



# The South Carolina Court of Appeals

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April 21, 2017

The Honorable Paul B. Wickensimer  
Courthouse  
305 E North St  
Greenville SC 29601-2121

## REMITTITUR

Re: Blanche Creswell v. Robin Culbertson  
Lower Court Case No. 2014CP2305266  
Appellate Case No. 2015-001667

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

Enclosure

cc: Gregory Alan Morton, Esquire  
James P. Walsh, Esquire  
John D. Harjehausen, Esquire

**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**

Blanche G. Creswell, Appellant,

v.

Robin Culbertson, Chip Culbertson, d/b/a Asheville  
Cotton Company, and Asheville Cotton Company,  
Respondents.

Appellate Case No. 2015-001667

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Appeal From Greenville County  
Letitia H. Verdin, Circuit Court Judge

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Unpublished Opinion No. 2017-UP-147  
Submitted January 1, 2017 – Filed April 5, 2017

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**AFFIRMED**

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Gregory Alan Morton, of Donnan & Morton, PA, of  
Greenville, for Appellant.

James P. Walsh and John D. Harjehausen, both of  
Clarkson Walsh Terrell & Coulter, PA, of Greenville, for  
Respondents.

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**PER CURIAM:** Blanche G. Creswell appeals the dismissal of her personal injury action for lack of personal jurisdiction over the defendants. We affirm<sup>1</sup> pursuant to Rule 220(b), SCACR, and the following authorities: *Moosally v. W.W. Norton & Co.*, 358 S.C. 320, 327, 594 S.E.2d 878, 882 (Ct. App. 2004) ("It is well-settled that the party seeking to invoke personal jurisdiction over a non-resident defendant via our long-arm statute bears the burden of proving the existence of personal jurisdiction."); *Cockrell v. Hillerich & Bradsby Co.*, 363 S.C. 485, 491, 611 S.E.2d 505, 508 (2005) ("The question of personal jurisdiction over a nonresident defendant is one which must be resolved upon the facts of each particular case."); *id.* ("The decision of the trial court [regarding whether it can exercise personal jurisdiction] should be affirmed unless unsupported by the evidence or influenced by an error of law."); *Power Prods. & Servs. Co. v. Kozma*, 379 S.C. 423, 434, 665 S.E.2d 660, 666 (Ct. App. 2008) (noting the plaintiff's failure "to make any allegations or produce any evidence a South Carolina resident purchased any product from or because of [the defendant's] website, or that the website was particularly directed at South Carolinians" as a reason to reject the argument that certain statements in the website warranted a finding that South Carolina had personal jurisdiction over the defendant).

**AFFIRMED.**

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

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



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April 5, 2017

Mr. Gregory Alan Morton, Esquire  
4 Arborland Way  
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Mr. James P. Walsh, Esquire  
PO Box 6728  
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Mr. John D. Harjehausen, Esquire  
Clarkson Walsh Terrell & Coulter, P.A.  
PO Box 6728  
Greenville SC 29606

Re: Blanche Creswell v. Robin Culbertson  
Appellate Case No. 2015-001667

Dear Counsel:

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 Abbott Kitchings". The signature is fluid and cursive.

CLERK

A small, handwritten mark consisting of the letters "CA" enclosed in a circle.

cc: The Honorable Letitia H. Verdin