

Copies of judgment issued in *Sabrina D Davis v. Bankers Life and Casualty Company* to considered part of the initial brief submitted August 28, 2014.

Sabrina P. Davis
September 12, 2014

RECEIVED

SEP 16 2014

SC Court of Appeals

FILED
STATE OF SOUTH CAROLINA CLERK OF COURT IN THE COURT OF COMMON PLEAS
COUNTY OF GREENVILLE GREENVILLE CO. S.C. THIRTEENTH JUDICIAL CIRCUIT

Sabrina D. Davis,

2014 JUL 29 PM 2 43
Plaintiff,

CASE NO. 2014-CP-23-00815

vs.


ORDER

Bankers Life and Casualty Company,

Defendant.

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. Plaintiff argues in her Motion for Re-examination filed June 20, 2014 that the case *White Oak Manor, Inc. v. Lexington Ins. Co.*, 407 S.C. 1, 753 S.E.2d 537 (2014), provides that insurance policy provisions and agreements creating alternative methods of service for the insurer are valid and binding. However, at the hearing on the Motion to Dismiss on May 20, 2014, Plaintiff did not present any evidence that her insurance policy provided for an alternative method of service or that there was an agreement between the parties to alternative methods of service, and the case is therefore distinguishable. Accordingly, this Court hereby **DENIES** Plaintiff's Motion for Re-examination. Pursuant to Rule 59(f), the Court is of the opinion that oral argument is not necessary. As stated in the Court's Order filed May 28, 2014, Plaintiff's case was dismissed without prejudice, and Plaintiff may refile and reserve Defendant pursuant to S.C. Code Ann. § 15-9-270.

AND IT IS SO ORDERED.


ALISON RENEE LEE
Presiding Judge

July 18, 2014
Columbia, South Carolina

ENTERED COMPUTER

FORM 4

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

JUDGMENT IN A CIVIL CASE
 CASE NUMBER 2014CP2300815

FILED-CLERK OF COURT

Sabrina D Davis

GREENVILLE CO. S.C. Bankers Life And
 PAUL B. WICKENSIMER Casualty Company

2014 JUL 29 PM 2 43

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for: Plaintiff Defendant
 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. See Page 2 for additional information.
- 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:

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT 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.

Circuit Court Judge

Judge Code

7/29/2014

Date

For Clerk of Court Office Use Only

This judgment was entered on 29th day of July, 2014, and a copy mailed first class or placed in the appropriate attorney's box on 29th day of July, 2014, to attorneys of record or to parties (when appearing pro se) as follows:

Sabrina D Davis P O Box 334 Greenville, SC 29602

Sarah Day Hurley Turner Padgett Graham & Laney, P.A.
P.O. Box 1509 Greenville, SC 29602

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter

**Paul B. Wickensimer Greenville County Clerk Of
Court - Clerk of Court**

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

FORM 4

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

JUDGMENT IN A CIVIL CASE
 FILED-CLERK OF COURT
 GREENVILLE CO. S.C.
 CASE NUMBER 2014CP2300815

Sabrina D Davis

PAUL B. WILSON
 Bankers Life And
 Casualty Company
 2014 MAY 28 PM 4 25

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for: Plaintiff Defendant
 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. See Page 2 for additional information.
- 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:

ORDER INFORMATION

Defendant's Motion to Dismiss for improper service is **GRANTED**. This case is dismissed without prejudice. Plaintiff may refile and reserve Defendant pursuant to S.C. Code Ann. § 15-9-270.

This order ends does not end the case.

Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT 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.**

Bl. Steve Lee
Circuit Court Judge

2118

5/20/2014
Date

Judge Code

Date

For Clerk of Court Office Use Only

528-14

528-14

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

Sabrina D Davis P O Box 334 Greenville, SC 29602

Sarah Day Hurley Turner Padgett Graham & Laney, P.A.
P.O. Box 1509 Greenville, SC 29602

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Paul B. Wickensimer

Court Reporter

Paul B. Wickensimer Greenville County Clerk Of Court - Clerk of Court

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This ~~action came~~ to trial or hearing before the court. The issues have been tried or heard and a decision rendered.



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1015 SUMTER STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

September 04, 2014

Sabrina D. Davis
PO Box 334
Greenville SC 29602

Re: Bankers Life v. Sabrina Davis
Appellate Case No. 2014-001867

Dear Ms. Davis:

Upon reviewing your notice of appeal, the following deficiency has been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter:

- The notice of appeal is not accompanied by the order and/or judgment challenged on appeal.

Very truly yours,

A handwritten signature in black ink that reads "Jenny Abbott Kitchings".

CLERK

cc: Sarah Day Hurley, Esquire

RECEIVED

SEP 16 2014

SC Court of Appeals