

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF HORRY )  
 )  
 Dena J. Ulisano )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 Frederick Ulisano III )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

IN THE COURT OF COMMON PLEAS  
 CIVIL ACTION NO.: 2016-CP-26-0128

**ORDER  
 RECEIVED**

JUN 14 2016

**SC Court of Appeals**

FILED  
 Horry County  
 16 APR 22 PM 12:56  
 MELISSA HUGGINS-WARD  
 CLERK OF COURT

This matter came before the court on April 21, 2016, pursuant to defendant's motion to set aside a Florida judgment for lack of jurisdiction. Also before the court was defendant's motion to domesticate the Florida judgment. Attorneys were present for both plaintiff and defendant.

**FACTUAL BACKGROUND**

1. A complaint was filed against the defendant in Broward County Florida.
2. The defendant filed a pro se answer to said complaint in Broward County Florida and participated in the lawsuit by answering discovery requests (interrogatories and request to produce).
3. The case was set for trial in Broward County Florida in February 10, 2014 and the defendant failed to appear.
4. That a final judgment was entered against the defendant on February 10, 2014 for the principle of amount of \$38,000 plus court costs of \$558.63, bearing pre-and post judgment interest at 4.75% per annum pursuant to Florida statute 55.03 beginning from January 22, 2013.

5. That pursuant to said judgment being entered against the defendant in Broward county Florida, a civil action was commenced in the Court of Common Pleas, or a county, state of South Carolina to enforce the foreign judgment.
6. That pursuant to the filing of such complaint in Horry County, South Carolina, defendant filed a motion to dismiss plaintiff's complaint pursuant to rule 12(b), SCRPC.
7. Plaintiff in turn filed a motion to domesticate the Florida judgment.

### CONCLUSION

This court concludes that the defendant entered an appearance in the state of Florida in opposition to the plaintiff's complaint and had the opportunity to raise all appropriate jurisdictional issues as well as any other defenses. This court further finds that the defendant fully participated in the litigation in Broward County Florida. Therefore, the defendant had every opportunity to raise any and all jurisdictional issues, as well as any other defenses, while participating in said litigation in Broward county Florida. The defendant has thus waived any right to assert a jurisdictional defense at this juncture.

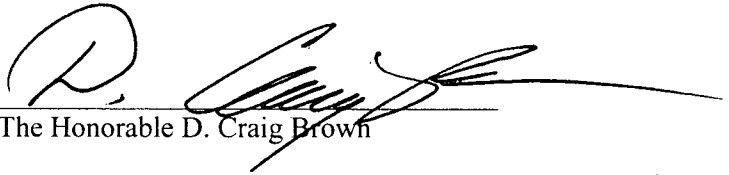
THEREFORE, the defendant's motion to dismiss plaintiff's motion to domesticate the Florida judgment is hereby Denied.

FURTHERMORE, this court finds that the plaintiff has properly filed with this court an exemplified photocopy of the Florida judgment together with affidavits from the plaintiff and the clerk of Broward County, Florida regarding the judgment and the balance due and owing; that A proper copy of the exemplified photocopy of judgment was served upon the defendant; and, the

plaintiff's judgment is entitled to full faith and credit within the state of South Carolina. S.C.

Code Ann. § 15-35-920 (1976).

IT IS SO ORDERED.

  
The Honorable D. Craig Brown

4-22, 2016

Conway, South Carolina