

**FORM 7
PROOF OF SERVICE OF A NOTICE OF APPEAL**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHEROKEE COUNTY
Court of Common Pleas

J. Mark Hayes, Circuit Court Judge

Case No. 2014-CP-110052

DolgenCorp, LLC, et. al., of whom,
Cherokee County and Blacksburg
Police Department,

Respondents,

v.

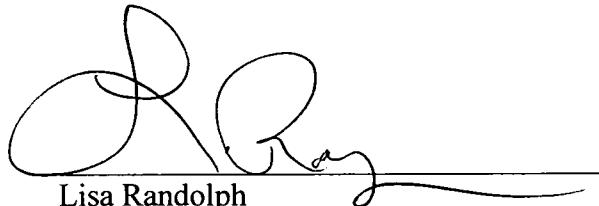
Lisa Randolph and George Randolph,

Appellants.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Blacksburg Police Department by depositing a copy of it in the United States Mail, postage prepaid, on April 18, 2014, addressed to Blacksburg Police Department Attorney of Record, Stephanie H. Burton, 308 East Saint John Street, Spartanburg, South Carolina 29302.

April 18, 2014



Lisa Randolph
203 W Carolina St
Blacksburg, SC 29702
(864) 425-2771
Pro Se for Appellants

RECEIVED

APR 21 2014

SC Court of Appeals

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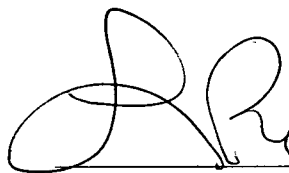
Lisa Randolph and George Randolph,

Appellants.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Cherokee County by depositing a copy of it in the United States Mail, postage prepaid, on April 18, 2014, addressed to Cherokee County Attorney of Record, Stephanie H. Burton, 308 East Saint John Street, Spartanburg, South Carolina 29302.

April 18, 2014



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SC Court of Appeals

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

JUDGMENT IN A CIVIL CASE

CASE NO. 2014 CP-11-0052

Lisa Randolph

DOLGENCORP, LLC d/b/a Dollar General
Store #76751 a/k/a Dollar General

George Randolph
PLAINTIFF(S)

Cherokee County Blacksburg Police Dept.
DEFENDANT(S)

Submitted by:	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or <input type="checkbox"/> Self-Represented Litigant

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), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- 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 motions to dismiss filed by the defendants Cherokee County and Blacksburg Police Department. After reviewing the motions, the responses to the motions, the materials in the clerk of court's file and considering the arguments presented, the court requests that Ms. Burton prepare a formal order granting the motions to dismiss these two defendants. She is to prepare an order that addresses all of the grounds argued, except the ground related to the mailing issue. Since the order will address the merits of the other grounds, the mailing issue can be referenced in the order, but not made a basis for this court's decision.

The sincerity of the plaintiffs' position is not questioned by this court. It is obvious from their 37-page complaint which contains 125 numbered paragraphs (and numerous subparagraphs) wherein they seek a judgment of \$9,000,000.00, that the plaintiffs believe they have been wronged by the sale of the cat litter for \$9.35 instead of the advertised price of \$8.95 and by the subsequent handling of their grievances. The plaintiffs' sincerity was also reflected in the extensive response filed to the present motions and their respectful conduct during the hearing.

Nevertheless, the defendants are correct in the substance of their motions. The SC Tort Claims act significantly restricts civil action which can be brought by a citizen against the State, and it expressly forbids an award of punitive damages. Additionally, even though the legislature created the Victim Rights Act, it did not create a private right to sue under that statute.

At the hearing the court encouraged the plaintiffs to seek advice of legal counsel. The court again encourages the plaintiffs to seek a review of their case with legal counsel.

The final order of this court on this matter will be the formal order once it is drafted, submitted to the court, signed by the court and filed by the court.

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk :

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SC Court of Appeals

INFORMATION FOR THE PUBLIC INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.


2132 4/2/2014

 Circuit Court Judge Judge Code Date

For Clerk of Court Office Use Only

This judgment was entered on the 4th day of April, 20 14 and a copy mailed first class or placed in the appropriate attorney's box on this 7th day of April, 20 14 to attorneys of record or to parties (when appearing pro se) as follows:

Lisa Randolph George Randolph
203 W. Carolina St.
Blacksburg SC 29702
 ATTORNEY(S) FOR THE PLAINTIFF(S)

Mary LaFare Stephanie Burton
3710 Landmark Dr, Ste 109 308 East Saint John Street
Columbia SC 29204 Spartanburg SC 29302
 ATTORNEY(S) FOR THE DEFENDANT(S)


 CLERK OF COURT

Court Reporter:

2014 APR - 4 : P 12:46
 COURT REPORTER
 OFFICE OF THE CLERK OF COURT

FORM 8
LETTER TO THE APPELLATE COURT CLERK
FILING THE NOTICE OF APPEAL

April 18, 2014

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

M1938

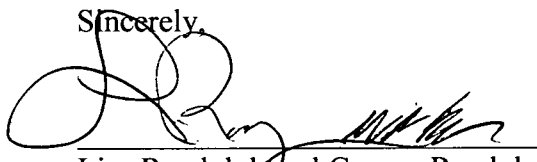
RE: Dolgencorp, LLC, Cherokee County, and Blacksburg Police Department,
Defendants, of Whom Cherokee County and Blacksburg Police
Department, Respondents v. Lisa Randolph and George Randolph,
Appellants, Case No. 2014-CP-110052

Dear Ms. Kitchings:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the respondents.
- (2) A copy of the order which is to be challenged on appeal.
- (3) A filing fee of \$100.*

Sincerely,



Lisa Randolph and George Randolph
203 West Carolina Street
Blacksburg, South Carolina 29702
(864) 425-2771
Attorney Pro Se for Appellant

April 18, 2014

cc: Stephanie H. Burton
308 East Saint John Street
Spartanburg, South Carolina 29302
(864) 327-5000
Attorney for Respondents

Mary D. LaFave
Regina Hollins Lewis

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APR 21 2014

SC Court of Appeals

3710 Landmark Drive, Suite 109
Columbia, South Carolina 29204
(803) 790-8838
Other Attorneys of Record

Lisa and George Randolph
203 W Carolina St
Blacksburg, SC 29702

U.S. POSTAGE
PAID
BLACKSBURG, SC
29702
APR 18, 14
AMOUNT



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

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