

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM DILLON COUNTY  
Court of Common Pleas

71559

Paul M. Burch, Circuit Court Judge

Case No. 2012-CP-17-295

Ebony Bethea.....Appellant

v.

Derrick Jones, John Doe, Individually and  
as employee/agent of Citi Trends, Inc., Citi  
Trends, Inc., and Palmetto Properties, Inc.  
Defendants.

Of Whom Citi Trends, Inc., and Palmetto  
Properties, Inc. are.....Respondents.

MOTION TO AMEND CAPTION

Appellant moves for an Order to amend the caption of this appeal. The Caption contains the name of a minor child – both in error and in violation of this Court’s Order Regarding Personal Identifiers. By stipulation filed November 14, 2012, the minor child was dismissed as a Plaintiff in this action and was supposed to be removed from the caption. [Exhibit A]. Therefore, the Order that is on appeal, filed February 3, 2014 should not have included the minor as a named Plaintiff in the first instance and the minor’s name was included in the caption in error.

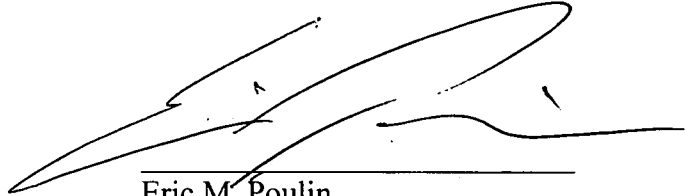
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MAR 13 2014

SC Court of Appeals

Accordingly, to accurately reflect the parties to this action and pursuant to this Court's directive, Appellant files this Motion to Amend the Caption. Appellant respectfully requests that the Caption be amended to redact, in total, the name of the minor, as it should not have been included at all in the Order to be appealed.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Eric M. Poulin', written over a horizontal line.

March 7, 2014

Eric M. Poulin  
Roy T. Willey, IV  
Anastopoulo Law Firm, LLC  
2557 Ashley Phosphate Road  
North Charleston, SC 29418  
(843) 614-8888

**ATTORNEYS FOR APPELLANT**

IN THE STATE OF SOUTH CAROLINA )  
COUNTY OF DILLON )

IN THE COURT OF COMMON PLEAS  
FOR THE FOURTH JUDICIAL CIRCUIT  
CASE NO: 2012-CP-17-295

EBONY BETHEA, individually and as  
Parent/Natural Guardian of DONOVAN  
B [REDACTED],

Plaintiff(s),

v.

DERRICK JONES, JOHN DOE,  
Individually and as employee/agent of  
CITI TRENDS, INC., CITI TRENDS,  
INC., and PALMETTO PROPERTIES,  
INC.,

Defendant(s).

**NOTICE AND STIPULATION OF  
VOLUNTARY DISMISSAL OF THE  
CLAIMS OF DONOVAN B [REDACTED]  
(WITHOUT PREJUDICE)**

FILED  
GWEN T. HYATT  
2012 NOV 14 AM 8:10  
CLERK OF COURT  
DILLON COUNTY

WHEREAS Plaintiffs wish to dismiss the claims made in this action by Donovan B [REDACTED] without prejudice pursuant to Rule 41(a)(1)(B) of the South Carolina Rules of Civil Procedure; and

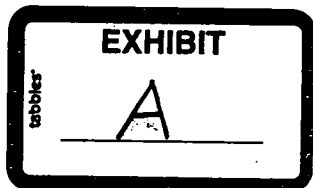
WHEREAS Defendant Citi Trends, Inc. consents to this dismissal; and

WHEREAS the remaining Defendants have not yet made an appearance in this action;

THEREFORE, pursuant to Rule 43(k) of the South Carolina Rules of Civil Procedure, the undersigned parties hereby stipulate and agree as follows:

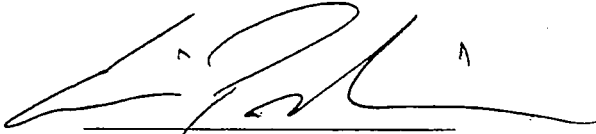
1. Plaintiffs hereby dismiss, without prejudice, the fifth cause of action for loss of services.
2. Plaintiffs hereby dismiss, without prejudice, the sixth cause of action for loss of support.
3. Plaintiffs hereby dismiss, without prejudice, the seventh cause of action for loss of relationship.
4. The remaining claims of Ebony Bethea shall not be affected by this stipulation.

CERTIFIED  
TRUE COPY  
Gwen T. Hyatt  
CLERK OF COURT  
DILLON COUNTY



5. The caption shall be amended to remove Donovan B [REDACTED] as a named Plaintiff.

WE SO STIPULATE:



Eric M. Poulin, Esquire  
ANASTOPOULO LAW FIRM, LLC  
2557 Ashley Phosphate Road  
North Charleston, SC 29418

(843) 614-8888

ATTORNEY FOR THE PLAINTIFFS



Catharine Garbee Griffin  
BAKER, RAVENEL & BENDER, LLP  
Post Office Box 8057  
Columbia, South Carolina 29202

(803) 799-9091

ATTORNEY FOR DEFENDANT CITI  
TRENDS

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM DILLON COUNTY  
Court of Common Pleas

Paul M. Burch, Circuit Court Judge

Case No. 2012-CP-17-295

Ebony Bethea.....Appellant

v.

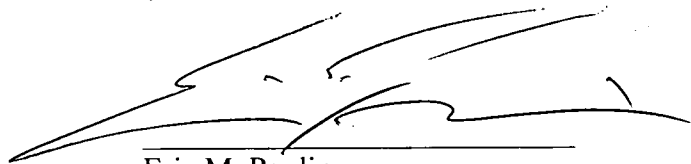
Derrick Jones, John Doe, Individually and  
as employee/agent of Citi Trends, Inc., Citi  
Trends, Inc., and Palmetto Properties, Inc.

Of Whom Citi Trends, Inc., and Palmetto  
Properties, Inc. are.....Respondents.

PROOF OF SERVICE

I certify that I have served Appellant's Motion to Amend Caption on Citi Trends, Inc.  
and Palmetto Properties, Inc. by depositing a copy of it in the United States Mail, postage  
prepaid, on March 7, 2014, addressed to their attorneys of record as shown below.

March 7, 2014



Eric M. Poulin  
Roy T. Willey, IV  
Anastopoulo Law Firm, LLC  
2557 Ashley Phosphate Road  
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(843) 614-8888

ATTORNEYS FOR APPELLANT **RECEIVED**

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SC Court of Appeals

Counsel of Record for Respondents:

Catherine G. Griffin  
Baker, Ravenel, Bender  
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**FOR RESPONDENT CITI TRENDS**

Robert W. Buffington  
Haynsworth Sinkler Boyd, P.A.  
Post Office Box 340  
Charleston, SC 29402  
(843) 722-3366

**FOR RESPONDENT PALMETTO PROPERTIES**

# ANASTOPOULO

---

## LAW FIRM

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Reply to North Charleston Office  
[eric@akimlawfirm.com](mailto:eric@akimlawfirm.com)

March 7, 2014

The Honorable Jenny Abbot Kitchings  
South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, SC 29211

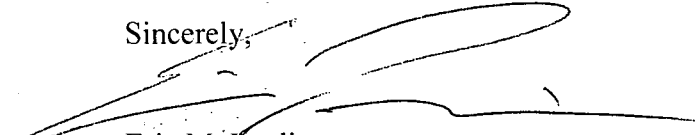
RE: *Ebony Bethea v. Derrick Jones, Citi Trends, Inc., et al.*  
Case No.: 2012-CP-17-295  
**Appellate Tracking No.: 2014-000332**

Dear Ms. Kitchings:

Enclosed for filing please find an original and six (6) copies of Appellant's Motion to Amend the Caption in this matter, along with a Proof of Service of the same, and our check in the amount of \$25.00 for the filing fee.

Also enclosed is an extra copy of the motion and proof of service. I would appreciate it if you would stamp and return the extra copies in the enclosed envelope.

Sincerely,



Eric M. Poulin

Cc: Catherine Garbee Griffin  
Cc: Robert W. Buffington

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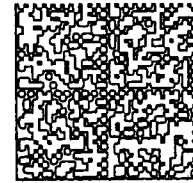
MAR 13 2014

**SC Court of Appeals**

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Myrtle Beach \* Greenville \* Columbia \* Allendale \* Orangeburg \* Wilmington, North Carolina

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**SC Court of Appeals**

Honorable Jenny Abbott Kitchings  
Clerk, SC Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

