

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

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 2012CP4007273

Betty J Keitt

City Of Columbia

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: \_\_\_\_\_

Attorney for :  Plaintiff  Defendant or  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 \_\_\_\_\_

RICHLAND COUNTY  
FILED  
2014 APR 11 AM 3:00  
JEANETTE W. McBRIDE  
CLERK OF COURT

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:

**ORDER INFORMATION**

This order  ends  does not end the case.

Additional Information for the Clerk : \_\_\_\_\_

**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
		\$
		\$
		\$

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.

Circuit Court Judge \_\_\_\_\_ Judge Code \_\_\_\_\_ Date \_\_\_\_\_

**For Clerk of Court Office Use Only**

This judgment was entered on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and a copy mailed first class or placed in the appropriate attorney's box on this 1 April 2014 to attorneys of record or to parties (when appearing pro se) as follows:

**RECEIVED**

MAY 02 2014

Julius Wistar Babb IV

W. Allen Nickles III

**SC Court of Appeals**

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter \_\_\_\_\_

Clerk of Court

*Jeanette W. McBride*

STATE OF SOUTH CAROLINA )  
COUNTY OF RICHLAND )

Betty J. Keitt, )

Plaintiff, )

vs. )

City of Columbia, )

Defendant. )

IN THE COURT OF COMMON PLEAS  
FIFTH JUDICIAL CIRCUIT

CASE NO. 2012-CP-40-07273

ORDER

RICHLAND COUNTY  
FILED  
2014 APR -1 PM 2:59  
JEANETTE W. MCBRIDE  
C.P. & G.S.

After careful consideration of the record in this case and the submissions of counsel, this Court is unable to discover any material fact or principle of law that either has been overlooked or disregarded and further finds no error of law or facts not appropriately considered. In its Motion filed January 27, 2014, Plaintiff did not present any fact or argument that was not considered and ruled upon in the Court's Order filed January 3, 2014.

Plaintiff asserted in both her written memorandum and in her Motion for Reconsideration that reasonableness is a key component to the analysis for a claim for wrongful termination in violation of public policy that the Court did not consider. Plaintiff bases this argument upon language in *Stiles v. American General Life Insurance Co.*, 335 S.C. 222, 516 S.E.2d 449 (1999), stating that a claim for termination in violation of public policy should "provide a remedy for a clear violation of public policy where no reasonable means of redress exists." However, this statement was made in the concurring opinion of the case. There is no binding precedent in this State requiring reasonableness to be considered when analyzing a claim for wrongful termination in violation of public policy.


Relatedly, Plaintiff argues that she has no other available means of recourse. As stated in its Order, this Court disagrees; Plaintiff elected not to file suit against the City based upon other charges. Despite the Complaint only presenting a cause of action for wrongful discharge in violation of public policy, Plaintiff had other potential statutory remedies. Even if Plaintiff might not have been successful, the law is clear that if another cause of action exists pursuant to statute, this case must be dismissed. See, e.g. *Lawson v. S.C. Dep't of Corr.*, 340 S.C. 346, 350, 532 S.E.2d 259, 261 (2000) ("[W]hen a statute creates a substantive right . . . and provides a remedy for infringement of that right, the plaintiff is limited to that statutory remedy.").

SCANNED

Plaintiff also argues in her Motion for Reconsideration that this Court improperly relied upon unpublished opinions from the United States District Court for the District of South Carolina in the order granting summary judgment. However, these cases were merely provided as additional examples of the governing law in this State set forth in *Ludwick v. This Minute of Carolina, Inc.*, 287 S.C. 219, 337 S.E.2d 213 (1985), and subsequent cases.

Accordingly, this Court hereby **DENIES** Plaintiff's Motion for Reconsideration. Pursuant to Rule 59(f), the Court is of the opinion that oral argument is not necessary.

**AND IT IS SO ORDERED.**

  
ALISON RENÉE LEE  
Presiding Judge

March 27, 2014  
Columbia, South Carolina