

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)
Stephanie Levette Cason, Individually)
And as Personal Representative of the)
Estate of J.D. Pitts-Johnson, a deceased)
Minor and Rakeem Rashaud Johnson,)
Father of J.D. Pitts-Johnson, the)
Deceased Minor,)
Plaintiff,)
v.)
Greenville City Police Department,)
Defendant.)

IN THE COURT OF COMMON PLEAS
CIVIL ACTION NO. 2024-CP-23-04676

RECEIVED
Jun 11 2026
SC Court of Appeals

**ORDER DENYING PLAINTIFFS’
MOTION FOR SUMMARY JUDGMENT**

This matter was before the Court on Plaintiff’s Motion for Summary Judgment. The motion was heard on June 1, 2026. Appearing on behalf of the Plaintiffs was Lola S. Richey. Appearing on behalf of the Defendant were V. Clark Price and Roni Payne of Cassidy Coates Price, P.A.

Plaintiffs have moved for summary judgment as to all causes of action pending against the Defendant arising out of the death of the Plaintiff’s decedent, J.D. Pitts-Johnson, on May 11, 2023 following a police pursuit by the Defendant’s police officers. Plaintiffs have made their motion pursuant to Rule 56, South Carolina Rules of Civil Procedure, and generally assert that there is no genuine issue of material fact concerning the Defendant’s liability.

The Defendant opposes the motion and contends that there are genuine issues of material fact that require the Plaintiff’s motion be denied. Counsel for both parties have fully briefed their respective positions and argued those positions at the hearing. Counsel are commended for their

arguments presented in support of their respective positions. Based on a review of the file, pleadings, submissions of the parties and oral argument, the Court finds that the Plaintiff's motion should be denied.

Summary judgment is proper when there is no genuine issue as to any material fact and the moving party is entitled to judgment as a matter of law. In determining whether any triable issue of fact exists, the evidence and all inferences that can reasonably be drawn therefrom must be viewed in the light most favorable to the nonmoving party. All ambiguities, conclusions, and inferences arising from the evidence must be construed most strongly against the moving party. Summary judgment is not appropriate where further inquiry into the facts of the case is desirable to clarify the application of the law. Even when there is no dispute as to evidentiary facts, but only as to the conclusions or inferences to be drawn from them, summary judgment should be denied. Summary judgment is a drastic remedy and should be cautiously invoked to ensure that a litigant is not improperly deprived of a trial on disputed factual issues. Singleton v. Sherer, 377 S.C. 185, 659 S.E.2d 196 (Ct. App. 2008).

The Defendant has moved for summary judgment as to the Plaintiff's Fifth and Sixth causes of action. That motion is considered in a separate order of the Court.

It is therefore, ORDERED that the Plaintiff's Motion for summary judgment as to all causes of action in the Amended Complaint be denied.

AND IT IS SO ORDERED.

G.D. Morgan, Jr., Judge
Thirteenth Judicial Circuit

Greenville, South Carolina

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Greenville Common Pleas

Case Caption: Stephanie Levette Cason , plaintiff, et al vs. Police Department
Greenville City , defendant, et al
Case Number: 2024CP2304676
Type: Order/Summary Judgment

So Ordered

G.D. Morgan Jr.