ELECTRONICALLY FILED - 2026 Aug 04 4:32 PM - GEORGETOWN - COMMON PLEAS - CASE#2025CP2200580

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF Georgetown
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2025CP2200580

Jason J Collins
PLAINTIFF(S)

Robert F Roberts et al
DEFENDANT(S)

**DISPOSITION TYPE (CHECK ONE)**

☐ **JURY VERDICT**. This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.

☑ **DECISION BY THE COURT**. This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

☐ **ACTION DISMISSED** (*CHECK REASON*): ☐ Rule 12(b), SCRCP; ☐ Rule 41(a), SCRCP (Vol. Nonsuit); ☐ Rule 43(k), SCRCP (Settled); ☐ Other

☐ **ACTION STRICKEN** (*CHECK REASON*): ☐ Rule 40(j), SCRCP; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other

☐ **STAYED DUE TO BANKRUPTCY**

☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT** (*CHECK APPLICABLE BOX*): ☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

**IT IS ORDERED AND ADJUDGED:** ☐ See attached order (formal order to follow) ☑ Statement of Judgment by the Court:

This matter came before the Court on May 14, 2026, on Pro Se Plaintiff's Motion for Sanctions, Spoilation of Evidence and Request for Adverse Inference and Injunctive Relief. Plaintiff appeared Pro Se and Eric Armstrong, Esquire, appeared on behalf of Defendants American Legion and Robert Roberts.

**ORDER INFORMATION**

This order ☐ ends ☑ does not end the case.

☑ See Page 2 for additional information.

**For Clerk of Court Office Use Only**

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 08/04/2026 .

Jason J Collins for Jason J Collins
Jason J Collins for Jason J Collins

RECEIVED
OCT 13 2026
SC Court of Appeals

**NAMES OF TRADITIONAL FILERS SERVED BY MAIL**

**Court Reporter:**

**E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.**

---

At the hearing, Plaintiff's argument focused on spoilation by way of personal and business property contained within Plaintiff's former place of business being disposed of by Defendants. However, the arguments of the parties, and a later review of the record, confirm that a spoilation letter was sent to Defendants after the Motion for Sanctions had already been filed. Moreover, Plaintiff had not been in possession or control of the property for over a year at the time of the hearing.

In Kershaw County Board of Education v. U.S. Gypsum Co., 302 S.C. 390, 394, 396 S. E.2d 369, 372 (1990), the Supreme Court upheld a jury charge that "when evidence is lost or destroyed by a party an inference may be drawn by the jury that the evidence which was lost or destroyed by that party would have been adverse to that party." As an initial matter, however, the party seeking the inference "must be prepared to make a showing that the document or evidence might reasonably have supported whatever presumption is being requested of the fact finder."

Pringle v. SLR, Inc. of Summerton, 382 S.C. 397, 405, 675 S.E.2d 783, 787 (Ct. App. 2009).

Here, Plaintiff brings a cause of action for breach of contract, negligence and "damages" in the form of fifty-two (52) separately enumerated types of personal property and eight miscellaneous items related to future earnings, seeking $1,500,000.00 in damages. (Amended Complaint). Similarly, Plaintiff's Motion for Sanctions based upon spoilation of evidence relates to items contained within the formerly leased property no longer within Plaintiff's custody and control. It would seem to this Court that Defendant has filed a lawsuit which, in significant part, is related to personal property he can no longer access based upon his eviction from the property. This also seems to be the basis for Plaintiff's motion for sanctions, albeit with separate personal property items. Therefore, this Court finds that Plaintiff has not met the showing that the evidence might have reasonably supported the presumption being asked of a potential jury that Defendants breached their contract with Plaintiff and were negligent in evicting Plaintiff and/or changing the locks illegally. In fact, the items listed within Plaintiff's motion are entirely different than those sixty (60) specifically listed items contained within Plaintiff's Complaint.

This Court respectfully denies Plaintiff's Motion for Sanctions, Spoilation of Evidence and Request for Adverse Inference and Injunctive Relief on the grounds that Plaintiff has failed to make a showing that the document or evidence might reasonably have supported whatever presumption is being requested of the fact finder, that Plaintiff did not send a spoilation letter until after his motion was filed, and the fact that Counsel for Defendants stated on record that Plaintiff was welcome to come collect any items still contained within the real property at a time most convenient to him.

IT IS SO ORDERED!



ELECTRONICALLY FILED - 2026 Aug 04 4:32 PM - GEORGETOWN - COMMON PLEAS - CASE#2025CP220580

ELECTRONICALLY FILED - 2026 Aug 04 4:32 PM - GEORGETOWN - COMMON PLEAS - CASE#2025CP2200580

Georgetown Common Pleas

| | |
|---|---|
| **Case Caption:** | Jason J Collins VS Robert F Roberts , defendant, et al |
| **Case Number:** | 2025CP2200580 |
| **Type:** | Order/Electronic Form 4 |

IT IS SO ORDERED

**Charles J. McCutchen**