

FORM 4

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

JUDGMENT IN A CIVIL CASE
 CASE NUMBER 2016CP2304313

Chris Klein

Meineke

PLAINTIFF(S)

DEFENDANT(S)

Attorney for: Plaintiff Defendant

Submitted by:

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. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):**
 - Rule 12(b), SCRCP;
 - Rule 41(a), SCRCP (Vol. Nonsuit);
 - Rule 43(k), SCRCP (Settled);
 - Other: _____
- ACTION STRICKEN (CHECK REASON):**
 - Rule 40(j) SCRCP;
 - Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 - Bankruptcy;
 - Other: _____
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX)**
 - Affirmed;
 - Reversed;
 - Remanded;
 - Other: _____

RECEIVED
 MAR 02 2018
 SC Court of Appeals

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 matter came before the court on a negligence claim for trial by jury on January 16, 2018. At the close of Plaintiff's case the Defendant made a motion for Directed Verdict. The court found that, in viewing the evidence in the light most favorable to the non-moving party, the Plaintiff failed to meet the applicable three year statute of limitations. The evidence clearly showed that the subject work was performed in 2012 and that Plaintiff knew of problems allegedly arising from the work shortly thereafter. The complaint was not filed until 2016, beyond the applicable statute of limitations. Furthermore, the court found that, in viewing the evidence in the light most favorable to the non-moving party, the Plaintiff failed to present credible evidence of a duty under the law or proximate causation. The evidence was equivocal at best and only created a suspicion of negligent work. The salient question was thus left entirely to speculation and conjecture. The evidence could not, in the light most favorable to Plaintiff, support a jury verdict that the Plaintiff had met the requisite burden of proof. The Directed Verdict motion is, therefore, granted and the case is dismissed with prejudice.

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)

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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.**

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

Circuit Court Judge	Judge Code	1/23/2018 Date
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For Clerk of Court Office Use Only

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

Chris Klein 413 Duvall St Easley, SC 29640

Robert Hudson Smith 1306 South Church Street Greenville, SC 29605

Adam Crittenden Bach 1306 S. Church Street Greenville, SC 29605

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter

Paul B. Wickensimer Greenville County Clerk of Court - Clerk of Court

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.



Greenville Common Pleas

Case Caption: Chris Klein vs. Meineke
Case Number: 2016CP2304313
Type: Order/Form 4

So Ordered

s/ Robin B. Stilwell 2158

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