

STATE OF SOUTH CAROLINA)
)
 COUNTY OF FLORENCE)
)
 Regina Black, individually)
 Guardian of Grace Ashly)
 child under the age of fourteen,)
 Plaintiff,)
 vs.)
 Dwakiah Chanye Anderson,)
 Defendant.)

IN THE COURT OF COMMON PLEAS
 TWELFTH JUDICIAL CIRCUIT

CASE NO.: 2012-CP-21-2989

MOTION AND ORDER INFORMATION

FORM AND COVERSHEET

2014 NOV 18 PM 4:19
 CLERK OF COURT
 FLORENCE COUNTY, S.C.

| | |
|---|---|
| Plaintiff's Attorney: Marcus Woodson, Bar No. 14030 Address: PO Box 1657, Marion, SC 29571 Phone: (843)423-1977 Fax _____ E-mail: _____ Other: _____ | Defendant's Attorney: Timothy A. Domin, Bar No. _____ Address: 126 Seven Farm Drive, Ste. 200, Charleston, SC Phone: (843)722-2867 Fax(843)577-2026 E-mail: _____ Other: _____ |
|---|---|

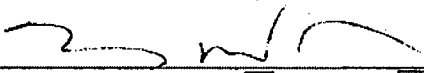
MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)
 FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)
 PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)

SECTION I: Hearing Information

Nature of Motion: To Restore
 Estimated Time Needed: N/A
 Court Reporter Needed: YES / NO

SECTION II: Motion/Order Type

Written motion attached
 Form Motion/Order
 I hereby move for relief or action by the court as set forth in the attached proposed order.


 Signature of Attorney for Plaintiff / Defendant

November 18, 2014
 Date submitted

SECTION III: Motion Fee

PAID - AMOUNT: \$ _____
 EXEMPT: (check reason)



- Rule to Show Cause in Child or Spousal Support
- Domestic Abuse or Abuse and Neglect
- Indigent Status State Agency v. Indigent Party
- Sexually Violent Predator Act Post-Conviction Relief
- Motion for Stay in Bankruptcy
- Motion for Publication Motion for Execution (Rule 69, SCRPC)
- Proposed order submitted at request of the court; or,
 reduced to writing from motion made in open court per judge's instructions
 Name of Court Reporter: _____
- Other: _____

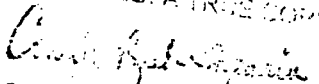
JUDGE'S SECTION

Motion Fee to be paid upon filing of the attached order.
 Other: _____

JUDGE CODE _____
 Date: _____

CLERK'S VERIFICATION

Collected by:  Date Filed: 
 MOTION FEE COLLECTED: \$ _____
 CONTESTED - AMOUNT DUE: \$ _____

CERTIFIED: A TRUE COPY

 CLERK OF COURT C.P. & G.S.
 FLORENCE COUNTY, S.C.

STATE OF SOUTH CAROLINA)
COUNTY OF FLORENCE)

IN THE COURT OF COMMON PLEAS
TWELFTH JUDICIAL CIRCUIT
2012-CP-21-2989

Regina Black, individually and)
as parent and Guardian of Grace)
Ashlyn [redacted] a minor child under)
the age of fourteen,)

PLAINTIFF,)

Vs.)

Dwakiah Chanye Anderson,)

DEFENDANT.)

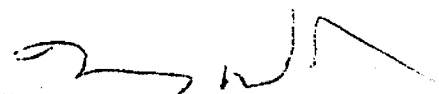
MOTION TO RESTORE

FILED
CLERK OF COURT
NOV 18 PM 4:13
FLORENCE COUNTY, S.C.

NOW COME the Plaintiffs who would move this Court to issue an Order restoring the above referenced case to the trial roster. In support of this motion the Plaintiff shows the following:

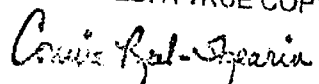
1. This case was filed on November 9, 2012 in the office of the Clerk of Court for Florence County, South Carolina.
2. An Order to Strike this matter pursuant to Rule 40(j) of the South Carolina Rules of Civil Procedure was signed by the Honorable Michael Nettles on November 19, 2013 and filed on or about November 20, 2013.
3. All parties have made appearances in this action. The Plaintiff desires that this case be restored to the active docket.

Respectfully submitted,

By: 

Marcus Woodson
Attorney for the Plaintiff
Post Office Box 1657
Marion, SC 29571
(843)423-1977 telephone

November 14, 2014
Marion, South Carolina

CERTIFIED: A TRUE COPY

CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

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

JUDGMENT IN A CIVIL CASE
CASE NUMBER 2012CP2102989

Regina Black

Grace Ashlyn

Dwainiah Chaney
Anderson

FILED
15 APR 2015
COURT CLERK
FLORENCE, SC

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

2141
Judge Code

3/19/2015
Date

For Clerk of Court Office Use Only

As judgment was entered on April 2, 2015, and a copy mailed first class or placed in the appropriate attorney's box on April 6, 2015, to attorneys of record or to parties (when appearing pro se) as follows:

Marcus LeFond Woodson PO Box 1657 Marion, SC 29571

Timothy Alan Domin 126 Seven Farms Dr., Ste. 200
Charleston, SC 29492
Nickisha M Woodward 1612 Marion Street Suite 200
Columbia, SC 29201

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Connie Reel-Shearin

Court Reporter

Connie Reel-Shearin - 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.

Plaintiff's Motion to Restore was heard on March 18, 2015. Plaintiff counsel Marcus Woodson failed to appear. This case is hereby dismissed without prejudice for failure to prosecute.

STATE OF SOUTH CAROLINA)
)
 COUNTY OF FLORENCE)
)
)
)
 Regina Black, individually and as Guardian of)
 Grace Ashlyn B a minor child under the)
 age of fourteen,)
 _____)
 Plaintiff,)
 vs.)
)
)
 Dwakiah Chanye Anderson,)
 _____)
 Defendant.)

IN THE COURT OF COMMON PLEAS
 TWELFTH JUDICIAL CIRCUIT
 CASE NO.: 2012-CP-21-2989
 MOTION AND ORDER INFORMATION
 FORM AND COVERSHEET

2015 SEP -8 AM 9:55
 CONFERENCED
 FLORENCE COUNTY

| | |
|---|---|
| Plaintiff's Attorney: Marcus Woodson, Bar No. 14030 Address: PO Box 1657, Marion, SC 29571 Phone: (843)423-1977 Fax _____ E-mail: _____ Other: _____ | Defendant's Attorney: Robert L. Brown, Bar No. _____ Address: 1612 Marion Street, Suite 200, Columbia, SC Phone: (800)774-8242 Fax(843)722-2867 E-mail: _____ Other: _____ |
|---|---|

MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)
 FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)
 PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)

SECTION I: Hearing Information
 Nature of Motion: Motion to Alter, Amend and Reconsider
 Estimated Time Needed: 15 minutes Court Reporter Needed: YES / NO

SECTION II: Motion/Order Type
 Written motion attached
 Form Motion/Order
 I hereby move for relief or action by the court as set forth in the attached proposed order.
 _____ September 8, 2015
 Signature of Attorney for Plaintiff / Defendant Date submitted

SECTION III: Motion Fee
 PAID - AMOUNT: \$ _____
 EXEMPT: (check reason)
 Rule to Show Cause in Child or Spousal Support
 Domestic Abuse or Abuse and Neglect
 Indigent Status State Agency v. Indigent Party
 Sexually Violent Predator Act Post-Conviction Relief
 Motion for Stay in Bankruptcy
 Motion for Publication Motion for Execution (Rule 69, SCRPC)
 Proposed order submitted at request of the court, or,
 reduced to writing from motion made in open court per judge's instructions
 Name of Court Reporter: _____
 Other: _____

| | |
|--|---------------------------------|
| JUDGE'S SECTION <input type="checkbox"/> Motion Fee to be paid upon filing of the attached order. <input type="checkbox"/> Other: _____ | JUDGE CODE _____ Date: _____ |
|--|---------------------------------|

CLERK'S VERIFICATION
 Collected by: dp Date Filed: _____
 MOTION FEE COLLECTED: \$ dp
 CONTESTED - AMOUNT DUE: \$ _____

CERTIFIED: A TRUE COPY
Cornie Hal-Spearia
 CLERK OF COURT C.P. & G.S.
 FLORENCE COUNTY, S.C.

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

IN THE CIRCUIT COURT OF THE
TWELFTH JUDICIAL CIRCUIT
Case No.: 2012-CP-21-2989

Regina Black, individually and as)
parent and Guardian of Grace)
Ashlyn B. [redacted] a minor child under)
the age of fourteen,)

PLAINTIFF,)

Vs.)

Dwakiah Chanye Anderson,)

DEFENDANTS.)

**MOTION FOR RELIEF FROM JUDGMENT
OR ORDER**

RECEIVED

DEC 29 2015

SC Court of Appeals

The Plaintiffs move this Honorable Court for relief from the Judgment/Order in this case dated March 19, 2015 and filed in the office of the Clerk of Court for Florence County on April 2, 2015. This motion is based on Rules 52(b), 59(c), 60(b)(1), and 60(b)(3) of the South Carolina Rules of Civil Procedure.

In support of this motion, the Defendant shows the following to the Court.

1. This action was dismissed pursuant to Rule 40(j) of the South Carolina Rules of Civil Procedure on or about November 20, 2013.
2. Plaintiff's counsel filed a timely Motion to Restore on or about November 18, 2014.
3. Defendant's counsel did not file any motions or responsive pleading to oppose having the case restored.
4. Plaintiff's counsel had two non-jury motions scheduled to be heard in March 2015. Both were inadvertently calendared for March 19, 2015.

CERTIFIED: A TRUE COPY

Cristina R. [Signature]

CLERK OF COURT OF APPEALS
FLORENCE COUNTY, S.C.

5. Plaintiff's counsel appeared on March 19, 2015 and was informed that this case was scheduled for March 18, 2015. No written Order was issued on that day.

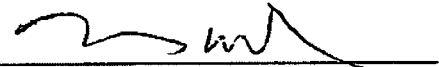
6. Upon learning of this scheduling issue, Plaintiff's counsel contacted opposing counsel multiple times to discuss this matter to no avail.

7. The matter was dismissed without prejudice and the Plaintiff seeks to have the case restored to the active docket.

WHEREFORE, the Plaintiffs move the Court to set aside the Judgment for the reasons stated above and for such other and further relief as this Court deems just and appropriate.

This 8th day of June 2015.

By:



Marcus Woodson
Post Office Box 1657
Marion, SC 29571
(843)423-1977 telephone

Marion, South Carolina

June, 2015

FILED
JUN 10 2015
MARION, SC

STATE OF SC

COUNTY OF

Regina Black, individually and as parent
and Guardian of Grace Ashlyn B. a
minor child under the age of fourteen,,

Plaintiff,

vs.

Dwakiah Chanye Anderson,

Defendant.

IN THE COURT OF COMMON PLEAS

CASE NO.: 2012-CP-2102

ORDER DENYING PLAINTIFF'S
MOTION FOR RELIEF FROM
JUDGMENT

RECEIVED

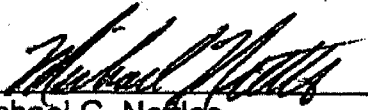
DEC 29 2015

SC Court of Appeals

FILED
2015 AUG 18 PM 4:06
CONING REEL-SHE...
FLORENCE COUNTY, S.C.

Plaintiffs' Motion for Relief from Judgment or Order came before the court on July 30, 2015. Counsel for Plaintiff and Defendant were heard on this matter. The operative facts giving rise to this motion are as follows: on March 18, 2015, Plaintiff's counsel failed to attend a motion hearing on his motion to restore the case after a 40(j) dismissal. The court dismissed this case without prejudice for failure to prosecute. An Order to that effect was signed March 19, 2015, entered April, 2, 2015 and mailed to all counsel April 6, 2015. The Plaintiff's counsel asserts that he learned that he missed the motion hearing and that the court had dismissed the case without prejudice on March 19, 2015 when he appeared in court at the time he thought the motion was scheduled. Plaintiff's counsel did not file a Motion to Reconsider in 10 days nor any appeal in 30 days. On June 8, 2015, he filed this Motion for Relief from Judgment or Order. Based on the presentation of counsel, I do not believe that relief is warranted or proper. I, therefore, deny Plaintiff's Motion for Relief from Judgment or Order.

IT IS SO ORDERED!



Michael G. Neffles
Chief Administrative Judge

August 17, 2015

Florence, South Carolina

FILED
2015 AUG 18 PM 4:06
CONNIE REEL-SHEARER
Clerk of Court
COCOP & GS
FLORENCE COUNTY, SC

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

IN THE COURT OF COMMON PLEAS
TWELFTH JUDICIAL CIRCUIT
2012-CP-21-2989

Regina Black, individually and)
as Guardian of Grace Ashlyn)
E , a minor child under the)
age of fourteen,)

PLAINTIFF,)

Vs.)

Dwakiah Chanye Anderson,)

DEFENDANT.)

**NOTICE OF MOTION TO ALTER, AMEND
AND RECONSIDER JUDGMENT**

2015 SEP - 8 AM 9:55
COMMON PLEAS COURT
FLORENCE COUNTY, S.C.

TO: ROBERT L. BROWN, ATTORNEY FOR THE DEFENDANT

YOU WILL PLEASE TAKE NOTICE that the Plaintiffs will move before the Honorable Michael G. Nettles, Circuit Court Judge of the Twelfth Judicial Circuit, at the Florence County Courthouse located at 180 North Irby Street, Florence, South Carolina, for an Order pursuant to Rules 52 and 59 of the South Carolina rules of Civil Procedure altering, amending, reconsidering, clarifying, modifying or granting relief from the Court's Order dated August 17, 2015 and filed August 18, 2015 and received by Plaintiff's counsel on August 31, 2015, the particulars being:

1. Amending and reconsidering the finding that the Motion for Relief from Judgment or Order is denied.
2. Amending and reconsidering the finding that the relief requested in the Plaintiff's motion is "not warranted or proper"

CERTIFIED: A TRUE COPY

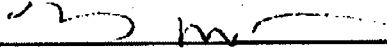
Cornie K. Johnson

CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.

Pursuant to Rule 11(a) of the South Carolina Rules of Civil Procedure, Plaintiff's counsel in this matter certified that consultation with opposing counsel concerning this motion would serve no useful purpose or could not be timely held.

This motion is further based upon the pleadings herein, applicable South Carolina statutory and case law, federal statutes, and testimony as may be attached hereto or presented at the hearing on this motion.

Respectfully submitted,



Marcus Woodson
Attorney for the Plaintiff
Post Office Box 1657
Marion, SC 29571
(843)423-1977 telephone

Marion, South Carolina

September 8, 2015

STATE OF SOUTH CAROLINA
COUNTY OF FLORENCE

Regina Black, individually and as parent
and Guardian of Grace Ashlyn B. a
minor child under the age of fourteen,

Plaintiff,

vs.

Dwakiah Chanye Anderson,

Defendant.

IN THE COURT OF COMMON PLEAS
FOR THE TWELFTH JUDICIAL CIRCUIT

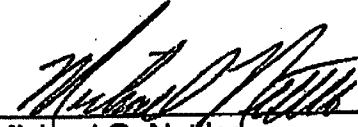
CASE NO.: 2012-CP-21-2989

ORDER

2015 NOV -4 PM 2:06
COMMON PLEAS COURT
FLORENCE

This matter came before me on October 15, 2015 on Plaintiffs' motion to "Alter Amend and Reconsider" my decision of August 17, 2015 pursuant to Rules 52 and 59 of the South Carolina Rules of Civil Procedure. My August 17, 2015 ruling was itself a denial of Plaintiffs' motion pursuant to Rules 52, 59, and 60 seeking to alter or amend the Court's prior order of March 19, 2015 dismissing this case without prejudice. It appears the present motion is a successive motion requesting the Court to grant relief from the order of March 19, 2015. Both the previous motion and this motion cite Rule 52 and 59. Under these circumstances, successive motions are prohibited by the logic of Elam v. South Carolina Dep't of Transp., 361 S.C. 9, 602 S.E.2d 772 (2004). Accordingly, I do not believe Plaintiffs' motion is proper. Further, nothing has been presented that persuades me that my prior decision of August 17, 2015 was incorrect and should be altered or amended.

IT IS SO ORDERED!


Michael G. Nettles
Presiding Judge


October 15, 2015


Florence, South Carolina

CERTIFIED - A TRUE COPY
C. R. R. R.
CLERK OF COURT C.P. & G.S.
FLORENCE COUNTY, S.C.



THE WOODSON LAW FIRM, L.L.C.

1011 E. Liberty Street
Post Office Box 1657 (mailing)
Marion, SC 29571
Telephone: (843) 423-1977
Facsimile: (843) 423-9608

December 22, 2015

Teresa J. Bautz
Court Reporter
Post Office Box 14076
Myrtle Beach, SC 29587

RE: Case Name: Regina Black, Individually and as Parent and
Guardian of Grace Ashlyn B, a minor under the age of
fourteen, vs. Deakiah Chanye Anderson
Lower Court Case No.: 2012-CP-21-2989
Appellate Case No.: 2015-002562

Dear Ms. Bautz:

On July 30, 2015 I argued a Motion for Relief from Judgment or order in the above referenced case. Judge Nettles heard the Motion. I am requesting a copy of the transcript from that hearing. Please contact me if you have any questions. Thanks in advance for your assistance.

Very truly yours,


Marcus Woodson

MW/md



THE WOODSON LAW FIRM, L.L.C.

1011 E. Liberty Street
Post Office Box 1657 (mailing)
Marion, SC 29571
Telephone: (843) 423-1977
Facsimile: (843) 423-9608

December 22, 2015

Natalie Dahl
Court Reporter
Post Office Box 762
Conway, SC 29528

RE: Case Name: Regina Black, Individually and as Parent and
Guardian of Grace Ashlyn B, a minor under the age of
fourteen, vs. Deakiah Chanye Anderson
Lower Court Case No.: 2012-CP-21-2989
Appellate Case No.: 2015-002562

Dear Ms. Dahl:

On October 15, 2015 I argued a Motion for Relief from Judgment or order in the above referenced case. Judge Nettles heard the Motion. I am requesting a copy of the transcript from that hearing. Please contact me if you have any questions. Thanks in advance for your assistance.

Very truly yours,

Marcus Woodson

MW/md

RECEIVED

DEC 29 2015

SC Court of Appeals