

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)
Linda Acker,)
Plaintiff,)
v.)
Westgate Myrtle Beach, LLC,)
Defendant.)

Westgate Myrtle Beach, LLC,)
Third-Party Plaintiff,)
v.)
Home Depot U.S.A., Inc.)
Third-Party Defendant.)

IN THE COURT OF COMMON PLEAS
FIFTEENTH JUDICIAL CIRCUIT
Civil Action No.: 2024CP2604023

**ORDER GRANTING THIRD-PARTY
PLAINTIFF WESTGATE MYRTLE
BEACH, LLC'S MOTION FOR DEFAULT
JUDGMENT**

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SC Court of Appeals

THIS MATTER COMES before the Court on Defendant and Third-Party Plaintiff Westgate Myrtle Beach, LLC's (hereinafter, "Third-Party Plaintiff") Motion for Default Judgment against the Third-Party Defendant, Home Depot U.S.A., Inc. (hereinafter, "Third-Party Defendant"), pursuant to Rule 55 of South Carolina Rules of Civil Procedure.

It appearing that a Third-Party Complaint was filed and a Third-Party Summons was issued in this action, and said Third-Party Summons, together with a copy of said Third-Party Complaint, was properly served on the Third-Party Defendant;

And it further appearing to the Court that no Answer, Motion to Dismiss, or pleading has been filed by the Third-Party Defendant, and that no extension of time to file pleadings has been granted, and that the time for pleading or otherwise defending expired;

And it further appearing to the Court that the Third-Party Defendant is in default and has been entered according to the Rules of Civil Procedure. An Order for Default was entered by this Court on June 25, 2025. Upon the request of the Third-Party Plaintiff, Judgment is hereby entered against the Third-Party Defendant in pursuance of the prayer of said Third-Party Complaint.

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the Third-Party Plaintiff have and recover of the said Third-Party Defendant the sum of \$144,650.97 in actual damages, plus, post-judgment interest at the highest rate allowable by law.

IT IS SO ORDERED.

The Honorable David P. Caraker, Jr.

Fifteenth Judicial Circuit

Dated:



Horry Common Pleas

Case Caption: Linda Acker VS Westgate Myrtle Beach LLC , defendant, et al

Case Number: 2024CP2604023

Type: Order/Damages

IT IS SO ORDERED

s/ David P. Caraker, Jr.