

The South Carolina Court of Appeals

Joe Bryan, Respondent,

v.

THI of South Carolina at Charleston, LLC d/b/a
Riverside Health and Rehab, Appellant.

Appellate Case No. 2025-000237

ORDER

Respondent moved to dismiss this appeal and for sanctions. Respondent argues this appeal is frivolous, barred by the doctrine of collateral estoppel, has been taken solely for the purpose of delay, and is unsupported by precedent substantiating Appellant's arguments. Appellant filed a return, opposing dismissal. Appellant argues the appeal is not frivolous and has not been taken for the purpose of delay. Appellant submits a particular published case was wrongly decided or does not control the instant appeal. Respondent also filed a reply, contending the circuit court did not rely on that particular case, among other assertions. After careful consideration, we deny Respondent's motion to dismiss. Further, we deny Respondent's motion for sanctions because we do not believe this appeal is frivolous or has been taken solely for the purpose of delay. *See* Rule 269, SCACR ("Where an appeal, petition, motion[,], or return is frivolous or taken solely for the purposes of delay, or is not in compliance with these Rules, the appellate court may upon its own motion or that of a party, after ten (10) days notice, impose upon offending attorneys or parties such sanctions as the circumstances of the case and discouragement of like conduct in the future may require.").



J.

FOR THE COURT

Columbia, South Carolina

FILED
Sep 08 2025

cc:

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James D. Gandy, III, Esquire

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