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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Courtney Clyburn-Pope, Circuit Court Judge
Maite Murphy, Circuit Court Judge

Appellate Case No. 2025-001435

Karen Fine.....Respondent,

v.

Herman Brown Hamrick,.....Appellant.

RESPONDENT’S MOTION TO AMEND THE RECORD AND FOR EXTENSION OF TIME
TO FILE ITS FINAL BRIEF

TO: R. HAWTHORNE BARRETT, ESQUIRE, ATTORNEY FOR APPELLANT

PLEASE TAKE NOTICE that pursuant to Rule 240, SCACR, Respondent Karen Fine (“Respondent”) moves before the South Carolina Court of Appeals for an Order requiring Appellant Herman Brown Hamrick (“Appellant”) to amend the June 8, 2026 *Record on Appeal* and to allow Respondent 20 days from the filing of the Amended Record on Appeal to file its final brief.

This motion is based upon the following grounds:

1. Defendant’s/Appellant’s October 14, 2024 Notice of Appeal (Exhibit “1”) which is listed as number eight on Respondent’s Designation of Matter (Exhibit “2”) was omitted from the *Record on*

Appeal.¹

2. Plaintiff's/Respondent's November 19, 2025 proposed *Order Granting Summary Judgment to Plaintiff (Amended #1)* (Exhibit "3") which is listed as number 19 on Respondent's Designation of Matter (Exhibit "2") was omitted from the *Record on Appeal*.

3. Because Defendant's/Appellant's attorney is out of the country, I have not been able to resolve this issue with him, although I have spoken with his paralegal, Ms. Carolyn Briggs.

4. The \$50.00 check for the filing fee has been mailed to the South Carolina Court of Appeals.

s/ Thomas O. Sanders, IV
Thomas O. Sanders, IV
Sanders Law Firm, LLC
1738 Three Oaks Avenue
Charleston, South Carolina 29407
(843) 573-8828
tosanders@sanderslawfirm.com
ATTORNEY FOR RESPONDENT

July 2, 2026
Charleston, South Carolina

¹ Given that several Notices of Appeal were filed, it is understandable why this particular Notice of Appeal was omitted.

EXHIBIT “1”

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	BEFORE THE ARBITRATION PANEL
COUNTY OF CHARLESTON	)	Civil Action No. 2024-CP-10-03514
Karen Fine,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	NOTICE OF APPEAL
	)	
Herman Brown Hamrick,	)	
	)	
Defendant.	)	
	)	

TO: PLAINTIFF AND ATTORNEYS FOR PLAINTIFF:

Defendant, Herman Brown Hamrick, hereby gives notice of appeal from the judgment of the Charleston County Arbitration Panel in the above action rendered on September 24, 2024, to the Court of Common Pleas for Charleston County. Defendant hereby demands a trial *de novo* pursuant to S.C. Code Ann. § 38-77-770. Defendant also requests a jury trial.

WHEREFORE, the Defendant/Appellant respectfully request that this Court grant them a *de novo* trial on appeal pursuant to S.C. Code Ann. § 38-77-770. Finally, undersigned counsel for Defendant certifies this appeal is taken in good faith and is not merely for the purpose of delay.

TURNER, PADGET, GRAHAM & LANEY, P.A.



Alexandria S. Jones
Post Office Box 22129
Charleston, South Carolina 29413
(843) 576-2837

Charleston, South Carolina

October 14, 2024

ATTORNEYS FOR DEFENDANT

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
BEFORE THE ARBITRATION PANEL

COUNTY OF CHARLESTON) Civil Action No. 2024-CP-10-03514

Karen Fine,

Plaintiff,

vs.

Herman Brown Hamrick,

Defendant.

CERTIFICATE OF SERVICE

I, Nickisha M. Woodward, an employee of Turner, Padgett, Graham & Laney, P.A., hereby certify that I have on October __, 2024, served a copy of the foregoing **Notice of Appeal** upon counsel of record, by placing same in the United States Mail, postage prepaid, to:

Thomas O. Sanders, IV, Esquire
1738 Three Oaks Avenue
Charleston, SC 29407
Attorney for Claimant



Nickisha M. Woodward

Employee of Turner Padgett Graham &
Laney

EXHIBIT “2”

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Jun 26 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CHARLESTON COUNTY
Court of Common Pleas

Courtney Clyburn-Pope, Circuit Court Judge
Maite Murphy, Circuit Court Judge

Case No. 2025-001435

Karen Fine.....Respondent,

v.

Herman Brown Hamrick.....Appellant.

RESPONDENT'S DESIGNATION OF MATTER
TO BE INCLUDED IN THE RECORD ON APPEAL

Respondent proposes the following be included in the Record on Appeal:

1. Summons and Claim for Property Damage;
2. Claimant's 1st Request for Production to Defendant;
3. Claimant's 1st Interrogatories to Defendant;
4. Claimant's 1st Requests for Admission to Defendant;
5. Defendant's Interrogatories to Plaintiff;
6. Defendant's Requests for Production to Plaintiff;
7. Order/Decision of Arbitration;
8. Defendant's Notice of Appeal;
9. Plaintiff's Motion to Deem Admitted;
10. Plaintiff's Motion to Compel;
11. Plaintiff's Memorandum in Support of its Motion to Deem Admitted;
12. Plaintiff's Memorandum in Support of its Motion to Compel;
13. Order Granting Plaintiff's Motion to Deem Admitted and to Compel;
14. Plaintiff's Motion for Summary Judgment;
15. Plaintiff's Memorandum in Support of Summary Judgment;
16. Order Denying Defendant's Motion for Reconsideration;
17. Order Granting Summary Judgment to Plaintiff (9/23/25);
18. Order Granting Summary Judgment to Plaintiff (10/13/25); and

19. Order Granting Summary Judgment to Plaintiff (Amended #1).

I certify that this designation contains no matter which is irrelevant to this appeal.

April 7, 2026

/s/ Thomas O. Sanders, IV

Thomas O. Sanders, IV

Sanders Law Firm, LLC

1738 Three Oaks Avenue

Charleston, SC 29407

(843)573-8828

tosanders@sanderslawfirm.com

ATTORNEY FOR RESPONDENT

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THE STATE OF SOUTH CAROLINA
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APPEAL FROM CHARLESTON COUNTY
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Maite Murphy, Circuit Court Judge

Case No. 2025-001435

Karen Fine.....Respondent,

v.

Herman Brown Hamrick,.....Appellant.

PROOF OF SERVICE

I certify that I have served the *Designation of Matter to be Included in the Record on Appeal* on Appellant *Herman Brown Hamrick* by emailing a copy of it on *April 8, 2026* to his/her/its attorney of record, *R. Hawthorne Barrett*, Esquire at *tbarrett@turnerpadget.com*.

April 7, 2026

/s/ Thomas O. Sanders, IV

Thomas O. Sanders, IV

Sanders Law Firm, LLC

1738 Three Oaks Avenue

Charleston, SC 29407

(843) 573-8828

tosanders@sanderslawfirm.com

ATTORNEY FOR RESPONDENT

EXHIBIT “3”



***** IMPORTANT NOTICE - READ THIS INFORMATION *****
NOTICE OF ELECTRONIC FILING [NEF]

A filing has been submitted to the court RE: 2024CP1003514

Official File Stamp: 11-19-2025 05:13:38 PM
Court: CIRCUIT COURT
Common Pleas
Charleston
Case Caption: Karen Fine VS Herman Brown Hamrick
Event(s): Order/Order Cover Sheet \$25.00
Document(s) Submitted: Proposed Order/Amend
Filed by or on behalf of: Thomas O. Sanders, IV

This notice was automatically generated by the Court's auto-notification system.

The following people were served electronically:

R. Hawthorne Barrett for Herman Brown Hamrick
Alexandria Jones for Herman Brown Hamrick
Daniel Reynolds Dalton
Mark Thomas Rainsford
Brent Michael Kaufman
Thomas O. Sanders, IV for Karen Fine

The following people have not been served electronically by the Court. Therefore, they must be served by traditional means:

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)
)
Karen Fine,)
)
Plaintiff,)
)
vs.)
)
Herman Brown Hamrick,)
)
Defendant.)
)

IN THE COURT OF COMMON PLEAS
CASE NO.: 2024-CP-10-03514

ORDER
GRANTING SUMMARY JUDGMENT
TO PLAINTIFF (Amended #1)

JUDGE:	The Honorable Maite L. Murphy
DATE OF HEARING:	June 24, 2025
PLAINTIFF'S ATTORNEY:	Thomas O. Sanders, IV/Sanders Law Firm, LLC
DEFENDANT'S ATTORNEY:	Alexandria S. Jones/Turner, Padgett, Graham & Laney, PA
COURT REPORTER:	_____

This matter comes before me upon Plaintiff Karen Fine's ("Plaintiff") April 1, 2025 *Motion for Summary Judgment*. Summary Judgment is granted in favor of Plaintiff.

Summary judgment is appropriate if the pleadings, depositions, interrogatory answers, admissions, and affidavits, if any, show that there is no genuine issue as to any material fact and the moving party is entitled to judgment as a matter of law. Rule 56(c), SCRCP; Law v. S.C. Dept. of Corrections, 368 S.C. 424, 434, 629 S.E.2d 642, 648 (2006). In determining whether any triable issues of fact exist, the evidence and all reasonable inferences must be viewed in the light most reasonable to the non-moving party. Id. at 648. The purpose of summary judgment is to expedite the disposition of cases which do not require the services of a fact finder. Dawkins v. Fields, 354 S.C. 58, 69, 580 S.E.2d 433, 438 (2003). A party opposing a properly supported motion for summary judgment may not rest on the allegations or denials of his pleading but must set forth or point to specific facts showing there is a genuine issue of material fact. The existence of a mere scintilla of evidence in support of the non-moving party's position is not sufficient to overcome a motion for summary judgment. Thomas v. Waters, 315 S.C. 524, 445 S.E.2d 659 (Ct. App. 1994) citing Dickert v. Metropolitan Life Ins. Co., 306 S.C. 311, 313, 411 S.E.2d 672, 673 (Ct. App.

1991).

Plaintiff's April 3, 2025 *Memorandum in Support of Summary Judgment* with exhibits ("Plaintiff's Memorandum in Support of Summary Judgment"), which was filed with the Court, sufficiently sets forth that there is no genuine issue of material fact as to Plaintiff's causes of action for property damage arising out of a motor vehicle collision due to the negligent and reckless acts of Defendant Herman Brown Hamrick ("Defendant"), and it is incorporated herein by reference.

On August 9, 2024, the parties began discovery. Since that time, Defendant had a full and fair opportunity to complete discovery. On August 16, 2024, Defendant served his Interrogatories and his Requests for Production on Plaintiff* to which Plaintiff responded. By doing so, Defendant participated in discovery. For the Defendant to assert that written discovery between the parties was not allowed is disingenuous. Even so, Defendant has offered no facts-- and has filed nothing-- to show a genuine issue for trial.

Plaintiff's 1st Requests for Admission to Defendant (included in Plaintiff's Memorandum in Support of Summary Judgment) were tailored to prove all of Plaintiff's causes of action and damages. The Court's March 28, 2025 *Order to Deem Admitted* (also included in Plaintiff's Memorandum in Support of Summary Judgment) determines all of Plaintiff's causes of action in favor of Plaintiff, it determines the amount of Plaintiff's damages, it compels Defendant to respond to Plaintiff's written discovery requests (which it has not done), and it compels Defendant to pay Plaintiff's attorney's fees in the amount of \$1,066.7 (which it has not done).

Based upon the foregoing, actual damages are \$23,538.63 and punitive damages are \$50,000.00, for a total of \$73,538.63 in damages.

The September 25, 2024 *Order/Decision* of the Arbitration Panel, which was filed with the Court, awarded Plaintiff property damages in the amount of \$19,266.90. Post judgment interest on this order has accrued from the date of this order until such time as it is paid in full.

IT IS ORDERED ADJUDGED AND DECREED that *Plaintiff's Motion for Summary Judgment* on all causes of action is granted;

IT IS FURTHER ORDERED that the amount of damages is \$73,538.63 (Actual damages of \$23,538.63 + Punitive Damages of \$50,000.00) plus post judgment interest until paid in full;

IT IS ALSO ORDERED that post judgment interest on \$19,266.90 is owed from

* See Plaintiff's Memorandum in Support of its Motion to Compel with exhibits filed on March 17, 2025.

September 25, 2024 until the date of this Order with post judgment interest on \$73,538.63 accruing hereafter until paid in full;

IT IS ALSO ORDERED that the Court's April 1, 2025 Order granting Plaintiff's attorney's fees in the amount of \$1,066.74 is incorporated into this Order;

IT IS ALSO ORDERED that Plaintiff's costs in the amount of \$1,437.01 as set forth below are awarded to Plaintiff;

AND IT IS SO ORDERED!

The Honorable Maite L. Murphy
Judge of the Ninth Judicial Circuit

_____, 2025
St. George, South Carolina

COSTS:	\$10.00 (Filing fee for arbitration)
	\$95.22 (Motion filing fees x 3)
	\$640.85 (Court reporter)
	\$675.00 (Expert witness fee)
	<u>\$15.94 (Certified mail for service)</u>
	\$1,437.01 TOTAL

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v.

Herman Brown Hamrick,.....Appellant.

PROOF OF SERVICE

I certify that I have served the *Respondent's Motion to Amend the Record and for Extension of Time to file its Final Brief* on Appellant Herman Brown Hamrick by email to its attorney of record, R. Hawthorne Barrett, Esquire (tbarrett@turnerpadget.com) on July 2, 2026.

s/ Thomas O. Sanders, IV
Thomas O. Sanders, IV
Sanders Law Firm, LLC
1738 Three Oaks Avenue
Charleston, South Carolina 29407
(843) 573-8828
tosanders@sanderslawfirm.com
ATTORNEY FOR RESPONDENT

July 2, 2026
Charleston, South Carolina