



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
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June 06, 2017

The Honorable Jerri Ann Roseneau  
PO Box 1128  
Beaufort SC 29901-1128

## REMITTITUR

Re: Brad Lightner v. Hampton Hall Club  
Lower Court Case No. 2014CP0700723  
Appellate Case No. 2015-001969

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: William Franklin Barnes, III, Esquire  
Ronnie Lanier Crosby, Esquire  
Milton Gary Kimpson, Esquire

# The South Carolina Court of Appeals

Brad Lightner, Individually and on behalf of all others  
similarly situated, Appellant,

v.

Hampton Hall Club, Inc., State of South Carolina, South  
Carolina Department of Revenue, Beaufort County, and  
John Doe, Defendants,

Of whom State of South Carolina and South Carolina  
Department of Revenue are the Respondents.

Appellate Case No. 2015-001969

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## ORDER

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Appellant has filed a notice of appeal from the circuit court's order holding the underlying action "may not be certified as a class action" and Appellant may not proceed against Respondents as a class action suit. Because class certification orders are not immediately appealable, this appeal is dismissed.<sup>1</sup> *Schein v. Lamar*, 274 S.C. 329, 263 S.E.2d 383 (1980).

 C.J.  
FOR THE COURT

Columbia, South Carolina

**FILED**  
12/22/15

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<sup>1</sup> Although the circuit court's order grants Respondents' motion to dismiss the State as a party, the circuit court's order denying reconsideration clarifies that the circuit court only dismissed the class action allegations and Appellant may proceed as an individual against Respondents.

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cc:

William Franklin Barnes, III, Esquire

Ronnie Lanier Crosby, Esquire

Milton Gary Kimpson, Esquire

Tasha B. Thompson, Esquire

Kathleen Chewning Barnes, Esquire

# The Supreme Court of South Carolina

Brad Lightner, individually, and on behalf of all others  
similarly situated, Respondent,

v.

Hampton Hall Club, Inc., State of South Carolina, South  
Carolina Department of Revenue, Beaufort County and  
John Doe, Defendants,

of whom State of South Carolina and South Carolina  
Department of Revenue are, Petitioners.

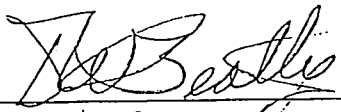
Appellate Case No. 2015-001952

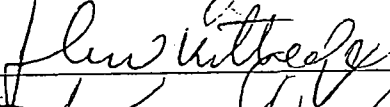
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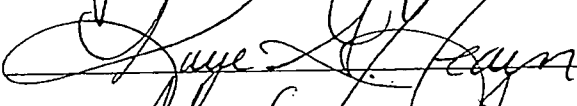
## ORDER


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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.

  
\_\_\_\_\_ J.

Acting Justice Costa M. Pleicones :  
not participating

Columbia, South Carolina

May 3, 2017

RECEIVED  
MAY 03 2017  
SC Court of Appeals

cc:

Alan McCrory Wilson, Esquire  
Tasha B. Thompson, Esquire  
Milton Gary Kimpson, Esquire  
William Franklin Barnes, III, Esquire  
Kathleen Chewing Barnes, Esquire  
Ronnie Lanier Crosby, Esquire  
J. Emory Smith, Jr., Esquire  
Robert D. Cook, Esquire  
Jenny Abbott Kitchings, Esquire

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MAY 31 2017

The Supreme Court of South Carolina ~~SC Court of Appeals~~

Brad Lightner, Individually and on behalf of all others  
similarly situated, Petitioner,

v.

Hampton Hall Club, Inc., State of South Carolina, South  
Carolina Department of Revenue, Beaufort County, and  
John Doe, Defendants,

Of whom State of South Carolina and South Carolina  
Department of Revenue are the Respondents.


Appellate Case No. 2016-001007  
Lower Court Case No. 2014-GP-07-00723

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ORDER

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By order dated June 8, 2016, the Court granted a consent motion to stay the proceedings in this case pending a decision by the Court in Appellate Case No. 2015-001952. An opinion has been issued in Appellate Case No. 2015-001952,<sup>1</sup> and rehearing has been denied. Because the decision in Appellate Case No. 2015-001952 renders the petition for a writ of certiorari in this case moot, the petition is dismissed.

  
\_\_\_\_\_  
FOR THE COURT  
Few, J., not participating

C.J.

Columbia, South Carolina

May 30, 2017

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<sup>1</sup> *Lightner v. Hampton Hall Club, Inc.*, Op. No. 27700 (S.C. Sup. Ct. filed Feb. 1, 2017).

cc:

The Honorable Jenny Abbott Kitchings

William Franklin Barnes, III, Esquire

Ronnie Lanier Crosby, Esquire

Kathleen Chewing Barnes, Esquire

Milton Gary Kimpson, Esquire

Tasha B. Thompson, Esquire

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The Honorable Jerri Ann Roseneau