

The State of South Carolina  
In the Supreme Court

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OCT 26 2015

S.C. Supreme Court

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Appeal from Aiken County  
Doyet A. Early, III, Circuit Court Judge

Case No. 2011-CP-02-00868

Opinion No. 5315 (S.C. Ct.App. Filed May 6, 2015)

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Paige Weeks Johnson, as Personal Representative  
of the Estate of Christie Lane Valenzuela,.....Respondent

v.

Sam English Grading, Inc.,.....Appellant

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**RETURN TO PETITIONER'S MOTION FOR EXPLANATION AT THE  
REQUEST OF JUDGE DOYET EARLY CIRCUIT COURT REGARDING  
ORDER DATED OCTOBER 8, 2015, DENYING CERTIORARI**

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Unlike Petitioner Charles Carpenter, Jr., who signed the October 15, 2015, "Motion for Explanation at the Request of Judge Doyet Early Regarding Order dated October 8, 2015, Denying Certiotari", the undersigned was present at the October 12, 2015, hearing out of which Mr. Carpenter's Motion arises. Having been present, I have a personal recollection of that hearing and recall the interaction between the parties and the Court quite differently than has been presented in Mr. Carpenter's Motion. This includes but is not limited to the assertions by Mr. Carpenter at the top of page three (3) of his Motion that "Judge Early wants to know before conducting a hearing to approve the settlement" and at the bottom of page three (3) that "We do not ask for an explanation on our own behalf but ask only because Judge Early wants it answered before he will conduct a hearing to approve the settlement."

In response to Mr. Carpenter's Motion, I have ordered an Expedited Transcript of the October 12, 2015, hearing before Judge Early, which I will forward to this Court and all parties upon receiving it. Rather than argue against or otherwise respond/more fully respond herein to various assertions contained in Mr. Carpenter's Motion, I believe that the transcript will speak for itself and accurately reflect what actually occurred at the hearing.

Upon receipt and review of the hearing transcript, I intend, by and through our Appellate counsel Robert Hill, to file a Supplemental Return to Petitioner's motion.

Respectfully Submitted,



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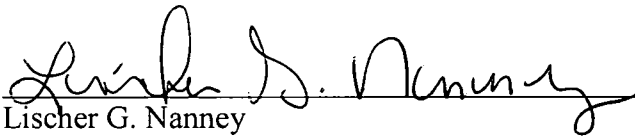
**CERTIFICATE OF SERVICE**

I, the undersigned, an employee of McWhirter, Bellinger and Associates, attorneys for Respondent, Paige Weeks Johnson as Personal Representative of the Estate of Christie Lane Valenzuela, do hereby certify that I have this date and foregoing, served the Return dated October 26, 2015 by personally depositing a copy of the same in a United States Postal Service mailbox, postage prepaid, address to the parties indicated below:

Charles E. Carpenter, Jr.  
Carpenter Appeals & Trial Support, LLC  
4825 Portobello Road  
Columbia, SC 29206

James C. (Tery) Cox, III  
Grier, Cox, & Cranshaw, LLC  
P.O. Box 2823  
Columbia, SC 29202

The Honorable Doyet A. Early, III  
Post Office Box 90  
Bamberg, SC 29003

A handwritten signature in black ink, appearing to read "Lischer G. Nanney", written over a horizontal line.

Lischer G. Nanney  
Paralegal to L. Lisa McPherson

Lexington, South Carolina

October 26, 2015