

STATE OF SOUTH CAROLINA	)	
	)	IN THE COURT OF COMMON PLEAS
COUNTY OF JASPER	)	
Tony Williams,	)	Civil Action No. 2025-CP-27-00385
	)	
Plaintiff,	)	
vs.	)	
	)	
Hearthstone Lakes HOA, John T. Budrow,	)	
Kevan Shepps, McAngus, Goudelock &	)	ORDER GRANTING MOTION TO DISMISS
Courie, LLC, and Mutterer Law Firm, LLC,	)	FILED BY DEFENDANT McANGUS,
	)	GOUDELOCK, & COURIE, LLC
Defendants.	)	

This matter came before the Court for a hearing on January 15, 2026 on the Motion to Dismiss pursuant to Rule 12(b), SCRCPP, filed by Defendant McAngus, Goudelock, & Courie, LLC ("MG&C"). Having reviewed the pleadings and the motion, and having heard the arguments of counsel, I find and conclude that the Motion should be granted.

The basis for the Motion to Dismiss filed by Defendant MG&C is that dismissal of the claims asserted against it in the Amended Complaint is appropriate under subsections (5) and (6) of Rule 12(b), SCRCPP. More specifically, the Motion asserts that the Amended Complaint has not been served on Defendant MG&C in accordance with Rule 4, SCRCPP, and that the allegations of the Amended Complaint fail to state facts sufficient to constitute a cause of action against Defendant MG&C.

A review of the docket for the Jasper County Court of Common Pleas confirms that proof of service of the Amended Complaint on Defendant MG&C has not been filed. Therefore, dismissal of the claims against Defendant MG&C is appropriate under Rule 12(b)(5), SCRCPP. Furthermore, even if the Amended Complaint had been properly served, for the reasons set forth below, dismissal under Rule 12(b)(6) is also appropriate.

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SC Court of Appeals

A motion to dismiss should be granted whenever a plaintiff fails “to state facts sufficient to constitute a cause of action.” Rule 12(b)(6), SCRCP. A circuit court’s “ruling on a 12(b)(6) motion must be based solely upon the allegations set forth on the face of a complaint.” *Stiles v. Oranato*, 318 S.C. 297, 300, 457 S.E.2d 601, 602 (1995). “Viewing the evidence in favor of the plaintiff, the motion must be granted if facts alleged in the complaint and inferences reasonably deducible therefrom do not entitle the plaintiff to relief on any theory of the case.” *Brown v. Theos*, 338 S.C. 305, 309–10, 526 S.E.2d 232, 235 (Ct. App. 1999).

In this case, the factual basis for the claims asserted against Defendant MG&C is that it filed a counterclaim against Plaintiff which he contends is without merit. However, the mere filing of a counterclaim by a law firm answering a complaint does not give rise to causes of action against the law firm. As such, the claims alleged against Defendant MG&C should be dismissed.

Based on the foregoing, the Motion to Dismiss filed by Defendant MG&C is GRANTED, and all causes of action alleged against Defendant MG&C in the Amended Complaint are hereby DISMISSED.

AND IT IS SO ORDERED.

Robert J. Bonds
Jasper County Court of Common Pleas



Jasper Common Pleas

Case Caption: Tony Williams VS Hearthstone Lakes Hoa , defendant, et al
Case Number: 2025CP2700385
Type: Order/Dismissal

So Ordered

s/ Robert Bonds, 2770