

Walter Lewis et al
PLAINTIFF(S)

Robert M. Errato et al
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:

This matter was before the Court on Wednesday, September 24, 2025, at 10:00 a.m. upon the Defendants' Motion for Injunction filed with the Court on September 12, 2025. Present representing the Plaintiffs was Jason M. Imhoff, Esq. Present representing the Defendants was Scott F. Talley, Esq. The Court Reporter was Pamela Green. This hearing was conducted via Judge Knie's Virtual Courtroom by consent of all parties.
(See Below)

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 09/24/2025

Case Party Info Protected
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RECEIVED

OCT 08 2025

SC Court of Appeals

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

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), SCRCP.

Walter J. Lewis, Jr., is one of two Plaintiffs in this pending action which was commenced on July 13, 2017. The trial date for this action was previously continued on June 23rd, 2025, due to the incapacitation of Walter J. Lewis, Jr. ("Walter Lewis"). On August 14, 2025, Carol C. Lewis and Robin French were appointed as Co-Conservators for Walter Lewis by the Probate Court of Saybrook, Connecticut.

Defendants are requesting an order granting an injunction prohibiting the Co-Conservators for Walter Lewis, from representing him in this matter. Defendants argue that the Co-Conservators have been appointed as Conservators for Walter Lewis for the limited purposes set forth in the Decree of Appointment dated July 28, 2025. The Probate Decree pertains to healthcare matters and does not appear to give Co-Conservators, or anyone else, the authority to act on behalf of Plaintiff Walter Lewis in this lawsuit. Additionally, it appears that the Probate Decree does not comply with the requirements set forth in S.C. Code Ann. 62-5-430 (2022) regarding foreign conservators.

Plaintiffs argue that the Probate Decree conveys the authority of the Co-Conservators to act on behalf of Walter Lewis in this action. Further, Plaintiffs have made every effort to comply with the Probate Code. Therefore, this motion, Defendants' Motion for Injunction due to non-compliance with the statute regarding foreign conservators, should be denied.

The applicable law is as follows:

S.C. Code Ann. 62-5-430(2022), provides as follows:

- (A) If a conservator has not been appointed in this State and a petition for a protective order is not pending in this State, a conservator appointed in another state, after giving notice to the appointing court of an intent to register, may register the protective order in this State by filing as a foreign judgment in the court, in any appropriate county of this State certified copies of the order and letters of office, and any bond. The court shall treat this as the filing of authenticated or certified records and shall charge fees set forth in Section 8-21-770 for the filing of these documents. The court will then issue a certificate of filing as proof of the filing. The conservator shall file the certificate of filing, along with a copy of the letters of office, in the office of the register of deeds of that county.
- (B) Upon registration of a protective order from another state, the conservator may exercise in this State all powers authorized in the order of appointment except as prohibited under the laws of this State, including maintaining actions and proceedings in this State and, if the guardian or conservator is not a resident of this State, subject to any conditions imposed upon nonresident parties.
- (C) A court of this State may grant any relief available under this article and other laws of this State to enforce a registered order.

The Court acknowledges and appreciates the amount of research and preparation for the hearing by Counsel, as well as, the professionalism of Counsel in their presentations to the Court. After consideration of the record, memoranda, arguments made, and the applicable law, the Court finds and concludes as follows: that Defendants' Motion for Injunctive Relief filed with the Court on September 12, 2025, is therefore respectfully denied at this time without prejudice, however the Court requires that Plaintiffs comply with the statutory requirements as outlined in S.C. Code Ann. 62-5-430 (2022), within 10 days. It is so Ordered.



Spartanburg Common Pleas

Case Caption: Walter Lewis , plaintiff, et al VS Robert M. Errato , defendant, et al
Case Number: 2017CP4202374
Type: Order/Electronic Form 4

IT IS SO ORDERED.

S/GRACE GILCHRIST KNIE - 2760

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