

FORM 4

2014-CP-10-4591

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON
IN THE COURT OF COMMON PLEAS

Jane Doe 202, through John Doe MM and v.
John Doe HS, each of whom holds power
of the attorney for Jane Doe,

JUDGMENT IN A CIVIL
CASE

CASE NO. 2014-CP-10-04591

City of North Charleston, Leigh Anne
McGowan, individually, Charles
Frances Wholleb, individually, and
Anthony M. Doxey, individually,

FILED
2017 OCT 16 PM 2:18
JULIE J. ARBIS/PRONG
CLERK OF COURT

RECEIVED

PLAINTIFF

NOV 15 2017

DEFENDANTS

SC Court of Appeals

CHECK ONE:

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE**

BOX):

- Affirmed; Reversed; Remanded; Other
- NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED:

- See attached order. (Formal order to follow)
- Statement of Judgment by the Court:

This case was called before the Court for a jury trial on October 2, 2017. On October 13, 2017, a judgment in favor of the Defendants was rendered by the jury.

At the end of the trial, Plaintiff made a Motion for a New Trial. The Court heard and respectfully denied this motion. The Defendants made a post-trial motion for sanctions pursuant to South Carolina Rule of Civil Procedure 11 and S.C. Code Ann. § 15-36-10. Defendants further moved for attorney's fees as the prevailing party in accordance with 42 U.S.C. § 1988. The Court instructed Defendants to file a Motion in support of its request for sanctions in accordance with § 15-36-10(D). The Court additionally instructed Defendants to file a separate motion with the Court in support of their request for attorney's pursuant to 42 U.S.C. § 1988.

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk : _____

INFORMATION FOR THE JUDGMENT INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.
Note: Title abstractors and researchers should refer to the official court order for judgment details.



 Circuit Court Judge

2128

 Judge Code

10/13/17

 Date

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20__ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20__ to attorneys of record or to parties (when appearing pro se) as follows:

Gregg Meyers, Esq.

ATTORNEY FOR PLAINTIFF

Sandy Senn, Esq.
Christopher Dorsel, Esq.

ATTORNEYS FOR DEFENDANTS

CLERK OF COURT

Court Reporter: Joyce Rueger

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS
CIVIL ACTION NO.: 2014-CP-10-4591

Jane Doe 202, by John Doe MM and John
Doe HS, each of whom holds power of
attorney for Jane Doe,

Plaintiffs,

v.

City of North Charleston; Leigh Anne
McGowan, individually, Charles Francis
Wholleb, individually, and Anthony M.
Doxey, individually;

Defendants.

VERDICT FORM

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NOV 15 2017

SC Court of Appeals

FILED
2017 OCT 16 PM 2:19
JULIE J. AMSTRONG
CLERK OF COURT

This is the verdict form for this matter. Please answer each question and then follow the directions that coincide with your answer. The Foreperson must sign and date the verdict form when it is complete.

**AS TO PLAINTIFFS' CLAIMS AGAINST
DEFENDANT CITY OF NORTH CHARLESTON**

1. Do you find that the Plaintiff has proven by a preponderance of the evidence that the City of North Charleston violated Rhonda Doe's constitutional rights by being deliberately indifferent with regard to training its officers?

_____ yes (go to #2)

no (stop deliberations on this cause
of action and sign the bottom of this form)

2. If you answered yes to #1, do you find that Plaintiff has proven by a preponderance of the evidence that any such constitutional violation by the City of North Charleston proximately caused damage to Rhonda Doe?

_____ yes (go to #3)

_____ no (stop deliberations on this cause
of action and sign the bottom of this form)

3. If the answers to #1 and #2 are yes, please state the amount of damages that should be awarded to Plaintiff for the allegation that the City of North Charleston was deliberately indifferent with regard to training its officers.

\$ _____
(please state damages award in numbers)

YOUR VERDICT MUST BE UNANIMOUS.

October 13, 2017
Date

⁴⁴126 Lora [Signature]
Foreperson

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS
CIVIL ACTION NO.: 2014-CP-10-4591

Jane Doe 202, by John Doe MM and John
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Plaintiffs,

v.

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Wholleb, individually, and Anthony M.
Doxey, individually;

Defendants.

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**AS TO PLAINTIFFS' CLAIMS AGAINST
DEFENDANT LEIGH ANNE MCGOWAN**

1. Do you find that Plaintiff has proven by a preponderance of the evidence that Leigh Anne McGowan violated Rhonda Doe's constitutional rights by making a warrantless entry into Rhonda Doe's residence on the night of March 27, 2014?

_____ yes (go to #2)

no (stop deliberating on this cause of action and sign the bottom of this form)

2. If you answered yes to #1, do you find that Leigh Anne McGowan is entitled to Qualified Immunity?

_____ yes (stop deliberating on this cause of action and sign the bottom of this form)

_____ no (go to #3)

3. If you answered yes to #1 and no to #2, do you find that Plaintiff has proven by a preponderance of the evidence that the constitutional violation proximately caused damages to Rhonda Doe?

_____ yes (go to #4)

_____ no (stop deliberating on this cause of action and sign the bottom of this form)

4. If the answer to both # 1 and #3 is yes and the answer to #2 is no, please state the amount of actual damages that should be awarded to Plaintiff for the allegation that Leigh Anne McGowan violated Rhonda Doe's constitutional rights.

\$ _____
(please state damages award in numbers)

5. If you answered #4, do you find that Plaintiff has proven through clear and convincing evidence that punitive damages should be awarded against Leigh Anne McGowan.

_____ yes (go to #6)

_____ no (stop deliberating on this cause of action and sign the bottom of this form)

6. If the answer to #5 is yes, please state the amount of punitive damages that should be awarded to Plaintiff for the allegation that Leigh Anne McGowan violated Rhonda Doe's constitutional rights.

\$ _____
(please state damages award in numbers)

YOUR VERDICT MUST BE UNANIMOUS.

October 13, 2017
Date

#196 [Signature]
Foreperson

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

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**AS TO PLAINTIFFS' CLAIMS AGAINST
DEFENDANT CHARLES WOHLLEB**

1. Do you find that Plaintiff has proven by a preponderance of the evidence that Charles Wohlleb violated Rhonda Doe's constitutional rights by making a warrantless entry into Rhonda Doe's residence on the night of March 27, 2014?

_____ yes (go to #2)

no (stop deliberating on this cause of action and sign the bottom of this form)

2. If you answered yes to #1, do you find that Charles Wohlleb is entitled to Qualified Immunity?

_____ yes (stop deliberating on this cause of action and sign the bottom of this form)

_____ no (go to #3)

3. If you answered yes to #1 and no to #2, do you find that Plaintiff has proven by a preponderance of the evidence that the constitutional violation proximately caused damages to Rhonda Doe?

_____ yes (go to #4)

_____ no (stop deliberating on this cause of action and sign the bottom of this form)

4. If the answer to both # 1 and #3 is yes and the answer to #2 is no, please state the amount of actual damages that should be awarded to Plaintiff for the allegation that Charles Wohlleb violated Rhonda Doe's constitutional rights.

\$ _____
(please state damages award in numbers)

5. If you answered #4, do you find that Plaintiff has proven through clear and convincing evidence that punitive damages should be awarded against Charles Wohlleb.

_____ yes (go to #6)

_____ no (stop deliberating on this cause of action and sign the bottom of this form)

6. If the answer to #5 is yes, please state the amount of punitive damages that should be awarded to Plaintiff for the allegation that Charles Wohlleb violated Rhonda Doe's constitutional rights.

\$ _____
(please state damages award in numbers)

YOUR VERDICT MUST BE UNANIMOUS.

October 13, 2017
Date

#126 [Signature]
Foreperson

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

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**AS TO PLAINTIFFS' CLAIMS AGAINST
DEFENDANT ANTHONY DOXEY**

1. Do you find that Plaintiff has proven by a preponderance of the evidence that Anthony Doxey violated Rhonda Doe's constitutional rights by making a warrantless entry into Rhonda Doe's residence on the night of March 27, 2014?

_____ yes (go to #2)

no (stop deliberating on this cause of action and sign the bottom of this form)

2. If you answered yes to #1, do you find that Anthony Doxey is entitled to Qualified Immunity?

_____ yes (stop deliberating on this cause of action and sign the bottom of this form)

_____ no (go to #3)

3. If you answered yes to #1 and no to #2, do you find that Plaintiff has proven by a preponderance of the evidence that the constitutional violation proximately caused damages to Rhonda Doe?

_____ yes (go to #4)

_____ no (stop deliberating on this cause of action and sign the bottom of this form)

4. If the answer to both # 1 and #3 is yes and the answer to #2 is no, please state the amount of actual damages that should be awarded to Plaintiff for the allegation that Anthony Doxey violated Rhonda Doe's constitutional rights.

\$ _____
(please state damages award in numbers)

5. If you answered #4, do you find that Plaintiff has proven through clear and convincing evidence that punitive damages should be awarded against Anthony Doxey.

_____ yes (go to #6)

_____ no (stop deliberating on this cause of action and sign the bottom of this form)

6. If the answer to #5 is yes, please state the amount of punitive damages that should be awarded to Plaintiff for the allegation that Anthony Doxey violated Rhonda Doe's constitutional rights.

\$ _____
(please state damages award in numbers)

YOUR VERDICT MUST BE UNANIMOUS.

October 12, 2017
Date

Laral Breen #126
Foreperson