and when these rights are not accorded, **prejudice must be presumed.**" *Downey v. Dixon*, 294 S.C. 42, 46, 362 S.E.2d 317, 319 (Ct. App. 1987)). As a result of the Defendants' discovery abuse outlined here and in the other filings, Plaintiff's ability to timely and efficiently pursue this case has been irreparably harmed. All the while, Plaintiff's case has languished on the docket, not been resolved, costs continue to accrue, and Plaintiff's counsel has been forced to unnecessarily spend time and resources.

4. Willfulness of non-disclosure.

The long pattern of willful non-disclosure and spoliation set forth herein is self-evident. Plaintiff wrote detailed correspondence and filed lengthy briefs with numerous exhibits that outlined her positions at multiple hearings. Nothing about the conduct demonstrated by these Defendants can be attributed to mistake, inadvertence, or neglect. Their conduct in-and-of-itself conclusively shows egregious discovery misconduct and a pattern of willful violations of South Carolina law.

Defendants' willful refusals to comply with the Court's Orders have completely undermined Plaintiff's efforts to conduct meaningful discovery and prepare for trial and demonstrate a disregard for the judicial system and this Court. Accordingly, the Court finds that the most severe sanctions should be imposed at this time.

IT IS THEREFORE ORDERED, as follows:

A. Award of Attorney's Fees and Costs Against Defendant Patrick Montgomery and Defendant Sabrina Montgomery and/or Their Respective Defense Counsel

Plaintiff has been forced by Defendants to expend substantial time and resources to obtain initial discovery responses that comply with the rules of civil procedure. The Court finds that a sanction for attorney's fees and costs in this matter is warranted. The South Carolina Supreme Court has reminded Circuit Court judges "that the seldom-utilized rule for awarding fees and imposing

sanctions, SCRCP 37, is available to deter discovery abuses.” South Carolina Supreme Court Administrative Order, 2021-06-03-02, June 3, 2021. The Court finds such relief to be appropriate in this case. It is clear that Defendant Patrick Montgomery and Defendant Sabrina Montgomery have each violated Rules 26, 33, 34, and 37 of the South Carolina Rules of Civil Procedure. It is also clear that Defendants failed to comply with the Court’s multiple Orders in the year and a half that has followed this discovery abuse.

Plaintiff has been unfairly prejudiced in her ability to pursue her case in a timely and efficient manner. Plaintiff’s closure with respect to this case has been substantially delayed due to unnecessary and significant discovery delays, even after judicial intervention. Plaintiff’s counsel has been forced to expend numerous hours attempting to force Defendants to comply with the Court’s ruling.

Accordingly, the Court orders an award of attorney’s fees and costs under Rule 36(a), Rule 37(a)(4) and Rule 37(c) SCRCP, in the amount of \$21,828.64 as supported by the Affidavits of Attorney’s Fees and Costs. The Affidavits support that counsel’s minimum hourly rate is \$600.00/hour for Attorney Bringardner and \$400.00/hour for Attorney Linton. The Affidavits sufficiently identify significant previous litigation experience in support of their respective hourly fees. The Court finds the rates of counsel to be reasonable and commensurate with their experience. The Court likewise finds the amount of time devoted to the pursuit of numerous discovery motions and counsel’s efforts to avoid judicial intervention to be reasonable.

Reviewing counsels’ knowledge, experience, and professional standing; the time and labor it is apparent they devoted to this matter; the nature, extent, and difficulty of what the record reflects has been a longstanding discovery matter; and the beneficial results achieved, the Court ORDERS Defendant Patrick Montgomery and/or defense counsel to pay the amount of attorneys’

fees and costs of \$10,914.32 and ORDERS Defendant Sabrina Montgomery and/or defense counsel to pay the amount of attorneys' fees and costs of \$10,914.32 which totals the \$21,828.64 in attorneys' fees and costs. Said payment shall be made directly to the Bringardner Injury Law Firm within thirty (30) days of the filing of this order. The Court finds this amount reasonable and appropriate considering the precise nature of the discovery conduct, the degree of prejudice of the discovery abuse and the willfulness of nondisclosure.

B. Award of Costs Against Defendant Sabrina Montgomery for the Forensic Inspection and Download of her Cellular Device.

In addition to the foregoing, the Court ORDERS Defendant Sabrina Montgomery to pay the costs and fees associated with the forensic inspection and download totaling \$2,375.00. Said payment shall be made directly to the Bringardner Injury Law Firm within thirty (30) days of the filing of this order.

C. Defendants are Hereby Placed in Default and Their Answers are Stricken.

Upon a careful and full review of the record and proceedings, the Court concludes that the harsh sanction of rendering a judgment of default against Defendant Patrick Montgomery and Defendant Sabrina Montgomery is both reasonable and necessary in light of the long-term and pervasive discovery abuse exhibit by Defendants. Rule 37(d) and b(2)(c), SCRPC, authorize this Court to strike pleadings, dismiss an action, and render a judgment by default against a disobedient party where a party has failed to comply with a court order. The South Carolina Supreme Court recognizes that circuit courts have discretion to sanction discovery abuse, including by issuing Rule 37(b)(2)(C) orders striking pleadings for a party's failure to obey an order to provide or permit discovery.² See, e.g., *Davis v. Parkview Apartments*, 409 S.C. 266, 726 S.E.2d 535 (2014); *McNair*

² The South Carolina Supreme Court explicitly stated that actions or inactions "designed to prevent justice, delay the process, or drive-up costs are improper and warrant sanctions." See *In Re Anonymous*, 346 S.C. 177, 194, 552 S.E.2d, 10, 18 (2001). The court added that "judges must use their authority to make sure that abusive deposition tactics and

v. Fairfield County, 379 S.C. 462, 665 S.E.2d 830 (2008); and *Griffin Grading & Clearing, Inc. v. Tire Serv. Equip. Mfg. Co.*, 334 S.C. 193, 511 S.E.2d 716 (1999). A trial court is afforded wide discretion in imposing sanctions and its decision will not be disturbed on appeal absent a clear abuse of discretion. See *Estate of Watson v. Babb*, 2007 S.C. App. Unpub. LEXIS 374; *Barnett v. Adams Bros. Logging, Inc.*, 355 S.C. 588, 593, 586 S.E.2d 572, 575 (2003); and *Halverson v. Yawn*, 328 S.C. 618, 493 S.E.2d 883 (Ct. App. 1997).

The South Carolina Supreme Court addressed a factual situation similar to this one in *Davis v. Parkview Apartments*, 409 S.C. 266, 762 S.E.2d 535 (2014). In *Davis*, the Supreme Court upheld the trial court's decision to strike Appellants pleadings and award fees and costs to Respondents based on the finding that Appellants willfully and repeatedly failed to comply with the circuit court's discovery orders. *Id.* at 283, 762 S.E.2d at 544. *Davis* involved claims arising from Respondents' role in selling various rental properties and the purchasers' default on the payment terms of that deal. *Id.* at 272, 762 S.E.2d at 538. Respondents served the Appellants with discovery requests, and when Appellants responses were deficient, Respondents moved to compel full and complete responses. *Id.* at 274, 762 S.E.2d at 539. The trial court granted Respondents' motion and ordered Appellants to provide "full and complete responses." *Id.* Although Appellants eventually produced some documents, they did not produce all that the court ordered. *Id.* Respondents then moved for sanctions. *Id.* at 276, 762 S.E.2d at 541. At the hearing, Appellants represented they were serving supplemental discovery responses that same day. *Id.* at 277, 762 S.E.2d at 541. Even so, "the court admonished Appellants that their non-compliance [with its discovery orders] . . . could elicit the court's dismissal of the case." *Id.* Appellants failed to fully comply with the order, so Respondents renewed their motion for sanctions, and the trial court

other forms of discovery abuse do not succeed in their ultimate goal: achieving success through abuse of the discovery rules rather than by rule of law." *Id.* (emphasis added).

issued an order of dismissal for their willful noncompliance with its discovery rulings. *Id.* at 279, 762 S.E.2d at 542.

The Supreme Court upheld the decision of the trial court, stating that the sanction was not unduly harsh considering that Appellants had “ample opportunity to amend their discovery responses both before and after [the trial judge] issued the Discovery Order, and Appellants willfully and repeatedly failed to comply with the circuit court’s orders in any meaningful way.” *Id.* at 283, 762 S.E.2d at 544. Because the “Appellants’ failure to comply with the various orders of the court was willful and deliberate and caused unnecessary delay of this case and prejudice to Respondents,” the Supreme Court found that “the circuit court did not err in issuing the Dismissal Order as a sanction for Appellants’ noncompliance with the courts orders.” *Id.*

Likewise, the Court of Appeals upheld a circuit court order striking an answer in *McNair v. Fairfield County*, 379 S.C. 462, 665 S.E.2d 830 (2008), which arose out of Defendant Fairfield County's attempt to condemn private property owned by Plaintiff. After receiving the County's condemnation notice and filing a condemnation challenge, Plaintiff served discovery requests on the County. *Id.* at 464, 665 S.E.2d at 831. Although the County produced over 800 documents within the next two weeks, Plaintiff filed a motion to compel on the grounds that the County had failed to produce certain documents, had not coherently organized the documents it did produce, and had provided incomplete responses to his interrogatories. *Id.* The trial court issued an order finding the County's discovery responses deficient and required the County to correct the deficiencies within fifteen (15) days. *Id.* When the County did not comply with the order, Plaintiff’s counsel wrote letters requesting that the county comply with the court's order. *Id.* Plaintiff then moved for dismissal and sanctions. *Id.*

At the sanctions hearing, the Court warned that it was inclined to strike the County's answer. *Id.* at 465, 665 S.E.2d at 831. Despite this warning, the County continued to ignore the order, so the Court issued an order striking the County's answer. *Id.* On appeal, the Court of Appeals rejected the County's argument that the sanction of dismissal was unreasonably harsh under the circumstances. *Id.* at 468, 665 S.E.2d at 833. The appellate court recognized the trial court's discretion in sanctioning discovery abuse and its ability to impose severe sanctions in cases involving bad faith, willful disobedience, or gross indifference to the opposing party's rights. *Id.*

Finally, in *Griffin Grading & Clearing, Inc. v. Tire Serv. Equip. Mfg. Co.*, 334 S.C. 193, 511 S.E.2d 716 (Ct. App. 1999), Plaintiff sued Defendant for negligent misrepresentation, fraud, and breach of warranty. After nearly two (2) years of failing to turn over any meaningful discovery, the trial court struck Defendant's answer and ordered it to pay attorney's fees. *Id.* at 198, 511 S.E.2d at 718. Defendant appealed, arguing the trial court abused its discretion. *Id.* The Court of Appeals affirmed the trial court, finding that the orders of the trial court had been ignored; that Defendant failed to provide full and complete discovery responses; and that the record was full of multiple discovery abuses that blocked the opposing party's attempt to conduct meaningful discovery. *Id.* at 199, 511 S.E.2d at 719.

In this case, Defendant Patrick Montgomery and Defendant Sabrina Montgomery have demonstrated a long-term pattern of noncompliance and discovery abuse similar to that in *Davis*, *McNair* and *Griffin*.³ Defendants both provided deficient discovery responses; failed to respond to Plaintiff's good faith attempts to resolve the discovery disputes; failed to comply with the Court's February 2, 2024 Order; failed to remedy the deficiencies once Plaintiff's Motion for a Rule to Show Cause was filed; and failed to comply with the Court's March 28, 2025 Order despite the

³ Much like *Davis*, *McNair*, and *Griffin*, the Court also placed Defendants on notice of the issuance of sanctions both at the January 6, 2025 hearing and in its Order.

Court holding sanctions in abeyance to allow one final attempt to remedy the past discovery abuses. As to Defendant Sabrina Montgomery, she consciously destroyed evidence even after it was ordered to be produced by the Court. Plaintiff and this Court have given each Defendant multiple opportunities to comply, yet they have not done so.

As to Defendant Patrick Montgomery, the Court fully considered the representation of counsel regarding the alleged nature of Defendant Patrick Montgomery's current medical condition in its determination of sanctions. The Court ordered Defendant Patrick Montgomery's counsel to seek judicial determination for appointment of a Guardian ad Litem. However, the Court also notes the record shows multiple motions, hearings, and Orders concerning the Defendants' discovery responses over the pendency of this case. Defendant Patrick Montgomery has continued the long-term discovery noncompliance and only asserted capacity issues by Motion through his attorney, without any supporting evidence, on the same date this Court imposed a deadline for compliance on its second Order. Current alleged issues of incapacity do not alleviate nearly two (2) years of discovery abuse.

Assuming counsel acted promptly by filing its Rule 1.14(B) Motion immediately upon concluding Defendant Patrick Montgomery may suffer from an alleged diminished capacity, the same necessarily indicates that Defendant Patrick Montgomery violated the Court's prior Orders free of alleged diminished capacity. Two (2) prior hearings occurred in this case and counsel for Defendant Patrick Montgomery did not attempt to show any cause at those hearings regarding alleged diminished capacity, which was the appropriate time to do so. To first raise such concerns through a Motion on the deadline to comply with a Rule to Show Cause Order, even cast in a light most favorable to Defendant Patrick Montgomery, shows that his willful noncompliance and discovery abuse began long before his alleged diminished capacity. It may be determined that

Defendant Montgomery is in need of a Guardian ad Litem at present, but that does not excuse his prior misconduct, and good cause has not been demonstrated to avoid the imposition of severe sanctions.

As a result of each Defendant's conduct, Plaintiff has been prejudiced. Defendants have made it extremely difficult for Plaintiff to litigate her case on its merits by failing to produce discoverable evidence, by destroying evidence, and by failing to comply with multiple Court Orders.

CONCLUSION

Defendant Patrick Montgomery and Defendant Sabrina Montgomery violated the South Carolina Rules of Civil Procedure and this Court's Orders (February 2, 2024 and March 28, 2025), demonstrating contempt for this Court and gross indifference to Plaintiff's rights. This willful and deliberate disobedience of the Court's discovery Orders have caused the Court and Plaintiff unnecessary delay and expense. Instead of preparing for trial, Plaintiff has not even had the opportunity to conduct depositions. Plaintiff's request for sanctions in the form of attorney's fees and costs, as well as the striking of Defendant Patrick Montgomery's Answer and Defendant Sabrina Montgomery's Answer is hereby granted.

AND IT IS SO ORDERED.

The Honorable Dale E. Van Slambrook
Presiding Judge

Moncks Corner, South Carolina
July ____, 2025



Berkeley Common Pleas

Case Caption: Kanisha Nash VS Patrick Montgomery , defendant, et al
Case Number: 2023CP0801652
Type: Order/Rule To Show Cause

And It Is So Ordered!

s/Dale E. Van Slambrook S.C. Circuit Court Judge
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STATE OF SOUTH CAROLINA
COUNTY OF BERKELEY

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT
CASE NO. 2023-CP-08-01652

Kanisha Nash,

Plaintiff,

v.

Montgomery Construction, LLC,
Patrick Montgomery, and Sabrina
Montgomery, individually, and as
owner/registered agent for Montgomery
Construction, LLC,

Defendants,

**ORDER ON DEFENDANT SABRINA
MONTGOMERY'S MOTION TO
RECONSIDER, ALTER, OR AMEND**

This matter originally appeared before the Court after multiple hearings on Plaintiff's Motion for Rule to Show Cause, filed October 24, 2024. After a review of all materials presented, this Court issued two Orders, dated March 28, 2025 and July 1, 2025, granting Plaintiff's Motion for Rule to Show Cause.¹ Thereafter, on July 11, 2025, Defendant Sabrina Montgomery filed her Motion to Reconsider, Alter or Amend the Court's Order pursuant to Rule 59 of the South Carolina Rules of Civil Procedure.

After careful consideration of the argument and filings of Counsel and review of the record, the Court is unable to discover any material fact or principle of law that either has been overlooked or disregarded and further finds no error of law or fact not appropriately considered. This Court likewise finds no discernable reason, to warrant overturning its striking of Defendant Sabrina Montgomery's Answer. Accordingly, Defendant's Motion to Alter or Amend this Court's July 1, 2025 Order as it relates to the striking of her Answer is DENIED.

¹ Defendant Sabrina Montgomery did not file a Motion to Reconsider, Alter, or Amend the Court's first Order granting Plaintiff's Rule to Show Cause.

As to the award of attorney's costs and fees, the Court hereby alters its July 1, 2025 Order and finds that only Defendant Sabrina Montgomery shall be responsible for the payment of attorney's fees and costs. Such a decision was reached without objection by Plaintiff. The remainder of the Court's Order related to the award of fees and costs is hereby AFFIRMED.²

AND IT IS SO ORDERED.

The Honorable Dale E. Van Slambrook
Presiding Judge

Moncks Corner, South Carolina
_____, 2025

² The Court, in its discretion, has determined this Motion on the filings, without oral argument, pursuant to Rule 59(f), SCRCP.



Berkeley Common Pleas

Case Caption: Kanisha Nash VS Patrick Montgomery , defendant, et al
Case Number: 2023CP0801652
Type: Order/Other

And It Is So Ordered!

s/Dale E. Van Slambrook S.C. Circuit Court Judge
#2781

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