

FORM 4

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

JUDGMENT IN A CIVIL CASE

CASE NO. 2014CP4005467

Jami Allison Owens
PLAINTIFF(S)

James A Boulware et al
DEFENDANT(S)

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), 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
- 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:

The Defendants' Motion to Reconsider, 59(e) motion is denied. (1) As to the Defendants' motion for mistrial for Tena Dupree's testimony that her friend was killed by a drunk driver, the Court issued a curative instruction at the time of the motion for mistrial. The Court issued a second curative instruction in the jury charges. (2) The Defendants made a request to bifurcate the trial and exclude Defendant's guilty pleas for past DUI; DUI in this case; open container in this case. There was no objection to the jury deciding whether the Defendants' conduct was willful, wanton, or reckless in the actual damages trial.

ORDER INFORMATION

This order ends does not end the case. See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 06/21/2018 .

RECEIVED

JUL 20 2018

SC Court of Appeals

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

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Court Reporter:

E-Filing Note: 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 judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRPC.

(3) The Defendant is bound by the underlying facts of his guilty plea for the DUI and open container in this case. Doe v. Doe, 346 S.C. 145, 149, 551 S.E.2d 257, 259 (2001) Cothran v. Brown, 357 S.C. 210,215, 592 S.E.2d 629, 631 (2004) Those guilty pleas are probative and not overly prejudicial to establish Defendant's liability in the instant civil case.

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Richland Common Pleas

Case Caption: Jami Allison Owens vs Linda Moore , defendant, et al
Case Number: 2014CP4005467
Type: Order/Electronic Form 4

So Ordered

s/DeAndrea Gist Benjamin, #2161