

THE STATE OF SOUTH CAROLINA  
IN THE SUPREME COURT

**RECEIVED**

MAY 23 2016

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

**S.C. SUPREME COURT**

The Honorable Mikell R. Scarborough, Master In Equity

Appellate Case No. 2016-000827

Charleston Harbor Resort and Marina,.....Respondent,

v.

Paul A. Davis,.....Petitioner.

**APPENDIX**

William A. Scott  
772 St. Andrews Blvd.  
Charleston, S.C. 29407

Attorney for Respondent

Paul A. Davis  
14639 C.R. Koon Highway  
Newberry, S.C. 29108  
803 321 7414

Petitioner

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# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

February 17, 2016

Paul Davis  
107 Averill Lane  
Irmo SC 29063

Mr. William A. Scott, Esquire  
775 St. Andrews Blvd.  
Charleston SC 29407

Re: Charleston Harbor v. Paul Davis  
Appellate Case No. 2014-001345

Dear Counsel and Mr. Davis:

Enclosed is the decision of the Court. The remittitur will be sent as provided by Rule 221(b) of the South Carolina Appellate Court Rules.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jenny A. Kitchings".

CLERK

cc: The Honorable Mikell R. Scarborough

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE  
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING  
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

Charleston Harbor Resort & Marina, Respondent,

v.

Paul Davis, Appellant.

Appellate Case No. 2014-001345

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Appeal From Charleston County  
Mikell R. Scarborough, Master-in-Equity

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Unpublished Opinion No. 2016-UP-061  
Submitted December 1, 2015 – Filed February 17, 2016

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**AFFIRMED**

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Paul Davis, of Newberry, pro se.

William A. Scott, of Pedersen & Scott, PC, of  
Charleston, for Respondent.

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**PER CURIAM:** Affirmed pursuant to Rule 220(b), SCACR, and the following authorities: Rule 4(d)(1), SCRCP (allowing service of process upon an individual "by delivering a copy of the summons and complaint to him personally . . . or by delivering a copy to an agent authorized by appointment or by law to receive service of process"); *Delta Apparel, Inc. v. Farina*, 406 S.C. 257, 267, 750 S.E.2d 615, 620 (Ct. App. 2013) (noting South Carolina courts have "never required

exacting compliance with the rules to effect service of process" (quoting *Roche v. Young Bros. of Florence*, 318 S.C. 207, 209-10, 456 S.E.2d 897, 899 (1995)); *id.* ("Rather, [courts] inquire whether the plaintiff has sufficiently complied with the rules such that the court has personal jurisdiction of the defendant and the defendant has notice of the proceedings." (quoting *Roche*, 318 S.C. at 210, 456 S.E.2d at 899)); *Roberson v. S. Fin. of S.C., Inc.*, 365 S.C. 6, 10, 615 S.E.2d 112, 115 (2005) ("An agent's authority is composed of his or her actual authority, whether express or implied, together with the apparent authority which the principal by his or her conduct is precluded from denying.").

**AFFIRMED.**<sup>1</sup>

**FEW, C.J., and KONDUROS and LOCKEMY, JJ., concur.**

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<sup>1</sup> We decide this case without oral argument pursuant to Rule 215, SCACR.

THE STATE OF SOUTH CAROLINA

In The Court Of Appeals

RECEIVED

FEB 23 2016

SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY

Court Of Common Pleas

The Honorable Mikell R. Scarborough, Master In Equity

Case No. 2009-JG-10-685

Appellate Case No. 2014-001345

Charleston Harbor Resort and Marina ,

Respondent

v.

Paul A. Davis,

Appellant

PETITION FOR REHEARING

Appellant Purpose for a Petition for Rehearing:

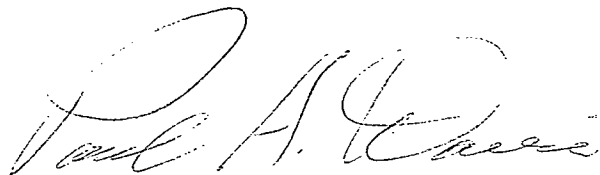
The origin of this case is centered around a dispute between myself and Charleston Harbor Resort and Marina involving dockage and damage received by my vessel from a electrical power surge from the docks of Charleston Harbor Resort and Marina.

Charleston Harbor Resort and Marina filed suit against me, their represent counsel sent service to a state, city ,address and individual whom I have never met or visited. I was never made aware of this suit at anytime or in anyway. I believe this was an intentional act of deception by their representing counsel.

Charleston Harbor Resort and Marina has had my active address of 14639 C.R. Koon Highway, Newberry SC 29018 since June 2005 to current , **at which I could have been served.**

I respectfully request The Appellant Court to reconsider the Affirmed Ruling due to the fact that I was **never served** or **notified** in anyway which prevented me from having my day in Court.

February 23, 2016

A handwritten signature in black ink, appearing to read "Paul A. Davis". The signature is fluid and cursive, with the first name "Paul" being the most prominent.

Paul A. Davis  
14639 C.R. Koon Highway  
Newberry, S.C. 29108  
803-321-7414  
[Davis979@gmail.com](mailto:Davis979@gmail.com)  
Pro Se

THE STATE OF SOUTH CAROLINA

RECEIVED

In The Court Of Appeals

FEB 23 2016

SC Court of Appeals

APPEAL FROM CHARLESTON COUNTY

Court Of Common Pleas

The Honorable Mikell R. Scarborough, Master In Equity

Case No. 2009-JG-10-685

Appellate Case No.2014-001345

Charleston Harbor Resort and Marina,

Respondent

v.

Paul A. Davis,

Appellant

CERTIFICATE OF SERVICE

I hereby certify that I served the Petition for Rehearing of the Appellant on Charleston Harbor Resort and Marina by depositing a copy of it in The United States Mail, postage prepaid, on February 23, 2016 addressed to its Attorney of record, William A. Scott, PC ,Pedersen & Scott 775 St. Andrews Boulevard, Charleston, SC 29407.



Paul A. Davis Pro Se  
14639 C.R. Koon Highway  
Newberry, S.C. 29108  
803 321 7414  
[davis979@gmail.com](mailto:davis979@gmail.com)

# The South Carolina Court of Appeals

Charleston Harbor Resort & Marina, Respondent,

v.

Paul Davis, Appellant.

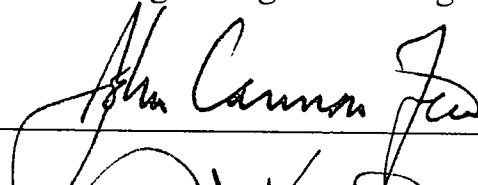
Appellate Case No. 2014-001345

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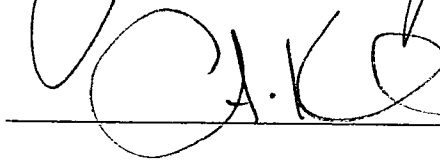
## ORDER

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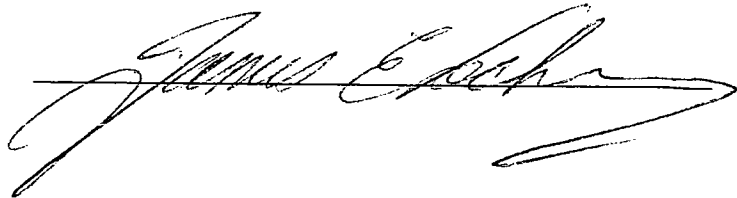
After careful consideration of the petition for rehearing, the Court is unable to discover that any material fact or principle of law has been either overlooked or disregarded, and hence, there is no basis for granting a rehearing. Accordingly, the petition for rehearing is denied.



C.J.



J.



J.

Columbia, South Carolina

cc:  
Paul Davis  
William A. Scott, Esquire  
The Honorable Mikell R. Scarborough

**FILED**

March 28, 2016