

# The Supreme Court of South Carolina

Reid Harold Donze, Plaintiff,

v.

General Motors, LLC., Defendant.

Appellate Case No. 2016-001437

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## ORDER

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Pursuant to Rule 244, SCACR, the Court will answer the following questions certified to this Court by order of the Honorable Timothy M. Cain, United States District Judge for the District of South Carolina, Greenville Division:

1. Does comparative negligence in causing an accident apply in a crashworthiness case when the plaintiff alleges claims of strict liability and breach of warranty and is seeking damages relating only to the plaintiff's enhanced injuries?
2. Does South Carolina's public policy bar against impaired drivers recovering damages apply in a crashworthiness case when the plaintiff alleges claims of strict liability and breach of warranty?

The parties shall proceed to serve and file briefs as provided by Rule 244(e), SCACR. Rule 244 does not provide for the filing of initial briefs; therefore, only final briefs should be filed in this matter.



C.J.

FOR THE COURT

Columbia, South Carolina  
August 19, 2016

cc:

Austin Howell Crosby, Esquire  
Bert Glenn Utsey, III, Esquire  
Charles Thomas Slaughter, Esquire  
Ronnie Lanier Crosby, Esquire  
S. Kirkpatrick Morgan, Jr., Esquire  
Angela Gilbert Strickland, Esquire  
Joel Haywood Smith, Esquire  
Matthew Brooks Miller, Esquire  
Brian Thomas Smith, Esquire  
Kelly R Houk, Esquire  
Michael P Cooney, Esquire  
The Honorable Timothy M. Cain