

The Supreme Court of South Carolina

Charles A. Trant, M.D., Respondent,

v.

MagMutual Insurance Company, Petitioner.

Appellate Case No. 2026-001165

ORDER

Petitioner seeks a common law writ of certiorari to stay the trial in the circuit court in a bad faith action against it pending resolution of an underlying medical malpractice action against Respondent that is currently pending on appeal before the court of appeals. Alternatively, Petitioner asks the Court for a temporary stay of the trial of the bad faith action, scheduled to begin on June 15, 2026, while this Court considers the petition for a common law writ of certiorari. Respondent opposes the requests.

We grant a temporary stay of the trial of the bad faith action pending this Court's resolution of the petition for a common law writ of certiorari. Petitioner shall, within thirty days after the date of this order, serve one copy of its brief on Respondent and file ten copies with this Court. Respondent shall serve one copy of his brief on Petitioner and file ten copies with the Court within thirty days after the service of Petitioner's brief. Petitioner may serve a reply brief on Respondent and file ten copies with the Court within ten days after the service of Respondent's brief. The briefs shall address the issue of whether Respondent's bad faith claim against Petitioner is ripe and may be tried while the appeal of the underlying medical malpractice judgment against Respondent is pending. While no initial briefs will be filed in this case, the content of the briefs shall, to the extent possible, comply with the requirements of Rules 208(b) and 211(b), SCACR. The parties will be notified if oral argument is required.

John K. Ittledge C.J.
John Cannon J.
Stephen J. Wukela J.
D. Hanlin J.
Patricia H. Verdin J.

Columbia, South Carolina
June 5, 2026

cc:

Austin Tyler Reed
Alfred Johnston Cox
John C. Bonnie
Patrick James McLaughlin
Stephen J. Wukela
George Murrell Smith, Jr.
The Honorable H. Steven DeBerry IV