STATE OF SOUTH CAROLINA **COUNTY OF RICHLAND**	)	**IN THE COURT OF COMMON PLEAS**
	)	
	)	Case No. 2016-CP-40-01699
Lallie Qualls Plaintiff,	)	**ORDER GRANTING DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**
-v-	)	
Burlington Coat Factory of South Carolina LLC and Burlington Coat Factory Direct Corp. Defendant.	)	

This matter arises out of an incident where Plaintiff Lallie Qualls ("Plaintiff") suffered personal injuries on July 31, 2015, while visiting a store operated by Defendants Burlington Coat Factory of South Carolina LLC and Burlington Coat Factory Direct Corp. (hereinafter "Burlington" or "Defendants"). Plaintiff alleged that the Defendants were negligent for failing to exercise reasonable care while she was on their premises, and claimed that said negligence was the proximate cause of her injuries. (Plaintiff's Complaint ¶18-¶19). Plaintiff specifically claimed that the Defendants had actual or constructive knowledge of a wet substance on their floor prior to the Plaintiff's fall and that the substance was "on the floor for a sufficient amount of time for Burlington to take reasonable action to clean up the substance or place warning signs in a location to prevent a patron from being harmed by the hazardous condition." (Plaintiff's Complaint ¶7-¶11). Plaintiff sought to recover both actual and punitive damages from Defendants. (Plaintiff's Complaint ¶19-¶20).

This matter came before the Court on Defendants' Motion for Summary Judgment pursuant to Rule 56 of the South Carolina Rules of Civil Procedure. The Court heard oral

argument of the parties on June 6, 2017. For the reasons set forth herein, the Court hereby **GRANTS** the Defendants' Motion for Summary Judgment.

I. RELEVANT FACTUAL AND PROCEDURAL BACKGROUND

On July 31, 2015, Plaintiff visited Defendants' store located at 302 Bush River Road, Columbia, SC. While walking in the checkout aisle, Plaintiff fell to the ground after slipping on a wet substance. As a result of the fall, Plaintiff alleges that she sustained injuries to her left knee, which required surgical repair.

The subject incident was captured on Burlington's DVR video surveillance system, and footage of the incident was preserved. Said DVR footage was presented to the Court by the Defendants and was attached to their Motion for Summary Judgment, which was filed on March 9, 2017. Defendants subsequently filed two deposition transcripts (Deposition of Plaintiff and Deposition of Pamela Arsenault) on May 19, 2017. Plaintiff filed her Memorandum in Opposition to Defendants' Motion for Summary Judgment on May 31, 2017, and Defendants filed their Reply on June 6, 2017.

Plaintiff did not contest the authenticity or accuracy of the time stamped DVR footage submitted by the Defendants, but the parties dispute the evidentiary significance of the footage. Defendants assert that the video clearly shows the following: (1) while a family is checking out, their young child throws a cup onto the ground at 2:45:55 PM; (2) an older child in the party retrieves the cup from the floor at 2:46:06; (3) the video does not reveal any identifiable spill on the floor; (4) the older child takes the cup to throw it away at 2:46:33; (5) the Burlington cashier, Taylor Simon, does not witness either the cup being thrown or the cup being picked up; (6) the family completes their checkout at 2:49:17; (7) Ms. Simon leaves for her break, and walks past the spill without noticing it at

2:49:33; (8) the Plaintiff slips and falls in the area where the cup landed at 2:50:20 PM; (9) three customers walk past the spill area without noticing it or notifying any Burlington employee; (10) a total of 4 minutes and 25 seconds elapses between the cup hitting the ground and the Plaintiff falling.

In her Return, Plaintiff asserts that the DVR footage shows that (1) the cup of liquid was thrown by a young boy sitting in a shopping cart just across the counter from Mrs. Simon while she was ringing up guests; (2) at least three customers noticed the spill when passing by and conspicuously altered their paths or took exaggerated steps to avoid the spill; and (3) Ms. Simon was looking down towards the spill on the floor as she walked by, but did not stop to clean it up.

Plaintiff's Return also cites to the deposition transcripts of Pamela Arsenault and Lallie Qualls, asserting that their sworn testimony proves: (1) the spill occurred in a high traffic area in close proximity to at least two store employees; (2) Defendants' employee Taylor Simon walked within inches of the spill that was on the floor; (3) Defendants' employee Taylor Simon had the opportunity to see the spill; (4) Defendants' employee Taylor Simon appeared to look down at her phone when she walked past the spill, which could have prevented her from seeing the spill.

Defendants, in their reply, cited to the same two deposition transcripts to establish the following: (1) Defendants' employee did not see the spill before Plaintiff fell; (2) the spill was not easy to see; (3) Defendants' employee did nothing to make the Plaintiff think that she knew about the spill; (4) Defendants' employee was on break when she left her workstation, and Burlington employees are allowed to carry their phones at work.

II. LEGAL STANDARD

a. Summary Judgment Generally

Summary Judgment is appropriate where it is clear there is no genuine issue of material fact, and the moving party is entitled to judgment as a matter of law. Calvert v. House Beautiful Paint and Decorating Ctr., Inc., 443 S.E.2d 398 (S.C. 1994). In deciding whether Summary Judgment is proper, the court should construe all inferences arising from the evidence against the moving party. Id.

A genuine question of material fact exists where, after reviewing the record as a whole, the court finds that a reasonable jury could return a verdict for the nonmoving party. See Bloom v. Ravoira, 529 SE 2d 710 (S.C. 2000). Summary Judgment should be granted when plain, palpable and undisputed facts exist on which reasonable minds cannot differ. Trico Surveying, Inc. v. Godley Auction Co., 431 S.E.2d 565 (S.C. 1993). Mere speculation does not create a material issue of fact warranting denial of a Motion for Summary Judgment. Jackson v. Bermuda Sands, Inc., 677 S.E. 2d 612 (Ct. App 2009).

b. Negligence

To assert direct liability based on a negligence claim in South Carolina, a plaintiff must show that (1) defendant owed her a duty of care; (2) defendant breached this duty by a negligent act or omission; (3) defendant's breach was the proximate cause of her injuries; and (4) she suffered injury or damages. Dorrell v. S.C. DOT, 605 S.E.2d 12, 15 (S.C. 2004) (citation omitted). "Whether the law recognizes a particular duty is an issue of law to be determined by the court." Jackson v. Swordfish Inv., L.L.C., 620 S.E.2d 54, 56 (S.C. 2005) (citation omitted).

c. Premises Liability

Under South Carolina law, the owner of a property owes business visitors or invitees the duty of exercising reasonable and ordinary care for their safety and is liable for any injuries resulting from a breach of such duty. H.P. Larimore v. Carolina Power & Light, 531 S.E.2d 535, 538 (S.C. Ct. App. 2000) (citing Israel v. Carolina Bar-B-Que, Inc., 356 S.E.2d 123, 128 (S.C. Ct. App. 1987)). The landowner has a duty to warn an invitee only of latent or hidden dangers of which the landowner is on actual or constructive notice. H.P. Larimore, 531 S.E.2d at 538 (citing Callander v. Charleston Doughnut Corp., 406 S.E.2d 361, 362-63 (S.C. 1991)). The landowner is not required to maintain the premises in such condition that no accident could happen to a patron using them. See Denton v. Winn-Dixie Greenville, Inc., 439 S.E.2d 292, 293 (S.C. 1993). In the context of slip and fall cases sounding in negligence, "[t]he mere fact that the substance was on the floor is insufficient standing alone to charge the storekeeper with negligence." Calvert 443 SE 2d at 399.

In South Carolina, shopkeepers cannot be held liable for a "negligent mode of operations" and do not have a "continuous duty to look out for the safety of patrons." Wintersteen v. Food Lion, Inc., 542 S.E.2d 728, 738 (S.C. 2001). "To require shopkeepers to anticipate and prevent the acts of third parties is, in effect, to render them insurers of their customers' safety. This is simply not the law of this state." Id.

To recover damages for injuries caused by a dangerous or defective condition on a landowner's premises, a plaintiff must show that (1) the injury was caused by a specific act of the defendant which created the dangerous condition, or (2) that the defendant had actual or constructive knowledge of the dangerous condition and failed to remedy it. Id. At 729 (citing Anderson v. Racetrac Petroleum, Inc., 371 S.E.2d 530 (S.C. 1988)); Pennington v.

Zayre Corp., 165 S.E.2d 695 (S.C. 1969); Hunter v. Dixie Home Stores, 101 S.E.2d 262 (S.C. 1957).

"The entire basis of an invitor's liability rests upon his superior knowledge of the danger that causes the invitee's injuries. If that superior knowledge is lacking ... the invitor cannot be held liable." H.P. Larimore, 531 S.E.2d at 540.

d. Constructive Knowledge of Foreign Substance

In the absence of evidence that the shopkeeper either created or knew of the dangerous condition causing the Plaintiff's injury, a claim for negligence must be supported by evidence of the shopkeeper's constructive knowledge of the dangerous condition. Specifically, the Plaintiff must present specific evidence that "the foreign substance had been on the floor for a sufficient length of time that the storekeeper would or should have discovered and removed it had the storekeeper used ordinary care." Gillespie 394 S.E.2d at 24–25; See also Calvert 443 SE 2d at 399 (affirming Summary Judgment where Plaintiff failed to produce affirmative evidence that any employee was aware of the foreign substance, or how long the substance had been on the floor); Simmons v. Winn-Dixie Greenville, Inc., 457 SE 2d 608 (S.C. 1995) (same); Gillespie v. Wal Mart Stores, Inc., 394 SE 2d 24 (Ct. App 1990) (same; noting that mere proximity of store employee to the spill is not sufficient to escape Summary Judgment); Bessinger v. BiLo, Inc., 496 SE 2d 33 (Ct. App 1998) (same; noting that the substance had been on the floor for up to fourteen minutes without being discovered).

III. ANALYSIS

a. The Parties' Arguments

Defendants move for Summary Judgment, arguing that Plaintiff's evidence fails to create a question of fact regarding whether Defendants created the condition of the substance on the floor or had actual or constructive notice of the substance on the floor. In support of its argument, Defendants assert that there is no evidence in the record that Defendants created the dangerous condition by placing the substance on the floor or had actual notice that the substance was on the floor. Defendants further assert that the amount of time the substance was on the floor is insufficient to establish constructive knowledge as a matter of law.

It is not disputed that Defendants did not create the dangerous condition in this case, as the video shows a young child throwing a cup on the floor shortly before the Plaintiff's fall.[1] With respect to the question of actual knowledge, Defendants assert that the video very clearly shows that employee Taylor Simon did not see the spill prior to Plaintiff's fall. Ms. Simon did not witness the child throwing the cup, because her view was blocked as she was checking out the child's family. The cup was removed by an older child in the party before Ms. Simon had completed checking the family out, leaving no visible evidence that a spill had occurred. The spill itself is not large enough to be visible on the DVR footage. Three customers walked past the spill location without either slipping or notifying any Burlington employee. After checking out the family, Ms. Simon goes on break and walks past the spill without noticing it.[2] Defendants' corporate designee and store manager Pamela Arsenault repeatedly stated in her deposition that Taylor Simon walked past the spill because "she didn't see it."[3] Plaintiff, in her deposition, testified that the spill was not

[1] While the video does not reveal a visible spill, Plaintiff has not come forward with any evidence indicating that a Burlington employee created the condition.
[2] See, generally, DVR Footage time stamped from 2:45:55 PM to 2:50:20 PM.
[3] Deposition of Pamela Arsenault, P. 86-P.88.

easy to see, and that Ms. Simon didn't do anything that made the Plaintiff think that Ms. Simon knew about the spill.[4] Plaintiff went on to testify that she believed that Ms. Simon should have seen the spill but didn't see it.[5] Ms. Arsenault further testified that Ms. Simon walked past the spill when she was off duty, and that there is no policy against employees using their cell phones.[6]

Specifically as to constructive knowledge, Defendants assert that there was "no more than 4:25 (four minutes and twenty five seconds) between the time the child threw the cup on the ground and the Plaintiff's fall."[7] Defendants argue that this is amount of time is insufficient to establish constrictive knowledge as a matter of law. Defendants cite to multiple South Carolina opinions, as well as foreign authority in support of this position. Defendants argue that there are no South Carolina appellate opinions finding that a material issue of fact as to constructive knowledge exists where the foreign substance was on the ground for less than five minutes.

Defendants further argue that the mere proximity of Taylor Simon to the spill does not create an issue of material fact, due to her lack of actual knowledge. Defendants cite to several South Carolina cases holding that mere proximity of an employee to a foreign substance, or the mere fact that the substance is within the employee's field of vision, is insufficient to establish constructive knowledge as a matter of law.

In support of her claims and in opposition to Defendants' Motion for Summary Judgment, Plaintiff argues that Defendants failed to exercise reasonable and ordinary care for her safety. In support of her argument, Plaintiff points to the testimony of Ms. Arsenault

[4] Deposition of Plaintiff, P.28.
[5] Deposition of Plaintiff, P.65.
[6] Deposition of Pamela Arsenault, P. 97-102.
[7] Defendants' Memorandum in Support of Motion for Summary Judgment, Page 10.

which states that Ms. Simon walked within inches of the spill that was on the floor, and that Ms. Simon had the opportunity to see the spill.[8] Ms. Simon left to go on break, and appeared to have a cell phone in her hand at that time.[9] Ms. Simon's use of the cell phone could have prevented her from seeing the spill.[10] The spill itself occurred in a high traffic area.[11] Plaintiff also refers to the video, which shows that three customers walked past the spill before the Plaintiff fell, and Plaintiff argues that those customers took abnormally large steps to avoid the spill.

Plaintiff asserts that the evidence before the Court was sufficient to establish actual notice on the part of the Defendants, because Ms. Simon had the opportunity to observe the spill when she walked past it. Plaintiff also argues that because the spill occurred near Ms. Simon and another Burlington employee, and because the spill occurred in a high traffic area, this was sufficient to establish constructive knowledge. Plaintiff finally argues that a reasonable jury could find that Ms. Simon saw the spill and chose to ignore it, and that this would justify an award of punitive damages against the Defendants.

b. The Court's Review

To survive Defendants' Motion for Summary Judgment, Plaintiff has to submit evidence showing that her injuries were caused by Defendants' specific act(s) that created the dangerous condition, or that Defendants had actual or constructive knowledge of the dangerous condition and failed to remedy it. Upon review, the court concludes that there is not any evidence in the record supporting a finding that Defendants created the dangerous condition at issue in this matter. Moreover, the court finds that the evidence of

[8] Deposition of Pamela Arsenault, P. 85-87.
[9] Deposition of Pamela Arsenault, P. 83-84.
[10] Deposition of Pamela Arsenault, P. 89.
[11] Deposition of Pamela Arsenault, P. 92.

record does not support a finding that Defendants had actual notice of the substance on the floor in the Burlington Coat Factory store on Bush River Road on July 31, 2015. The Plaintiff's own sworn deposition testimony and the surveillance video submitted by Defendants support both of these findings.

With respect to the question of actual knowledge, Plaintiff testified that the spill was hard to see, and that she had no idea of the size or color of the spill. She further testified that there were no footprints or cart tracks around the spill and that the rest of the floor was dry.[12] Plaintiff testified that Ms. Simon did nothing to make Plaintiff conclude that she saw the spill, and subsequently testified that Ms. Simon did not see the spill, but that she should have seen it.[13] The DVR footage does not show any visible spill whatsoever. When Ms. Simon walks past the spill, there is no indication that she is aware of a spill, or is changing her walk to avoid a spill. In short, there is no record evidence tending to show that the spill was visible before the Plaintiff fell.[14] Defendants' corporate designee repeatedly denied that Ms. Simon or any other Burlington employee had knowledge of the spill prior to the Plaintiff's fall. Ms. Simon's mere proximity to the spill does not create a disputed issue of material of fact as to the question of Burlington's actual knowledge of the dangerous condition. Plaintiff did not present the court with any other evidence tending to create a dispute of material fact on this issue.[15]

With respect to the question of constructive knowledge, the Court notes that Plaintiff does not have any independent knowledge of how long the substance was on the

[12] Plaintiff's Deposition, P. 24-25; 28; 32.
[13] Plaintiff's Deposition, P. 28; 65.
[14] Note that Manager Pam Arsenault testified that she never saw the shape or size of the spill before Plaintiff slipped on it. Deposition of Pamela Arsenault, P. 103-104.
[15] The record is devoid of any of Ms. Simon's own sworn testimony.

floor before she fell.[16] While the spilled liquid is not actually visible on the DVR footage, Plaintiff does not dispute the timeline presented by Defendants based upon said footage. Having reviewed the video and the complete record before the Court[17], I find that Plaintiff has failed to come forward with evidence that would tend to create an issue of material fact as to constructive knowledge, and that Defendants are entitled to Judgment as a Matter of Law. Specifically, the video establishes that the liquid was on the floor for less than five minutes. Several South Carolina cases have held that five minutes is insufficient to establish constructive knowledge as a matter of law.

In cases where there is no DVR footage showing the specific time of a spill, Courts considering Summary Judgment calculate the length of time the spill was on the ground by drawing the most favorable inference possible: specifically, they infer that the spill could have occurred immediately after the last inspection of the area. In Bessinger, the South Carolina Supreme Court affirmed an award of Summary Judgment where there was testimony that an inspection had occurred fourteen minutes before the accident. 492 S.E. 2d 33. Likewise, in Wimberley v. Winn Dixie Greenville, Inc.,165 SE2d 627 (1969), the South Carolina Supreme Court vacated a trial Court verdict and held that a retailer could not be liable as a matter of law where the area was inspected every "10-15 minutes." See also, Hunter, 101 S.E. 2d 262 (evidence that popcorn had been on the ground for "a few minutes" was insufficient to impose liability); Gilliland v. Pierce Motor Company, 111

[16] Deposition of Plaintiff, P. 23-24.

[17] In considering Defendants' Motion, the Court was presented with the following evidence:

1. Affidavit of Pamela Arsenault
2. Time Stamped DVR Footage of Incident (Exhibit A to Affidavit).
3. Screenshot Timeline from DVR Footage of 7/31/15 Incident (Exhibit B to Affidavit).
4. Defendants' Notice of Filing Depositions of Lallie Qualls and Pamela Arsenault.
5. Photographs handed up by Plaintiff's Counsel at the June 6, 2017 hearing.

S.E. 2d 521 (S.C. 1959) (holding that store could not be liable as a matter of law where the foreign substance may have been on the floor for up to five (5) minutes).[18]

Ms. Simon's proximity to the spill, and the allegation that Ms. Simon may have looked down at her cell phone after going off duty and walking past the spill[19], are not sufficient to create an issue of material fact as to constructive knowledge. The DVR footage does not reveal a visible spill. The Plaintiff testified that the spill was hard to see, and that she had no idea of the size or color of the spill. She further testified that there were no footprints or cart tracks around the spill and that the rest of the floor was dry.[20] In short, there is no evidence tending to establish that the spill was actually visible before the Plaintiff fell.

Even if the spill were visible and within Ms. Simon's field of vision, this would not create a disputed issue of material fact in this case. In Gillespie, a slip and fall action where the Plaintiff was seeking to establish constructive knowledge, the South Carolina Court of Appeals affirmed an order of Summary Judgment in favor of the retailer and expressly found that "the mere fact that water was on the floor of the store and was within

[18] Note, further, that the District of South Carolina, sitting in diversity and applying South Carolina law has granted Summary Judgment under similar circumstances. Norris v. Wal-Mart Stores East, L.P., Civil Action No. 1:12-02592-JMC (D-SC 2014) (granting Summary Judgment where video revealed that substance was on floor for 2:33); Massey v. Wal-Mart Stores East, LP, 2010 WL 3786056 (D. S.C. 2010) (granting Summary Judgment due to lack of constructive notice when video showed spill occurred less than three minutes before plaintiff's fall).

[19] The surveillance footage does not clearly show whether Ms. Simon is looking at a phone. Viewed in the light most favorable to the Plaintiff, the video footage and record evidence can be interpreted to show that Ms. Simon briefly looks at a phone in her pocket after going on break, likely to check the time. It is undisputed that Ms. Simon was off-duty when this occurred. The mere fact Ms. Simon, while off duty, failed to detect a spill which could have been in her field of vision, is not sufficient to escape summary judgment. Gillespie, 394 S.E. 2d at 25. Retailers do not have a continuous duty to inspect the premises. Wintersteen, 542 S.E.2d at 738.

[20] Plaintiff's Deposition, P. 24-25; 28; 32.

the field of vision of a nearby store employee at the time Gillespie slipped upon it is not by itself enough evidence to charge [Defendant] with negligence." 394 S.E.2d 24, 25 (1990) (citations omitted).[21] See also, Pennington, 165 S.E. 2d 695 (evidence held insufficient to prove constructive notice where the plaintiff, while shopping in a department store, slipped on a transparent plastic bag and fell to the floor and an employee was apparently in the immediate area at the time of the fall); Hunter, 101 S.E. 2d 262 (evidence held insufficient to charge a storekeeper with constructive notice of the presence on the floor of green beans that caused the plaintiff to slip and fall even though a store employee faced toward the area where the plaintiff fell and stood 10 or 12 feet away and another employee worked 20 or 30 feet from where she fell).

In summation, the Plaintiff cannot meet her burden of establishing constructive knowledge by showing that the substance "was on the floor for such a length of time as to infer that [the retailer] was negligent in not discovering and removing it." Gillespie, 394 S.E.2d at 25. Therefore, the Defendants are entitled to Summary Judgment on Plaintiff's claim for premises liability negligence.

IV. CONCLUSION

[21] The Gillespie court cited multiple South Carolina opinions, as well as the following foreign case law:

> H.E.B. Foods, Inc. v. Moore, 599 S.W. (2d) 126 (Tex. Ct. Civ. App. 1980) (mere fact that a foreign substance was on the floor of a store, which caused the floor to become slippery, and that a store employee was in the immediate vicinity at the time the plaintiff fell is insufficient evidence, standing alone, to raise the inference that the storekeeper placed the substance there or knew it was there and negligently failed to remove it); Kroger Grocery & Banking Co. v. Spillman, 279 Ky. 366, 130 S.W. (2d) 786 (1939) (a case cited with approval in Hunter, supra, and reversing a verdict in favor of a customer who slipped on grapes lying on the floor within a few feet of where two or more employees were working where there was no proof regarding the length of time the grapes were on the floor).

Upon careful consideration of the entire record, the court hereby **GRANTS** the Motion for Summary Judgment of Defendants Burlington Coat Factory of South Carolina LLC and Burlington Coat Factory Direct Corp.

IT IS SO ORDERED

~~Honorable~~ George ~~M. McFaddin~~, Jr.
Fifth Circuit Court of Common Pleas

This 23rd day of August, 2017.
Sumter, SC.

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NUMBER: 2016CP4001699

Lallie Qualls
PLAINTIFF(S)

Burlington Coat Factory of South Carolina L L C
Burlington Coat Factory Direct Corporation
DEFENDANT(S)

Submitted by: _____	Attorney for : ☐ Plaintiff ☐ Defendant or ☐ Self-Represented Litigant

DISPOSITION TYPE (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), SCRCP; ☐ Rule 41(a), SCRCP (Voluntary Nonsuit); ☐ Rule 43(k), SCRCP (Settled); ☐ Other _____

☐ **ACTION STRICKEN** (*CHECK REASON*): ☐ Rule 40(j), SCRCP; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other _____

☐ **STAYED DUE TO BANKRUPTCY**

☐ **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:

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
		$
		$
		$
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 _____ **Judge Code** _____ **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 28 day of Aug, 20 17 to attorneys of record or to parties (when appearing pro se) as follows:

Robert Fredrick Goings

Nicholas Daniel Mermiges

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter _____

Clerk of Court Jeanette W. McBride

SCRCP Form 4C (10/2011)