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SC Court of Appeals

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
COUNTY OF SUMTER) FOR THE THIRD JUDICIAL CIRCUIT
CIVIL ACTION NO.: 2025-CP-43-01073

Glenda C. Charles,)
)
Plaintiff,)
)
vs.)
)
Vestco Property)
)
Defendant.)
)

ORDER

CERTIFIED TRUE COPY
OF ORIGINAL FILED

Sherry H. Horst
DEPUTY CLERK OF COURT
SUMTER COUNTY
SOUTH CAROLINA

This case was tried, non-jury, on July 10, 2026. The Plaintiff appeared, pro se. The Defendant was represented by attorney, Thomas E. Player, Jr.

In the Civil Action Cover Sheet, Form SCCA 234, Nature of Action section, signed by the Plaintiff, when filing the case, she checked the box for "Breach of Contract." The allegations of the Complaint relate to communications between the parties relative to a proposed residential lease by Plaintiff as tenant of property owned by Defendant and the loss of personal property of the Plaintiff during that process.

The Plaintiff testified and introduced certain documents related to the proposed lease. At the conclusion of her testimony, she rested her case and the Defendant moved for an involuntary dismissal under Rule 40(b) SCRPC, asserting that she had not presented sufficient evidence which would entitle her to recover damages under any theory recognized by our court. In particular, counsel pointed to the absence of evidence of the value of any property alleged to have been lost or the monetary devaluation of any property claimed to have been damaged.

Defendant, further supporting its motion, directed the court's attention to the allegations of the complaint and its absence of allegations which, even if proven would entitle the Plaintiff to relief.

DISCUSSION

While questionable whether the complaint states a cognizable cause of action, Plaintiff presented no evidence of the monetary value of any property claimed to have been lost or damaged.

"Neither the existence, causation nor amount of damages can be left to conjecture, guess or speculation." Piggy Park, 251 S.C. at 391, 162 S.E.2d at 708; Baughman, 306 S.C. at 117, 410 S.E.2d at 546; Gray v. Southern Facilities, Inc., 256 S.C. 558, 570-71, 183 S.E.2d 438, 444 (1971).

While, initiated in response to Defendant's motion, the Defendant elected not to present any evidence, so this order serves as a decision on the merits.

It is, therefore, **ORDERED** that judgment for the Defendant be entered.

S. Bryan Doby, Circuit Court Judge

Date _____



Sumter Common Pleas

Case Caption: Glenda C Charles VS Vestco Property
Case Number: 2025CP4301073
Type: Order/Dismissal

So Ordered

S. Bryan Doby, Circuit Court Judge, No. 2784
