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Jun 12 2026
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

The Honorable G. D. Morgan, Jr., Circuit Court Judge

APPELLATE CASE NO. 2026- 001327

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 MinorAppellants,

v.

Greenville City Police Department,.....Respondent.

RESPONDENT'S MOTION TO DISMISS

The Respondent, moves to dismiss that portion of Appellant's Notice of Appeal as it pertains to the lower court's order denying Appellant's motion for summary judgment. This motion is made upon the grounds that an order denying summary judgment is interlocutory and is not directly appealable. In support of this motion, the Respondent relies on Ballenger v. Bowen, 313 S.C. 476, 443 S.E. 2d 379 (1994), Thornton v. South Carolina Electric & Gas Corp., 391 S.C. 297, 705 S.E. 2d 475 (Ct. App. 2011), Olson v. Faculty House of Carolina, Inc. 354 S.C. 161, 580 S.E. 2d 440 (2003).

Respectfully Submitted,

CASSIDY COATES PRICE, P.A.

s/V. Clark Price

V. Clark Price

(S.C. Bar No.: 4567)

Roni B. Payne

(S.C. Bar No.:106693)

Cassidy Coates Price, P.A.

P.O. Box 10529

Greenville, South Carolina 29603

864.349.2600

cprice@cassidycoates.com

rpayne@cassidycoates.com

Attorneys for Respondent

June 12, 2026

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Rakeem Rashaud Johnson, father of J.D.
Pitts-Johnson, the Deceased MinorAppellants,

v.

Greenville City Police Department,.....Respondent.

PROOF OF SERVICE

I hereby certify that I have served *Respondent's Motion to Dismiss* on Counsel of Record
on this 12th day of June, 2026 by electronic AIS e-mail only as follows:

Lola S. Richey
Richey & Richey
lorarichey@bellsouth.net
lawfirm@richeyandrichey.com



Traci D. Larkins, Paralegal
Cassidy Coates Price, PA
P.O. Box 10529
Greenville, South Carolina 29603
Phone: 864-349-2600
tlarkins@cassidycoates.com



V. Clark Price
cprice@cassidycoates.com
864.349.2604

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SC Court of Appeals

The South Carolina Court of Appeals
Clerk of Court
PO Box 11629
Columbia, South Carolina 29211

RE: Stephanie Levette Cason, Individually and as PR of the Estate of J.D. Pitts-Johnson,
a deceased Minor and Rakeem Rashaud Johnson, father of J.D. Pitts-Johnson vs.
Greenville City Police Department
Appellate Case No. 2026-001327

Dear Madam Clerk,

Enclosed please find for filing Respondent's Motion to Dismiss and Proof of Service with regards to the above referenced matter. A check for fees associated with this filing will be placed in today's outgoing mail.

Please let me know if you have any questions regarding the enclosed.

With kind regards, I am,

Sincerely,

CASSIDY COATES PRICE

A handwritten signature in blue ink that reads 'Traci D. Larkins'.

Traci D. Larkins

Paralegal to V. Clark Price, Counsel for the Respondent

Enclosures

cc: Lola S. Richey (via email only)