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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

The Honorable George M. McFaddin, Jr., Circuit Court Judge
Case No. 2024-CP-32-05200

Appellate Case No. 2026-000688

Bruce and Joanne Loveless, Respondents,

v.

Cameron Hinckley, Kris Hinckley, and Diana Hinckley, Defendants,

Of whom Kris and Diana Hinckley are the Appellants,

RESPONDENTS' MEMORANDUM REGARDING APPEALABILITY

Respondents Bruce and Joanne Loveless respectfully submit this memorandum regarding appealability in response to the Court's letter of March 16, 2026. Appellants seek to appeal an interlocutory order imposing sanctions pursuant to Rule 37, SCRPC, and an order denying reconsideration (collectively, the "Sanctions Order"). (**Ex. A** (Notice of Appeal); **Ex. B** (Sanctions Order).) Appellants contend the Sanctions Order is immediately appealable because it has the effect of striking Diana Hinckley's answer and affirmative defense to the claim against her for trespass.

The Court should dismiss the appeal. As an initial matter, Kris Hinckley lacks standing to appeal because there is no trespass claim alleged against him. As to Ms. Hinckley, the Sanctions Order deems her to have admitted *one fact* regarding the trespass claim against her. She still has ample means to contest the trespass claim, and thus the Sanctions Order cannot be considered to have the effect of striking her answer or any affirmative defense to the claim. Accordingly, the Sanctions Order is not appealable and the appeal should be dismissed.

I. BACKGROUND

A. Facts and Procedural History

On December 17, 2023, Defendant Cameron Hinckley forced his way into the Lovelesses' home and attacked Bruce Loveless, stabbing him 11 times and nearly killing him.¹ At the time of the attack, Cameron was living with Appellants—his parents—at their home near the Lovelesses' residence. Appellants had taken Cameron into their home in August 2022, in order to supervise and control his erratic and increasingly violent behavior.

The Lovelesses filed this action in December 2024, alleging claims against Cameron and Appellants. One of the four claims against Ms. Hinckley is for trespass. (Ex. C (Complaint) ¶¶ 80-85.) The trespass claim alleges that Ms. Hinckley “entered onto Plaintiffs’ property without permission.” (Ex. C (Complaint) ¶ 80.)

¹ Factual statements are taken from the Complaint, attached hereto as **Exhibit C**.

B. Discovery Misconduct and Sanction

The Sanctions Order chronicles the difficulties the Lovelesses have encountered in obtaining discovery from Appellants. (Ex. B (Sanctions Order) at 1-5.) The Lovelesses served discovery requests—interrogatories, requests for production, and requests for admission (RFAs)—on Appellants on July 21, 2025. RFA No. 11 posed to Ms. Hinckley was: “Admit that you were not invited into Plaintiffs’ Residence on December 17, 2023 by Plaintiff Bruce or Plaintiff Joanne.” (Ex. D (RFAs to Ms. Hinckley) at 4.) On August 20, 2025, Appellants served responses making the same objection to each and every RFA, including RFA No. 11 posed to Ms. Hinckley:

Defendant objects to this Request for the following reasons: 1) Defendant’s motion to stay the present matter is still pending; 2) Defendant Cameron Hinckley’s motion to strike allegations of Plaintiffs [sic] Complaint related to this Request is still pending; 3) Defendant’s motion for a protective order is still pending; and 4) the Request seeks admission of evidence not reasonably calculated to lead to the discovery of admissible evidence pursuant to Rule 26(b) of the South Carolina Rules of Civil Procedure.

(Ex. B (Sanctions Order) at 3-4.) Each Appellant also objected to the phrases “interactions,” “mentally unstable and/or bellicose,” “mental health condition,” and “violent episode, like the incident,” claiming they were overly broad, vague, or argumentative.² After attempts at informal resolution of these and other deficiencies failed, the Lovelesses filed a motion to compel. (Ex. B (Sanctions Order) at 4.)

² Ms. Hinckley additionally objected that the Lovelesses had posed 21 RFAs to her. *Cf.* Rule 36(c), SCRPC (limiting a party to 20 requests for admission per opposing party). In recognition of this error, the Sanctions Order deems only the first 20 of the RFAs posed to Ms. Hinckley as being admitted.

Granting the motion to compel, the circuit court agreed that Appellants' responses to the RFAs failed to meet the requirements of Rule 36(a), SCRCP. (Ex. B (Sanctions Order) at 5-6.) Based on the insufficient RFA responses and other discovery misconduct detailed in the Sanctions Order, the circuit court ordered that all of the RFAs posed to Mr. Hinckley, and "1-20 of requests for admission to Diana Hinckley" would be deemed admitted. (Ex. B (Sanctions Order) at 9.)

Appellants filed a motion for reconsideration, which was denied on February 13, 2026. Appellants filed their notice of appeal on March 13, 2026. On March 16, 2026, the Court issued its appealability inquiry.

II. ARGUMENT

An interlocutory order is immediately appealable only if falls into one of the categories of appealable orders listed in S.C. Code Ann. § 14-3-330. *See Thornton v. SCE&G*, 391 S.C. 297, 300, 705 S.E.2d 475, 477 (Ct. App. 2011). "The provisions of Section 14-3-330, including subsection (2), have been narrowly construed and immediate appeal of various orders issued before or during trial generally has not been allowed. Piecemeal appeals should be avoided and most errors can be corrected by the remedy of a new trial." *Hagood v. Sommerville*, 362 S.C. 191, 196, 607 S.E.2d 707, 709 (2005). Narrow construction of § 14-3-330 supports "the underlying policy favoring judicial economy by avoiding 'piecemeal appeals.'" *Stone v. Thompson*, 426 S.C. 291, 295, 826 S.E.2d 868, 870 (2019).

"[D]iscovery orders, in general, are interlocutory and are not immediately appealable because they do not . . . involve the merits of the action or affect a substantial

right.” *Grosshuesch v. Cramer*, 377 S.C. 12, 30, 659 S.E.2d 112, 122 (2008); *see also, e.g., 5Star Life Ins. Co. v. Peek Performance, Inc.*, 434 S.C. 334, 335, 863 S.E.2d 468, 468–69 (Ct. App. 2021) (order compelling responses to discovery interlocutory and not immediately appealable). Notwithstanding the general rule, Ms. Hinckley maintains that the Sanctions Order is immediately appealable under § 14-3-330(2)(c) because, by deeming her to have admitted that she was “not invited into Plaintiffs’ residence on December 17, 2023,” it has the effect of striking her answer and affirmative defense of license. (Appellants’ Mem. at 7-8.) This contention is meritless.

“If the answer is struck then liability is presumed” and the defendant “is summarily stripped of its ability to defend” against the plaintiff’s claims. *Karppi v. Greenville Terrazzo Co.*, 327 S.C. 538, 544, 489 S.E.2d 679, 682-83 (Ct. App. 1997). Here, the Sanctions Order establishes only that the Lovelesses did not affirmatively “invite” Ms. Hinckley into their home, as stated in RFA No. 11. The Sanctions Order does not deem Ms. Hinckley to have admitted the corresponding allegation of the complaint, which is that Ms. Hinckley “entered onto Plaintiffs’ property *without permission.*” (Ex. C (Complaint) ¶ 80 (emphasis added).) Critically, liability for trespass on whether Ms. Hinckley had *permission* to enter onto the Lovelesses’ property, not whether she was *invited* to do so. *See* Ralph King Anderson, Jr., SOUTH CAROLINA REQUESTS TO CHARGE—CIVIL § 4-41 (“[L]ack of *permission* is an essential element of a cause of action for trespass.” (emphasis added)).

Notwithstanding the Sanctions Order, Ms. Hinckley has multiple ways of defending against the trespass claim by showing that she had permission to be on the

Lovelesses' property. For example, Ms. Hinckley could show that even if she was not affirmatively "invited," neither was there any objection to her presence on the property. See RESTATEMENT (SECOND) OF TORTS § 330 *Licensee Defined* cmt. c ("A mere failure to object to another's entry may be a sufficient indication or manifestation of consent, if the possessor knows of the other's intention to enter[.]"). Or, she could show that the Lovelesses tacitly granted permission to enter the property when Mrs. Loveless texted Ms. Hinckley that the Hinckleys' dog was in the Lovelesses' home.³ See *id.* cmt. d ("If the possessor so speaks as to give to another reason to believe that he consents to the other's entry upon his land, such person is a licensee although the possessor did not intend his words to be understood as expressing consent to the licensee's entry."). As another alternative, Ms. Hinckley could prove facts showing that she was entitled as a matter of general or local custom to enter the Lovelesses' property to retrieve the Hinckleys' dog. See *id.* cmt. h ("licensee" includes "[o]ne whose presence upon the land is for his own purposes . . . and to whom the privilege of entering is extended . . . as a matter of general or local custom"). Yet another option would be for Ms. Hinckley to challenge the Lovelesses' ability to show damages resulting directly from the trespass. See *Graham v. Town of Latta*, 417 S.C. 164, 193, 789 S.E.2d 71, 86 (Ct. App. 2016) (holding that "harm caused" by trespass "must be the *direct result* of that invasion" (emphasis added)).

At most, deeming Ms. Hinckley to have admitted that the Lovelesses did not affirmatively "invite" her to their property on December 17, 2023 forecloses *one means* of

³ On December 17, 2023 at 5:33 pm, Joanne Loveless texted Diana, "Just wanted you to know Lucy is inside playing in case you don't see her." (Ex. E (text messages).)

contesting liability on the trespass claim. By no stretch of the imagination does it preclude her from any defense against the trespass claim. Accordingly, the Sanctions Order is not immediately appealable because it does not have the effect of striking Ms. Hinckley's answer or any affirmative defense.

Tacitly conceding that Mr. Hinckley lacks standing to appeal in his own right, Appellants maintain that he can appeal the Sanctions Order because it is "sufficiently connected" and therefore "should be reviewed collectively." (Appellants' Mem. at 8 (citing cases for the proposition that an unappealable order may be reviewed if it is related to a properly appealed order). As an initial matter, this contention fails if the Sanctions Order is not appealable as to Ms. Hinckley – and as demonstrated above, it is not. But even if Ms. Hinckley could appeal the Sanctions Order, this would not be grounds for allowing Mr. Hinckley to do so, because there is not a "sufficient nexus or companionship." *Brown v. Cty. of Berkeley*, 366 S.C. 354, 362 n.5, 622 S.E.2d 533, 538 n.5 (2005). The Lovelesses served separate sets of RFAs on Ms. Hinckley and Mr. Hinckley. Consequently, appellate review of the Sanctions Order as to Ms. Hinckley necessarily would involve wholly distinct issues from review of the Sanctions Order as to Mr. Hinckley. For this reason, even if the Court had jurisdiction to consider the Sanctions Order as to Ms. Hinckley – which it does not – there would be no basis for also considering an appeal by Mr. Hinckley.

III. CONCLUSION

For the reasons set forth above, the Court should dismiss this appeal as interlocutory and not appealable under S.C. Code Ann. § 14-3-330.

Respectfully submitted,

s/ J. David Black

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March 26, 2026
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THE STATE OF SOUTH CAROLINA
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APPEAL FROM LEXINGTON COUNTY
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Appellate Case No. 2026-000688

Bruce and Joanne Loveless, Respondents,

v.

Cameron Hinckley, Kris Hinckley, and Diana Hinckley, Defendants,
Of whom Kris and Diana Hinckley are the Appellants,

CERTIFICATE OF SERVICE

I certify that I served the foregoing **Respondents' Memorandum on Appealability** on Appellants by emailing it to their counsel of record, using the email addresses identified in the South Carolina Courts' AIS system, as follows:

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EXHIBIT A

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APPEAL FROM LEXINGTON COUNTY
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The Honorable George M. McFaddin, Jr., Circuit Court Judge

Case No. 2024-CP-32-05200

Bruce and Joanne Loveless,..... Respondents,

v.

Cameron Hinckley, Kris Hinckley, and Diana Hinckley,..... Appellants

of whom Kris Hinckley and Diana Hinckley are the..... Appellants.

NOTICE OF APPEAL

Appellants Kris Hinckley and Diana Hinckley appeal the Orders of Judge George McFaddin, Jr., dated January 29, 2026, and February 13, 2026. These are not merely discovery orders; they effectively strike portions of the Appellant’s Answer and substantively determine key issues in this case. Appellants received written notice of the ruling on January 29, 2026, and the order denying the timely motion to alter or amend on February 13, 2026. Copies of the orders are attached to this notice.

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March 13, 2026

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Court of Common Pleas

The Honorable George M. McFaddin, Jr., Circuit Court Judge

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on all attorneys of record by electronic mail on March 13, 2026, addressed to:

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SINKLER BOYD**

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SC Court of Appeals

March 13, 2026

VIA EMAIL AND U.S. MAIL

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: *Bruce and Joanne Loveless v. Kris Hinckley, et al.*
C.A. No: 2024-CP-32-05200

Dear Ms. Kitchings:

Enclosed please find the following for filing in regards to the above-mentioned matter:

- (1) Notice of Appeal with attachments;
- (2) Proof of Service; and
- (3) Our firm's check in the amount of \$250.00 for the filing fee (with mailed copy).

The Notice of Appeal has been filed electronically with the lower court (copy of filed document attached). A transcript will be ordered within the time allowed under Rule 207, SCACR.

Please return a clocked copy to me by email.

Sincerely yours,

HAYNSWORTH SINKLER BOYD, P.A.


Diana L. Murray

DLM/dlm
Enclosures

cc: Rhett Ricard, Esq.
J. David Black, Esq.
Nick Fowler, Esq.
Edward C. Boggs, Esq.
Brian P. Hubacher, Esq.
Bess Durant, Esq.

EXHIBIT B

STATE OF SOUTH CAROLINA
COUNTY OF LEXINGTON

IN THE COURT OF COMMON PLEAS

Case No. 2024-CP-32-05200

Bruce and Joanne Loveless,
Plaintiffs,

ORDER

vs.

Cameron Hinckley, Kris Hinckley and Diana
Hinckley,
Defendants.

This matter comes before the Court on the Motion to Compel and for Sanctions (the Motion) filed by Plaintiffs Bruce and Joanne Loveless. Based on the briefing submitted by the parties and argument presented during a hearing on October 28, 2025, and for the reasons set forth herein, the Court GRANTS the motion.

BACKGROUND AND PROCEDURAL HISTORY

Plaintiffs allege that on or about December 17, 2023, Defendant Cameron Hinckley (“Cameron”) entered the Loveless’s home and stabbed Bruce Loveless multiple times, severely injuring him. Plaintiffs filed this action on December 17, 2024, alleging claims against Cameron and his parents, Defendants Kris and Diana Hinckley (“Parent Defendants”). In brief summary, Plaintiffs allege that Cameron had a history of threatening, violent, and unlawful conduct; that this history was known to Parent Defendants; that Parent Defendants took Cameron into their South Carolina home to live under their supervision; and that the attack on Mr. Loveless was the result both of Cameron’s conduct and of the Parent Defendants’ failure to properly supervise and monitor Cameron.

DISCOVERY HISTORY

Plaintiffs’ filings related to the Motion set forth the history of Plaintiffs’ efforts to obtain

discovery materials and Parent Defendants' resistance to such discovery. As this history relevant to the relief ordered herein, the Court summarizes it here.

Third-party Subpoenas

Plaintiffs began their discovery efforts by serving subpoenas on California law-enforcement agencies and the Church of Jesus Christ of Latter-day Saints ("the Church"). The subpoenas to law-enforcement agencies sought communications and other documents related to arrests of Cameron in various incidents in California. Parent Defendants sent objection letters to each of the subpoenaed agencies.

The subpoena to the Church sought documents related to Cameron's stalking and harassment of a Church Bishop and his wife in California. Parent Defendants again sent an objection letter. They also took the additional step of filing a motion to quash and an amended motion to quash, asserting the subpoena violated Parent Defendants' religious freedom rights, intruded on the priest-penitent privilege, and was overbroad and vague.¹ The Court largely rejected Parent Defendants' arguments, denying the motion to quash except as to their tithing records. Parent Defendants moved for reconsideration of the Court's order, which was denied.

Motion to Stay

Shortly after the hearing on the motion to quash, Parent Defendants filed a motion to stay these proceedings pending resolution of the criminal charges pending against Cameron relating to the assault. Parent Defendants maintained that going forward with this action would place a "significant and unduly prejudicial" burden on them, including because "[p]roceeding with discovery will place [Parent] Defendants in the unenviable position of having to answer discovery

¹ In their motion and at the hearing, Parent Defendants complained that Plaintiffs served the subpoenas before engaging in any other discovery efforts. The Court is not aware of, nor have Parent Defendants provided, any rule or other authority requiring first-party discovery before third-party discovery.

questions that may interfere or damage the prosecution or defense of their son.” After granting Parent Defendants’ request for additional time to submit a memorandum in support of the requested stay, the Court denied the motion on August 29, 2025. Parent Defendants then moved for reconsideration, stating they were “not aware of the exact basis of the denial.” The Court denied reconsideration, noting that a stay was not warranted merely because “the two cases ... impact each other,” which the Court noted “is not an unusual situation in our court system.” Ultimately, the Court saw “little to no merit” in Parent Defendants’ argument as to the relationship between the criminal and civil matters.

Plaintiffs’ Discovery Requests/Parent Defendants’ Responses

Plaintiffs served discovery requests—interrogatories, requests for production (“RFPs”), and requests for admission (“RFAs”)—on Parent Defendants on July 21, 2025. On August 20, 2025—the day their responses were due—Parent Defendants filed a motion for a protective order, contending that (1) their motion to stay was still pending; (2) Cameron’s motion to strike certain allegations of the complaint was set to be heard on August 25, 2025, and that motion “relate[d] directly to specific” discovery requests; and (3) Plaintiffs had propounded 21 requests for admission to Diana Hinckley, in excess of the maximum of 20. Notably, Parent Defendants did not consult with Plaintiffs prior to filing the motion for protective order. *See* Rule 11, SCRC.

Also on August 20, Parent Defendants served responses to the RFAs (but not to the interrogatories or RFPs). Each Parent Defendant made substantially the same objection to each and every RFA:

Defendant objects to this Request for the following reasons: 1) Defendant’s motion to stay the present matter is still pending; 2) Defendant Cameron Hinckley’s motion to strike allegations of Plaintiff’s Complaint related to this Request is still pending; 3) Defendant’s motion for a protective order is still pending; and 4) the Request seeks admission of evidence not reasonably calculated to

lead to the discovery of admissible evidence pursuant to Rule 26(b) of the South Carolina Rules of Civil Procedure.

Each Parent Defendant also objected to the phrases “interactions,” “mentally unstable and/or bellicose,” “mental health condition,” and “violent episode, like the incident,” claiming they were overly broad, vague, or argumentative. Diana Hinckley additionally objected to the fact that Plaintiffs had posed 21 RFAs to her. *Cf.* Rule 36(c), SCRCF (limiting a party to 20 requests for admission per opposing party).

On September 9, 2025, following denial of Parent Defendants’ motion for stay and Cameron’s motion to strike, Plaintiffs’ counsel met and conferred with counsel for Parent Defendants regarding the discovery requests. The following day, Plaintiffs asked Parent Defendants to respond to the requests by September 12, 2025. On September 12, Parent Defendants informed Plaintiffs that they had not been able to review the discovery requests.

Plaintiffs’ Motion to Compel

Plaintiffs filed their motion to compel on September 16, 2025, seeking the following relief:

- Order all the Requests for Admission issued to Defendant Kris Hinckley to be deemed admitted;
- Order Requests 1-20 of the Requests for Admission issued to Defendant Diana Hinckley to be deemed admitted;
- Order Defendant Parents to meaningfully engage in discovery, including by promptly providing complete and fulsome responses to Plaintiffs’ Interrogatories and Requests for Production;
- Order Parent Defendants to turn in all electronic devices within their home for data preservation and capture; and
- Impose Sanctions against Parent Defendants, including the costs associated with this Motion, for their repeated frivolous delays in this litigation.

On October 26, 2025, Parent Defendants filed an affidavit of Kris Hinckley stating that from August 3 to September 11, 2025, Parent Defendants were in Idaho taking “full-time care” of

Kris Hinckley’s mother in a hospice facility, and they were again in Idaho from October 2 to October 17 in connection with her death and funeral.² On October 27, 2025, Parent Defendants filed a memorandum in opposition to the motion to compel. The Court heard argument on October 28, 2025.

ANALYSIS

As our Supreme Court has stated, “discovery serves as an important tool in the truth-seeking function of our legal system.” *Oncology & Hematology Assocs. of S.C., LLC v. S.C. Dep’t of Health & Env’t Control*, 387 S.C. 380, 388, 692 S.E.2d 920, 924 (2010). Moreover, “the scope of discovery is broad.” *Id.* This truth-seeking function is preserved by Rule 37(a), SCRCPP, which provides that when discovery responses are absent, inadequate, or evasive, a party may move for entry of an order compelling complete and fulsome responses to discovery requests.

Requests for Admission

“A party may serve upon any other party a written request for the admission ... of the truth of any matters within the scope of Rule 26(b) set forth in the request that relate to statements or opinions of fact or of the application of law to fact[.]” Rule 36(a), SCRCPP. “The purpose of Rule 36 is to allow parties to narrow the issues and determine which facts do not need to be proven because they are admitted.” *Scott v. Greenville Housing Auth.*, 353 S.C. 639, 650, 579 S.E.2d 151, 157 (Ct. App. 2003). Under Rule 36(a), a “matter for which an admission is requested” is deemed admitted unless the receiving party timely serves “a written answer or objection.” Further,

[i]f objection is made, the reasons therefor shall be stated. The answer shall specifically deny the matter or set forth in detail the reasons why the answering party cannot truthfully admit or deny the matter. A denial shall fairly meet the substance of the requested admission, and when good faith requires that a party qualify his

² While the Court has no objective basis to question the averments in Kris Hinckley’s affidavit, it is somewhat surprising that the extenuating circumstances of his mother’s terminal illness were not mentioned in Parent Defendants’ motion for protective order, filed on August 20, 2025.

answer or deny only a part of the matter of which an admission is requested, he shall specify so much of it as is true and qualify or deny the remainder.

Id.; see also *Scott*, 353 S.C. at 645, 579 S.E.2d at 154 (recognizing that a failure to respond to requests for admissions renders any matter listed in the request admitted for trial).³ *cf.*

Here, Parent Defendants responded to Plaintiffs' RFAs by reciting a list of pending motions and, as to some RFAs, claiming without further explanation that certain terms were overly broad, vague, or argumentative. The Court agrees with Plaintiffs that these objections were insufficient to satisfy the requirements of Rule 36(a).

South Carolina courts have repeatedly held that boilerplate and non-specific objections and objections are tantamount to no objections at all.⁴ *State Farm Fire & Cas. Co. v. Admiral Ins. Co.*, 225 F. Supp. 3d 474, 485 (D.S.C. 2016) (“Boilerplate, general objections standing alone waive any actual, specific objections.”); *United States v. Town of Irmo*, No. 3:18-cv-03106-JMC, 2020 WL 1025686, at *5 (D.S.C. Mar. 3, 2020) (“[A]n evasive or incomplete disclosure, answer, or response’ to a discovery request is ‘treated as a failure to disclose, answer, or respond.’” (quoting Fed. R. Civ. P. 37(a)(4))); see also The Honorable Roger M. Young, Sr., Memorandum,

³ There is some authority for the proposition that a motion for protective order, filed timely and made in good faith, may “operate to prevent the matters from being admitted.” *Baughman v. Am. Tel. & Tel. Co.*, 306 S.C. 101, 110, 410 S.E.2d 537, 542 (1991). Here, however, such motion was denied as Parent Defendants abandoned their motion for a protective order when they failed to appear at the October 15, 2025 hearing. *Cf. Taylor v. Taylor*, 747 S.W.2d 940, 945 (Tex. App. 1988) (holding that requests for admission were properly deemed admitted when responding parties moved for protective order but failed to request a hearing, “thereby waiving any contention that their motion for protective order ... prevented the court from deeming admitted the matters requested to be admitted”).

⁴ Although the cited cases concern the federal version of Rule 36, “[t]he federal rule on requests for admissions is substantively similar to our rule.” *Scott*, 353 S.C. at 649, 579 S.E.2d at 156.

Preparation for Discovery Motions (Circuit Ct., 9th Jud. Circuit, Aug. 29, 2019)⁵ (“Objections that state that the discovery request is ‘vague, overly broad, or unduly burdensome’ are, standing alone, meaningless and will be found meritless by the Court.” (emphasis omitted)).

Accordingly, all RFAs posed by Plaintiffs to Kris Hinckley are hereby deemed admitted, and RFAs 1-20 posed by Plaintiffs to Diana Hinckley are deemed admitted.

Parent Defendants’ Other Discovery Responses

Having reviewed the materials submitted by the parties in connection with this Motion, the Court agrees with Plaintiffs that Parent Defendants’ responses to Plaintiffs’ interrogatories and RFPs were so inadequate and evasive as to constitute no responses at all. *See* Rule 37(a)(3) (providing that “an evasive or incomplete answer is to be treated as a failure to answer”).

Plaintiffs’ Motion provides the following as illustrative examples of deficiencies in Parent Defendants’ discovery responses:

- In response to Plaintiffs’ RFPs:
 - Parent Defendants produced nonresponsive documents and failed to produce responsive documents and communications;
 - Parent Defendants refused to produce documents and communications concerning their financial support of Cameron, which are relevant to Plaintiffs’ contention that Parent Defendants had and/o assumed a duty to supervise and control Cameron’s conduct;
- In response to Plaintiffs’ interrogatories:⁶
 - Parent Defendants refused to answer certain interrogatories on the improper grounds that they “seek[] information that is more

⁵ Available at <https://lex-co.sc.gov/sites/lexco/files/Documents/Lexington%20County/Departments/master%20in%20equity/JudgeYoungMemo.pdf>.

⁶ Although this deficiency was not specifically identified by Plaintiffs, in reviewing the materials submitted in connection with the Motion the Court observed that neither Kris nor Diana verified their interrogatory answers. *See* Rule 33(a), SCRPC (“Each interrogatory shall be answered separately and fully in writing under oath The answers are to be signed by the person making them”).

appropriately obtained through Defendant's deposition";

- Parent Defendants refused to provide information concerning their financial support for Cameron, which is relevant to Plaintiffs' contention that Parent Defendants had and/o assumed a duty to supervise and control Cameron's conduct;
- Parent Defendants provided contradictory answers to interrogatories. For example, Kris Hinckley answered Interrogatory No. 18 by denying knowledge that Cameron "had violent tendencies or had previously harmed or threatened to harm others," but answered Interrogatory No. 23 by describing an incident in which Kris Hinckley called law enforcement to the Hinckley residence because Cameron refused to put down a firearm and then fired it in the air; and
- Kris Hinckley refused to answer Interrogatory Nos. 14-16 on the grounds that "Defendant Cameron Hinckley did not reside with the [Parent] Defendants," when Parent Defendants produced documents (1) showing Cameron's address as 1051 Point View Road in Chapin, South Carolina, which is Parent Defendants' address, and (2) reflecting a statement by Diana Hinckley that "Cameron has recently moved back to the above address with them."

In addition to the foregoing, it also appears that there is concern regarding the preservation of evidence potentially stored on electronic devices in Parent Defendants' possession.

The Court agrees with Plaintiffs that Parent Defendants' discovery responses are deficient and that the motion to compel should be granted.

Motion for Sanctions / Award of Costs and Fees

Rule 37, SCRCF, provides that if a motion to compel is granted,

the court shall, after opportunity for hearing, require the party or deponent whose conduct necessitated the motion or the party or attorney advising such conduct or both of them to pay to the moving party the reasonable expenses incurred in obtaining the order, including attorney's fees, unless the court finds that the opposition to the motion was substantially justified or that other circumstances make an award of expenses unjust.

Rule 37(a)(4), SCRCF; *see Ball v. Canadian Am. Exp. Co.*, 314 S.C. 272, 277, 442 S.E.2d 620, 623 (Ct. App. 1994) ("Under Rule 37(a)(4), SCRCF, the court shall require the payment of

reasonable expenses incurred in obtaining the order compelling discovery, including attorneys' fees.”).

The Court declines to grant costs and fees at this time. As of this date, the Court does not have a fees and costs affidavit relative to sanctions. Accordingly, this request shall be held in abeyance until such affidavit is submitted.

CONCLUSION

For the reasons set forth above, the Court ORDERS that:

- All requests for admission issued to Kris Hinckley are deemed admitted;
- 1-20 of requests for admission to Diana Hinckley are deemed admitted;
- Parent Defendants shall engage in discovery with complete and full responses to discovery, including verifications of interrogatory answers, within 30 days of the filing date of this order;
- Parent Defendants shall turn in any and all electronic devices within their home and/or within their custody and control for data preservation and capture within 15 days of the filing date of this order; and
- Any affidavit of costs and fees incurred by Plaintiffs in seeking the relief afforded herein shall be filed and served within 30 days of the filing date of this order.

IT IS SO ORDERED.

Hon. George M. McFaddin, Jr.
S.C. Circuit Court Judge



Lexington Common Pleas

Case Caption: Bruce Loveless , plaintiff, et al VS Cameron Hinckley , defendant, et al
Case Number: 2024CP3205200
Type: Order/Compel

So Ordered

S/George M. McFaddin, Jr., #2759

EXHIBIT C

STATE OF SOUTH CAROLINA

COUNTY OF LEXINGTON

Bruce and Joanne Loveless,

Plaintiffs,

vs.

Cameron Hinckley, Kris Hinckley and Diana
Hinckley,

Defendants.

IN THE COURT OF COMMON PLEAS

Case No. _____

COMPLAINT

(Jury Trial Requested)

Plaintiffs Bruce and Joanne Loveless (collectively, “Plaintiffs”), by and through their undersigned attorneys, hereby allege and state their complaint against Defendants Cameron Hinckley, Kris Hinckley, and Diana Hinckley (collectively “Defendants”) as follows:

PARTIES AND JURISDICTION

1. Plaintiff Bruce Loveless (“Mr. Loveless”) is a resident and citizen of Lexington County and the State of South Carolina.
2. Plaintiff Joanne Loveless (“Mrs. Loveless”) is a resident and citizen of Lexington County and the State of South Carolina.
3. Plaintiffs reside at 1061 Loveless Lane in Chapin, South Carolina (the “Loveless Residence”).
4. Upon information and belief, Defendant Cameron Hinckley (“Cameron”) is a resident and citizen of Lexington County and the State of South Carolina.
5. Upon information and belief, Defendant Kris Hinckley (“Kris”) is a resident and citizen of Lexington County and the State of South Carolina.
6. Upon information and belief, Defendant Diana Hinckley (“Diana”) is a resident and

citizen of Lexington County and the State of South Carolina.

7. Defendants reside at 1051 Point View Road in Chapin, South Carolina (the “Hinckley Residence”).

8. Defendant Cameron is the son of Defendants Kris and Diana and, upon information and belief, resided full-time at the Hinckley Residence at all times relevant to the allegations herein.

9. This Court has jurisdiction over all parties in this matter as all parties are residents of South Carolina.

10. Venue is proper in this Court pursuant to Section 15-7-30(C) of the South Carolina Code as Defendants resides in Lexington County and the acts and occurrences giving rise to this claim arose in Lexington County, South Carolina.

FACTUAL ALLEGATIONS

11. This lawsuit stems from Defendant Cameron’s violent attack on Mr. Loveless in December 2023 and the failure of Defendants Kris and Diana to properly supervise, monitor, and warn the Plaintiffs about Cameron’s violent propensities, which culminated in the brutal attack of Mr. Loveless.

Hinckley Residence

12. Upon information and belief, Defendants Kris and Diana moved to the Hinckley Residence in December 2020.

13. Upon information and belief, Defendant Cameron has lived periodically at the Hinckley Residence since December 2020 and permanently moved to the Hinckley Residence in August 2022 and resided there since that time through all times relevant to the allegations herein.

Defendant Cameron Hinckley

14. Upon information and belief, Defendant Cameron is the youngest child of Defendants Kris and Diana.

15. Upon information and belief, Defendant Cameron has lived under the supervision and control of Defendants Kris and Diana.

16. As detailed below, Defendants Kris and Diana were well aware of Defendant Cameron’s propensity for violent behavior as early as Defendants’ relocation to the Hinckley Residence in Chapin, South Carolina in 2020.

17. Defendant Cameron has been involved in numerous crimes and criminal lawsuits—including, but not limited to, breaking and entering, harassment, and stalking—throughout the United States.

Defendant Cameron’s Threatening Incidents at Local Gyms

18. Defendant Cameron has had multiple violent and unsafe incidents at local gyms and/or businesses in Chapin, South Carolina.

A. FLEX Supergym Incident:

19. On or about January 2021, Chapin Police Department (“Chapin PD”) was dispatched to a local Chapin gym, FLEX Supergym (“FLEX”), after receiving a call from FLEX’s owner, due to an unprovoked assault and verbal altercation Defendant Cameron initiated wherein Defendant Cameron became visibly irate and threatened to break the ribs of FLEX’s owner. See attached Affidavit of Matthew Wheeler as Exhibit A, which is incorporated herein.

20. FLEX’s owner requested that Chapin PD put Defendant Cameron on trespass notice. Chapin PD opened an investigation. See Exhibit A at ¶ 10.

21. To retaliate against FLEX’s owner, Defendant Cameron created multiple fake

social media profiles and began continuously harassing and threatening FLEX's owner. See Exhibit A at ¶¶ 11–12.

22. Notably, one or more of Defendant Cameron's Instagram handles, i.e. usernames used to identify oneself on Instagram, that were used to harass and threaten FLEX's owner ended in specific numbers referencing calibers of different firearms or projectiles. See Exhibit A at ¶ 12.

23. Defendants Kris and Diana were put on notice of Defendant Cameron's harassing and threatening actions towards FLEX and FLEX's owner at least twice:

- a. Upon information and belief, Chapin PD visited the Hinckley Residence in the course of FLEX's owner's investigation, during which Defendant Diana warned Chapin PD not to return to the Hinckley Residence to investigate Defendant Cameron again or she would sue the police department; and
- b. FLEX's owner contacted Defendant Diana to discuss Defendant Cameron's continuous harassment and threats.

See Exhibit A at ¶ 13.

24. Around June 2021, FLEX's owner agreed not to press charges against Defendant Cameron if (1) Defendant Cameron agreed to cease his persistent harassment and threats towards FLEX's owner; and (2) Defendants Kris and Diana agreed to get mental health assistance for Defendant Cameron. See Exhibit A at ¶¶ 13 and 14.

B. Unnamed Chapin Gym Incident:

25. On or about September 2022, Defendant Cameron visited a separate local Chapin gym ("Unnamed Chapin Gym") multiple times and demonstrated a pattern of irregularly aggressive behavior with the gym's equipment including, but not limited to, aggressively throwing and slamming heavy weights on the ground.

26. As Defendant Cameron entered Unnamed Chapin Gym on one particular visit, Unnamed Chapin Gym's owner requested Defendant Cameron cease his aggressive and destructive behavior with gym equipment moving forward. Defendant Cameron agreed and was allowed to enter the gym.

27. However, during Defendant Cameron's workout, Defendant Cameron informed Unnamed Chapin Gym's owner that he wanted to cancel his membership and Unnamed Chapin Gym's owner responded in the affirmative.

28. As Defendant Cameron left, he became aggressive and verbally threatened and assaulted a male employee of Unnamed Chapin Gym, all of which was unprovoked.

29. Unnamed Chapin Gym's owner called Chapin PD and requested they patrol the Unnamed Chapin Gym parking lot for the remainder of the day.

30. On or about January 9, 2023, FLEX's owner informed Chapin PD that Defendant Cameron "has already committed chargeable offenses at [FLEX] and [Unnamed Chapin Gym], and will continue to be a danger to the community until Chapin PD takes appropriate action".

Multi-state Arrests

31. Upon information and belief, on or about September 2021, Defendant Cameron was arrested for driving without a license and without car insurance in Honolulu, Hawaii.

32. Approximately one year later, on or about July 2, 2022, Defendant Cameron was arrested for stalking in Ventura County, California.

33. On or about July 15, 2022, a Request for Civil Harassment Temporary Restraining Order was filed in Ventura County Superior Court in California against Defendant Cameron. A hearing date was scheduled for August 8, 2022.

34. Defendant Cameron appeared at the September 7, 2022 hearing in Ventura County

Superior Court. A Permanent Restraining Order was ordered against Defendant Cameron at the hearing. As a result of the Permanent Restraining Order, Defendant Cameron was entered into the California Law Enforcement Telecommunications System (“CLETS”).

35. As a result of the CLETS Permanent Restraining Order, Defendant Cameron was prohibited from owning or possessing a firearm for a period of five years. Also upon information and belief, as a result of the CLETS Permanent Restraining Order, he was prohibited from leaving the State of California.

36. Defendant Cameron was also ordered at the September 7, 2022 hearing to continue mental health therapy. He was ordered to show Proof of Mental Health Therapy and have no contact with the victims. Defendant Cameron was released on probation on these terms and conditions (“Ventura Probation”).

37. Upon information and belief, Defendant Diana traveled to California to retrieve Defendant Cameron after his release. Defendant Cameron traveled to Chapin, South Carolina with Defendant Diana to the Hinckley Residence.

38. Defendant Cameron did not appear at the next review hearing held on November 7, 2022. Defendant Cameron’s Ventura Probation continued on the same terms and conditions.

39. Defendant Cameron did not appear at the following review hearing held on January 18, 2023. Defendant Cameron’s Ventura Probation continued on the same terms and conditions.

October 5, 2023 Incident

40. On or about October 5, 2023, Lexington County Sheriff’s Department (“LCSD”) was dispatched to the Hinckley Residence for a physical domestic incident between Defendant Cameron and his father, Defendant Kris.

41. Defendant Kris called LCSD dispatch and advised that Defendant Cameron had

pushed him and he had taken a rifle and fired it into the air.

42. Defendant Kris stated to LCSD on scene that Defendant Cameron has a history of mental issues and is not on his medication.

43. Bill Kerchusky (“Bill” or “Mr. Kerchusky”) resides on Point View Road adjacent to the Hinckley Residence.

44. Mr. Kerchusky and another neighbor witnessed the October 5, 2023 incident. See attached Affidavit of Bill Kerchusky as **Exhibit B**. Mr. Kerchusky’s Affidavit is incorporated herein.

45. Once Defendant Cameron fled the initial incident with his father, Mr. Kerchusky spoke with Defendant Kris and during his conversation, Mr. Kerchusky noticed Defendant Cameron coming out of the woods and running towards him with a gun and yelling, “I’m gonna kill you!” Mr. Kerchusky immediately ran to the safety of his home and called 911. The dispatcher told Mr. Kerchusky to remain on the floor of his home until responders arrived. See Exhibit B at ¶¶ 11–13.

46. Defendant Kris requested LCSD dispatch Lexington County Emergency Medical Services (“LCEMS”) to evaluate Defendant Cameron due to his erratic behavior.

47. Defendant Diana advised LCSD that she believes Defendant Cameron is an undiagnosed schizophrenic and is a narcissist who causes family issues often. Defendant Diana also informed LCSD that Defendant Cameron had moved back to the Hinckley Residence, because Defendant Cameron was “homeless, starving, and in trouble with the law” in California.

48. LCSD Deputy Ruiz advised Defendants Kris and Diana to remove firearms in the home and keep them away from Defendant Cameron for the time being.

49. LCSD advised Defendants Kris and Diana to call the Community Crisis Response

and Intervention (“CCRI”) number in the future when they believe Defendant Cameron enters into a mental crisis. LCSD then left the scene.

Attempted Murder and Stabbing of Bruce Loveless

50. In the early morning hours of December 17, 2023 around 2:00 am, Mrs. Loveless let her two dogs out the Loveless’ back door. The dogs immediately began barking. Mrs. Loveless investigated the excessive barking to find Defendant Cameron, in a black hoodie, standing on the Loveless’ back patio, in which Defendant Cameron had to enter via the Loveless Residence fence.

51. Mrs. Loveless woke Mr. Loveless who went to the back patio. Mr. Loveless yelled at Defendant Cameron to get off the Loveless Residence property and not return.

52. In the early evening that same day, December 17, 2023, Mr. Loveless walked the Loveless dogs. Lucy, the Hinckley family dog, joined the end of Mr. Loveless’ walk without any of the Defendants accompanying her. Mr. Loveless returned to the Loveless Residence and Lucy followed.

53. Given that it was raining, Mrs. Loveless decided to let Defendant Diana know that Lucy was loose at the Loveless Residence.

54. Mrs. Loveless sent a text to Defendant Diana and, at that same time, there was a knock at the Loveless Residence side kitchen door. Mrs. Loveless answered the side kitchen door to find Defendants Diana and Cameron standing at the Loveless Residence door. Mrs. Loveless told Defendant Diana she had just hit send on a text message stating that Lucy was loose at the Loveless Residence. Upon information and belief, Defendant Diana did not see Mrs. Loveless’ text message.

55. Simultaneous with Mrs. Loveless answering the side kitchen door, Mr. Loveless was on the back patio porch kneeling down to fix a pilot light on the fire pit.

56. Back at the kitchen side door, Defendant Cameron was standing behind Defendant Diana frantically looking from left to right before he made eye contact with Mrs. Loveless and started fidgeting with his hands in his black hoodie pocket. Defendant Cameron was dressed in the same outfit from the incident in the early morning hours at the Loveless Residence—a black hoodie pulled over his head.

57. Defendant Cameron then violently pushed Mrs. Loveless to the side and barged into the Loveless Residence, uninvited.

58. Defendant Cameron charged through the kitchen and living room and then directly out the back door to Mr. Loveless. Defendant Cameron had never been in the Loveless Residence before and would not have known the path to get to the back patio from the kitchen side door but for spying or peering into the Loveless Residence prior.

59. Notably, there was no way for Defendant Cameron to know that Mr. Loveless was on the back patio from the front of the Loveless Residence or from the kitchen side door of the Loveless Residence, but for stalking Mr. Loveless prior to Diana knocking on the Loveless Residence side kitchen door.

60. Defendant Cameron stood next to Mr. Loveless for a moment before Mr. Loveless recognized Defendant Cameron. Mr. Loveless then stood up to see Defendant Cameron on the back patio.

61. Upon information and belief, Defendant Cameron concealed a knife on his person taken from the Hinckley Residence.

62. Defendant Cameron then pulled his concealed knife and brutally stabbed Mr. Loveless eleven (11) times, beginning in his forehead and moving down towards his abdomen.

63. Defendant Diana was not screaming—she simply stated “Cameron” twice.

Defendant Diana never instructed Defendant Cameron to stop the attack, and she never attempted to get Defendant Cameron off of Mr. Loveless.

64. After Defendant Cameron brutally stabbed Mr. Loveless eleven (11) times, Defendant Cameron calmly stood up, stated he was finished with what he went to the Loveless Residence to do, and retreated back to the Hinckley Residence.

65. Defendant Diana followed Defendant Cameron out of the Loveless Residence. Defendant Diana did not render aid to Mr. Loveless or Mrs. Loveless.

66. Mr. Loveless was able to drag himself into the Loveless Residence to seek safety in a locked bathroom while Mrs. Loveless called a neighbor and the police.

67. Upon information and belief, upon returning home, Defendant Diana cut the lights out at the Hinckley Residence to create an illusion of an empty home.

68. Once Mr. Loveless was being taken into the ambulance by the paramedics, he heard Defendants Cameron and Diana arguing on the Hinckley Residence deck. Defendant Cameron told Defendant Diana that she should have heard what Mr. Loveless said to him.

69. LCSD and a Special Weapons and Tactics team (“SWAT”) responded to the Hinckley Residence.

70. Defendant Diana refused to allow responders to enter her home until they obtained a warrant.

71. Defendant Cameron was arrested by LCSD on December 17, 2023.

72. Upon information and belief, at the date of filing this Complaint, LCSD has not recovered the firearms that were in Defendant Cameron’s possession and that Defendant Kris removed from his possession and the Hinckley Residence on or after December 17, 2023.

73. Upon information and belief, at the date of filing this Complaint, the location of the

firearms that were in Defendant Cameron's possession and that Defendant Kris removed from his possession and the Hinckley Residence on or after December 17, 2023 remains unknown.

74. Defendant Cameron was charged with attempted murder, first-degree burglary, possession of a weapon during violent crime, and second-degree assault and battery.

75. Mr. Loveless obtained extensive, debilitating, and permanent injuries directly caused by Defendant Cameron's unprovoked and violent attack on Mr. Loveless and Defendants Kris and Diana's negligence to properly supervise, monitor, and warn Plaintiffs of Defendant Cameron's violent propensities.

76. As a direct result of Defendant Cameron's and Defendants Kris and Diana's actions, or lack thereof, Mr. Loveless had to undergo extensive life-saving surgeries.

77. As a direct result of Defendant Cameron's brutal attack on Mr. Loveless and Defendants Kris and Diana's negligence, Plaintiffs have suffered and will continue to suffer as more fully set forth herein.

FOR A FIRST CAUSE OF ACTION
(Trespass against Defendants Cameron Hinckley and Diana Hinckley)

78. Plaintiffs reallege and incorporate the preceding facts and allegations of their Complaint as if fully set forth verbatim.

79. Upon information and belief, early in the morning hours of December 17, 2023, Defendant Cameron intentionally entered onto Plaintiffs' property without permission and was informed by Mr. Loveless to get off the Loveless Residence property and not return.

80. In the evening of December 17, 2023, Defendants Cameron and Diana both intentionally entered onto Plaintiffs' property without permission.

81. Defendants' actions to trespass onto Plaintiffs' property were intentional and affirmative acts.

82. Defendant Cameron affirmatively and intentionally barged in and pushed Mrs. Loveless to the side and proceeded to run through the Loveless Residence kitchen and living room to violently stab Mr. Loveless on the back patio.

83. Defendants' actions caused Plaintiffs' harm, which was a direct result of Defendants Cameron's and Diana's invasion.

84. Defendants Cameron and Diana's trespass on the Loveless Residence was willful, wanton, or in reckless disregard to Plaintiffs' rights.

85. Plaintiffs are entitled to an award of actual, consequential, and punitive damages, as well as for all damages allowed under the law and as set forth more fully herein in an amount to be shown at trial.

FOR A SECOND CAUSE OF ACTION
(Assault against Defendant Cameron Hinckley)

86. Plaintiffs reallege and incorporate the preceding facts and allegations of their Complaint as if fully set forth verbatim.

87. On December 17, 2023, Defendant Cameron shoved Mrs. Loveless and tackled and brutally stabbed Mr. Loveless eleven (11) times in their own home.

88. Defendant Cameron's conduct of shoving Mrs. Loveless and stabbing Mr. Loveless placed Plaintiffs in reasonable fear of bodily harm by, among other things, Defendant Cameron brandishing a knife and threatening Plaintiffs.

89. Plaintiffs are entitled to an award of actual, consequential, and punitive damages, as well as for all damages allowed under the law and as set forth more fully herein in an amount to be shown at trial.

FOR A THIRD CAUSE OF ACTION
(Battery against Defendant Cameron Hinckley)

90. Plaintiffs reallege and incorporate the preceding facts and allegations of their Complaint as if fully set forth verbatim.

91. On December 17, 2023, Defendant Cameron shoved Mrs. Loveless and tackled and brutally stabbed Mr. Loveless eleven (11) times in their own home.

92. Defendant Cameron inflicted unlawful and unauthorized violence against Mrs. Loveless by shoving her and against Mr. Loveless by tackling him to the ground and stabbing him eleven (11) times with a knife.

93. Plaintiffs are entitled to an award of actual, consequential, and punitive damages, as well as for all damages allowed under the law and as set forth more fully herein in an amount to be shown at trial.

FOR A FOURTH CAUSE OF ACTION
(Intrusion into Private Affairs against Defendant Cameron Hinckley)

94. Plaintiffs reallege and incorporate the preceding facts and allegations of their Complaint as if fully set forth verbatim.

95. Defendant Cameron intentionally intruded onto the Loveless Residence property on at least two occasions without permission including, but not limited to:

- a. In the early morning hours of December 17, 2023, wherein Defendant Cameron was found on the back patio walkway around 2:00 AM; and
- b. In the evening of December 17, 2023, when Defendant Cameron was found standing beside Diana at the Loveless Residence side kitchen door and he barged past Mrs. Loveless through the Loveless Residence kitchen and living room to get to Mr. Loveless on the back patio.

96. Other similar intrusive conduct and instances may be established during the course of discovery in this matter as well.

97. Plaintiffs expect their day-to-day life at their home—the Loveless Residence—to be private and free from exposure to others.

98. Defendant Cameron’s intentional intrusion as set forth herein consisted of watching, spying, prying, besetting, overhearing, and/or other similar conduct as may be established during the course of discovery of this matter.

99. Defendant Cameron’s intrusion on Plaintiffs at their home was substantial and unreasonable.

100. As a direct and proximate result of Defendant Cameron’s wanton invasion into areas of Plaintiffs’ home in which one normally expects to be free from exposure, Plaintiffs have suffered emotional distress and other damages.

101. Plaintiffs are entitled to an award of actual, consequential, and punitive damages, as well as for all damages allowed under the law and as set forth more fully herein in an amount to be shown at trial.

FOR A FIFTH CAUSE OF ACTION
(Intentional Infliction of Emotional Distress / Outrage
against Defendant Cameron Hinckley)

102. Plaintiffs reallege and incorporate the preceding facts and allegations of their Complaint as if fully set forth verbatim.

103. The Loveless Residence has been Plaintiffs’ home for the last forty-three (43) years. The Loveless Residence has been the foundational bedrock on which Plaintiffs have built their lives and raised their family.

104. Defendant Cameron intentionally and recklessly inflicted severe emotional distress

on Plaintiffs shoving Mrs. Loveless and viciously stabbing Mr. Loveless in their home and in the presence of Mrs. Loveless.

105. Defendant Cameron's conduct was so extreme and outrageous as to exceed all possible bounds of decency and must be regarded as atrocious and utterly intolerable in a civilized community.

106. Defendant Cameron's actions caused Plaintiffs severe emotional distress.

107. Plaintiffs continue to suffer and will continue to suffer from the following non-exhaustive list: severe pain and suffering, emotional distress, mental anguish, psychological trauma, post-traumatic stress, depression, insomnia, nightmares, embarrassment, severe anxiety, panic attacks, shock, worry, loss of work and lost profits, loss of enjoyment of life, scarring and disfigurement, and loss of safety and security in Plaintiffs' own home associated with the horrific events of December 17, 2023.

108. Plaintiffs' aforementioned harm, including but not limited to their emotional distress, arises directly out of the actual physical injury caused by Defendant Cameron.

109. Plaintiffs no longer feel safe in their home and continuously fear for their safety and the safety of their family.

110. Plaintiffs no longer harbor the same loving memories associated with their home as a direct result of the acts committed by Defendant Cameron. Plaintiffs believe Defendants ruined their family's "paradise."

111. This emotional distress is so severe that no reasonable man or woman could be expected to endure it.

112. Plaintiffs are entitled to an award of actual, consequential, and punitive damages, as well as for all damages allowed under the law and as set forth more fully herein in an amount

to be shown at trial.

FOR A SIXTH CAUSE OF ACTION
(Loss of Consortium against Defendant Cameron Hinckley)

113. Plaintiffs reallege and incorporate the preceding facts and allegations of their Complaint as if fully set forth verbatim.

114. Defendant Cameron brutally stabbed Mr. Loveless eleven (11) times and is directly liable for his injuries.

115. Plaintiff Mrs. Loveless has suffered damages as a result of Mr. Loveless's injuries including, but not limited to, the loss of love, companionship, comfort, care, assistance, protection, affection, society, moral support, the loss of the enjoyment of sexual relations, and the loss of safety and security in her own home.

116. Plaintiffs are entitled to an award of actual, consequential, and punitive damages, as well as for all damages allowed under the law and as set forth more fully herein in an amount to be shown at trial.

FOR A SEVENTH CAUSE OF ACTION
(Negligence / Gross Negligence / Negligence *Per Se* against Defendant Cameron Hinckley)

117. Plaintiffs reallege and incorporate the preceding facts and allegations of their Complaint as if fully set forth verbatim.

118. Defendant Cameron owed a duty to Plaintiffs not to intrude onto the Loveless Residence and not to brutally attack Mr. Loveless.

119. Plaintiffs' injuries and damages were directly and proximately caused and occasioned by the negligence, recklessness, wantonness, and grossly negligent conduct of Defendant Cameron, including but not limited to one or more of the following particulars:

- a. In Defendant Cameron entering the Loveless Residence without permission;

- b. In Defendant Cameron bringing and brandishing a knife into the Loveless Residence;
- c. In Defendant Cameron stalking and prying into the Loveless Residence prior to the violent attack;
- d. In Defendant Cameron shoving Mrs. Loveless; and
- e. In Defendant Cameron violently attacking and stabbing Mr. Loveless eleven (11) times in Plaintiffs' own home; and
- f. In any other such ways as may be determined through discovery.

120. All of the above constitute violations of the duties owed by Defendant Cameron and the laws and regulations of the State of South Carolina, and were the direct and proximate cause of Plaintiffs' injuries and damages as set forth more fully below.

121. The damages that Plaintiffs have suffered are a direct and proximate result of Defendant Cameron's breach of his duties.

122. As a direct and proximate cause of Defendant Cameron's negligent, negligent *per se*, careless, reckless, grossly negligent, and willful and wanton conduct, Plaintiffs have suffered, and will continue to suffer, physical injuries, pain, suffering, mental anguish, emotional distress, psychological trauma, shock, worry, frustration, extreme emotional injuries, nightmares, embarrassment, loss of enjoyment of life, scarring and disfigurement, loss of safety and security in own home, and lost wages and diminished earning capacity.

123. Plaintiffs' aforementioned harm, including but not limited to their emotional distress, arises directly out of the actual physical injury caused by Defendant Cameron.

124. As a direct and proximate cause of Defendant Cameron's negligent, negligent *per se*, careless, reckless, grossly negligent, and willful and wanton conduct Plaintiffs suffered

economic damages associated with Mr. Loveless' injuries and damages.

125. As a direct and proximate result of Defendant Cameron's breaches, Plaintiffs have suffered damages as more fully set forth herein.

126. Plaintiffs are entitled to an award of actual, consequential, and punitive damages, as well as for all damages allowed under the law and as set forth more fully herein in an amount to be shown at trial.

FOR AN EIGHTH CAUSE OF ACTION
(Negligence / Gross Negligence / Negligence *Per Se* against Defendants Kris Hinckley and Diana Hinckley)

127. Plaintiffs reallege and incorporate the preceding facts and allegations of their Complaint as if fully set forth verbatim.

128. Defendants Kris and Diana had a special relationship and/or special circumstance with Defendant Cameron due to Defendant Cameron's known violent propensities, mental health issues, provisions mandated by the Ventura Probation, and incidents with FLEX and the Unnamed Chapin Gym.

129. Defendants Kris and Diana owed a duty to Plaintiffs to warn Plaintiffs of Defendant Cameron's intentions and/or propensity to hurt Mr. Loveless and/or neighbors.

130. Defendants Kris and Diana owed a duty to Plaintiffs to monitor and supervise Defendant Cameron.

131. Plaintiffs' injuries and damages were directly and proximately caused and occasioned by the negligence, recklessness, wantonness, and grossly negligent conduct of Defendants, including but not limited to one or more of the following particulars:

- a. In Defendants Kris and Diana failing to supervise and monitor Defendant Cameron, whom they knew had mental health issues;

- b. In Defendants Kris and Diana failing to supervise and monitor Defendant Cameron, whom they knew had violent propensities;
- c. In Defendant Diana not intervening when Defendant Cameron began violently stabbing Mr. Loveless; and
- d. In any other such ways as may be determined through discovery.

132. All of the above constitute violations of the duties owed by Defendants Kris and Diana and the laws and regulations of the State of South Carolina, and were the direct and proximate cause of Plaintiffs' injuries and damages as set forth more fully below.

133. The damages that Plaintiffs have suffered are a direct and proximate result of Defendants Kris and Diana's breach of their respective duties.

134. As a direct and proximate cause of Defendants Kris and Diana's negligent, negligent *per se*, careless, reckless, grossly negligent, and willful and wanton conduct, Plaintiffs have suffered, and will continue to suffer, physical injuries, pain, suffering, mental anguish, emotional distress, psychological trauma, shock, worry, frustration, extreme emotional injuries, nightmares, embarrassment, loss of enjoyment of life, scarring and disfigurement, loss of safety and security in own home, and lost wages and diminished earning capacity.

135. Plaintiffs' aforementioned harm, including but not limited to their emotional distress, arises directly out of the actual physical injury caused by Defendant Cameron that was aided and abetted by the negligence of Defendants Kris and Diana.

136. As a direct and proximate cause of Defendants Kris and Diana's negligent, negligent *per se*, careless, reckless, grossly negligent, and willful and wanton conduct Plaintiffs suffered economic damages associated with Mr. Loveless' injuries and damages.

137. As a direct and proximate result of Defendants Kris and Diana's respective

breaches, Plaintiffs have suffered damages as more fully set forth herein.

138. Plaintiffs are entitled to an award of actual, consequential, and punitive damages, as well as for all damages allowed under the law and as set forth more fully herein in an amount to be shown at trial.

FOR A NINTH CAUSE OF ACTION
(Negligent Entrustment against Defendants Kris Hinckley and Diana Hinckley)

139. Plaintiffs reallege and incorporate the preceding facts and allegations of their Complaint as if fully set forth verbatim.

140. Defendant Cameron has a history of malicious and violent behavior towards the public.

141. Defendants Kris and Diana were aware of Defendant Cameron's violent history and propensity and mental health issues.

142. Defendants Kris and Diana allowed Defendant Cameron access to inherently dangerous chattel and instrumentalities while under their care and supervision.

143. Defendants Kris and Diana had a duty to safeguard the public from Defendant Cameron's use of inherently dangerous chattel.

144. Defendants Kris and Diana knew or should have known that Defendant Cameron could not be trusted with inherently dangerous chattel due to his violent history, criminal background, and Ventura Probation.

145. This knowledge is evidenced by Defendant Kris and Diana's overt actions to remove firearms from their residence to prevent Defendant Cameron's access to them.

146. Defendants Kris and Diana breached their duty by negligently permitting Defendant Cameron to have access to and entrusting him with dangerous instrumentalities which were ultimately used to severely injure Mr. Loveless.

147. Defendants Kris and Diana's breach of their duty was a proximate cause of Plaintiffs' injuries.

148. Plaintiffs are entitled to an award of actual, consequential, and punitive damages, as well as for all damages allowed under the law and as set forth more fully herein in an amount to be shown at trial.

FOR A TENTH CAUSE OF ACTION
(Negligent Supervision against Defendants Kris and Diana Hinckley)

149. Plaintiffs reallege and incorporate the preceding facts and allegations of their Complaint as if fully set forth verbatim.

150. Defendants Kris and Diana possessed a special relationship with Defendant Cameron.

151. Defendants Kris and Diana supervised and monitored Defendant Cameron while living at the Hinckley Residence, and they knew or should have known he was likely to cause bodily harm to others if not controlled and supervised.

152. Defendants Kris and Diana were aware and knew of Defendant Cameron's violent personality; indeed, they experienced it themselves during multiple domestic incidents at the Hinckley Residence.

153. Defendants Kris and Diana were aware and knew of Defendant Cameron's mental health issues.

154. Upon information and belief, Defendants Kris and Diana were aware of the terms of Defendant Cameron's Ventura Probation.

155. Defendants Kris and Diana were aware of violent and life-threatening threats Defendant Cameron made to neighbors while illegally in possession of a firearm.

156. Defendants Kris and Diana were well aware that Defendant Cameron's dangerous

threats were real and likely to occur.

157. Defendants Kris and Diana were in a position to control Defendant Cameron.

158. Defendants Kris and Diana knew of the credible threat that Defendant Cameron posed to Plaintiffs and breached their duty to exercise reasonable care to issue a warning to Plaintiffs.

159. This breach is a direct and proximate cause of Plaintiffs' injuries.

160. Plaintiffs are entitled to an award of actual, consequential, and punitive damages, as well as for all damages allowed under the law and as set forth more fully herein in an amount to be shown at trial.

FOR AN ELEVENTH CAUSE OF ACTION
(Violation of S.C. Code Ann. § 27-23-10 ("Statute of Elizabeth") against Defendant Cameron)

161. Plaintiffs reallege and incorporate the preceding facts and allegations of their Complaint as if fully set forth verbatim.

162. Defendant Cameron knew that his violent attack on Mr. Loveless in December 2023 could result in him owing damages and other forms of recovery to the Plaintiffs.

163. Removing any doubt of potentially pending litigation, Defendant Cameron was sent a preservation letter on January 3, 2024 explaining that litigation is anticipated and not to destroy relevant evidence.

164. Upon information and belief, Defendant Cameron was the owner of assets, including a Texas Corporation, CTH Roofing.

165. Upon information and belief, after Defendant Cameron's violent attack on Mr. Loveless, Defendant Cameron fraudulently transferred ownership of assets, including but not limited to CTH Roofing, to another person or entity.

166. Upon information and belief, Defendant Cameron fraudulently transferred his assets to another person or entity with the express intent or purpose to delay, hinder, or defraud Plaintiffs from recovering their just and lawful damages.

167. Upon information and belief, Defendant Cameron received less than market value for the transferred assets.

168. Defendant Cameron's transferring of assets directly violates S.C. Code. Ann. § 27-23-10 ("Statute of Elizabeth") because he fraudulently conveyed assets with the intent to deceive creditors.

169. In the event that Defendant Cameron becomes insolvent, Plaintiffs are entitled to recover damages from any and all assets that Defendant Cameron transferred after December 17, 2023.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs, having duly set forth their Complaint, pray for judgment against Defendants and ask that Plaintiffs be awarded actual, consequential, special, and punitive damages, plus prejudgment interest, in an amount to be shown and determined by a jury at trial, as well as attorneys' fees and costs, and such further relief as this Court deems just and proper.

Respectfully submitted,

[Signature Block on Separate Page]

Rhett Ricard

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Attorneys for Plaintiffs
Bruce and Joanne Loveless

December 17, 2024
Charleston, South Carolina

EXHIBIT D

STATE OF SOUTH CAROLINA

COUNTY OF LEXINGTON

Bruce and Joanne Loveless,

Plaintiffs,

vs.

Cameron Hinckley, Kris Hinckley and Diana
Hinckley,

Defendants.

IN THE COURT OF COMMON PLEAS

Case No. 2024-CP-32-05200

**PLAINTIFFS' FIRST SET OF
REQUESTS FOR ADMISSION TO
DEFENDANT DIANA HINCKLEY**

TO: Bess DuRant, Esquire, Jacob Thompson, III, Esquire, and Robert Peele, III, Esquire, Attorneys for Defendant Diana Hinckley

Pursuant to Rule 36 of the South Carolina Rules of Civil Procedure, Plaintiffs Bruce and Joanne Loveless (“Plaintiffs”) hereby requests that Defendant Diana Hinckley (“Defendant”) admit the truth of the matters stated below or, in the case of documents, the genuineness of the documents described. Such admissions or answers to such admissions must be in writing, signed, and served on Plaintiffs’ counsel within thirty (30) days of service hereof.

Pursuant to Rule 36 of the South Carolina Rules of Civil Procedure, if objection is made, the reasons therefore shall be stated and the answer shall specifically deny the matter or set forth in detail the reasons why the answering party cannot truthfully admit or deny the matter. A denial shall fairly meet the substance of the requested admission, and when good faith requires that Defendant qualify her answer or deny only a part of the matter of which an admission is requested, Defendant shall specify so much of it as is true and qualify or deny the remainder. An answering party is not permitted pursuant to Rule 36 of the South Carolina Rules of Civil Procedure to give lack of information or knowledge as a reason for failure to admit or deny unless she states that she

has made reasonable inquiry and that the information known or readily obtainable by her is insufficient to enable her to admit or deny.

DEFINITIONS

The definitions and rules of construction set forth in Rules 26 and 33 of the South Carolina Rules of Procedure, are incorporated herein by reference. The following additional definitions apply with respect to each of the following Requests, and unless otherwise stated in a specific Request, each of the terms defined below, when used in any Request, instruction, or definition, shall have the meaning given herein:

1. “Action” refers to the civil action filed by Plaintiffs Bruce and Joanne Loveless, entitled *Bruce and Joanne Loveless v. Cameron Hinckley, Kris Hinckley and Diana Hinckley*, filed in the Court of Common Pleas, Lexington County, Case No.: 2024-CP-32-05200.

2. “Plaintiff Bruce” refers to Plaintiff Bruce Loveless.

3. “You” refers to Defendant Diana Hinckley.

4. “Incident” refers to the incident alleged in the Action’s Complaint on December 17, 2023 where Defendant Cameron Hinckley stabbed Plaintiff Bruce.

5. “Your Residence” refers to your home located at 1051 Point View Rd., Chapin, South Carolina, 29036.

6. “Plaintiffs’ Residence” refers to Plaintiffs’ home located at 1061 Loveless Lane, Chapin, South Carolina, 29036.

7. “Interaction” refers to any documented or undocumented encounter with law enforcement including, but not limited to, encounters that resulted in a warning, detainment, or arrest.

REQUESTS FOR ADMISSION

1. Admit that You were aware Defendant Cameron Hinckley had at least one Interaction prior to the Incident.¹

2. Admit that You were aware Defendant Cameron Hinckley received a Trespass notice from Flex Super Gym.

3. Admit that Matthew Wheeler contacted You regarding Defendant Cameron Hinckley's behavior.

4. Admit that You were aware that Defendant Cameron Hinckley was arrested in Tarrant County, Texas for Criminal Trespass around March 2022.

5. Admit that You were aware that Defendant Cameron Hinckley was arrested in Ventura County, California for stalking on or around July 2, 2022.

6. Admit that You were aware that Defendant Cameron Hinckley discharged a firearm at or around his father, Defendant Kris Hinckley on or around November 30, 2023.

7. Admit that You were present in Plaintiffs' Residence when Defendant Cameron Hinckley stabbed Plaintiff Bruce on December 17, 2023.

8. Admit that you witnessed Defendant Cameron Hinckley stab Plaintiff Bruce in Plaintiffs' Residence on December 17, 2023.

9. Admit that You did not attempt to provide first aid to Plaintiff Bruce after Defendant Cameron Hinckley stabbed Plaintiff Bruce on December 17, 2023.

¹ This Request is not requesting a legal conclusion and relates only to Defendant Diana Hinckley's personal knowledge of the requested topic.

10. Admit that You did not attempt to call 911 after Defendant Cameron Hinckley stabbed Plaintiff Bruce on December 17, 2023.

11. Admit that you were not invited into Plaintiffs' Residence on December 17, 2023 by Plaintiff Bruce or Plaintiff Joanne.

12. Admit that you did not want law enforcement to enter Your Residence without a warrant to arrest Defendant Cameron Hinckley after the Incident occurred.

13. Admit that You were aware as of the fall of 2022 that Defendant Cameron Hinckley was on probation in California initiated on or around September of 2022.

14. Admit that You drove Defendant Cameron Hinckley from California to South Carolina in the Fall of 2022.

15. Admit that one of the reasons You drove Defendant Cameron Hinckley from California to South Carolina in the Fall of 2022 was related to him being homeless.

16. Admit that one of the reasons You drove Defendant Cameron Hinckley from California to South Carolina in the Fall of 2022 was related to him having negative interactions with the Church of Latter Day Saints.

17. Admit that one of the reasons You drove Defendant Cameron Hinckley from California to South Carolina in the Fall of 2022 was related to him having interactions with law enforcement.

18. Admit that Defendant Cameron Hinckley lived full-time at Your Residence since around September of 2022.

19. Admit that You did not warn your neighbors about Defendant Cameron Hinckley's mental health conditions when he began residing at Your Residence.

20. Admit that You were aware that Defendant Cameron Hinckley was prescribed medication for one or more mental health conditions with which he was diagnosed prior to the Incident.

21. Admit that You were aware that Defendant Cameron Hinckley, in the days and weeks immediately prior to the Incident, was not taking his medication(s) for one or more mental health conditions with which he was diagnosed as prescribed.

Respectfully submitted,

s/ Nick Fowler

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Attorneys for Plaintiffs

July 21, 2025
Charleston, South Carolina

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing to which this certificate is attached was duly served on all Plaintiffs and Defendants today by electronic mail to the following addresses:

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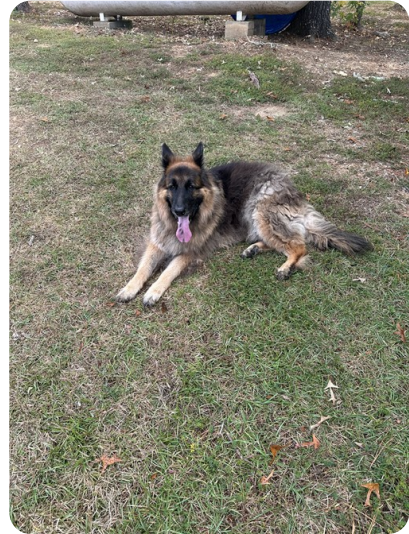


Sarah L. Plouff
Legal Practice Assistant

July 21, 2025
Columbia, SC

EXHIBIT E

10/27/2023 12:14:24 PM



10/27/2023 12:15:54 PM



12/17/2023 5:33:44 PM

JoAnn Lovelesd (+18034290614)

Just wanted you to know Lucy is inside playing in case you don't see her

