

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

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DEC 16 2013
SC Court of Appeals

APPEAL FROM MARION COUNTY
COURT OF COMMON PLEAS

D. Craig Brown, Circuit Court Judge

Case No. 2011-CP-33-598

Ashlie Outing Appellant

v.

Velmetria Chante Weeks. Respondent,

RECORD ON APPEAL

Everett Hope Garner
Holler, Garner, Corbett, Ormond,
Plante & Dunn
P.O. Box 11006
Columbia, SC 29211
(803) 765-2968
Attorney for Appellant

J. David Banner
Aiken Bridges
P.O. Drawer 1931
Florence, SC 29503
(843) 669-8787
Attorney for Respondent

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The parties presented before this Court for oral argument on April 22, 2013. § 18-7-170 (1976, as amended) of the *Code of Laws of South Carolina*, addresses judgment on appeal to the Circuit Court which provides as follows:

Upon hearing the appeal the Appellant court shall give judgment according to the justice of the case, without regard to technical errors and defects which do not affect the merits. In giving judgment the court may affirm or reverse the judgment of the court below, in whole or in part, as to any or all the parties and for errors of law or fact.

Based on this Court's review, it is hereby ORDERED that the ruling in the magistrate's Court is AFFIRMED and the verdict in favor of the Defendant is hereby AFFIRMED.

AND IT IS SO ORDERED.



THE HONORABLE D. CRAIG BROWN
CHIEF ADMINISTRATIVE JUDGE FOR THE
TWELFTH JUDICIAL CIRCUIT

Florence, South Carolina
May 17, 2013

Marion County Summary Court

2715 East Highway 76, Suite B

Mullins, SC 29574

August 31, 2011

State of South of Carolina

County of Marion

Ashlie Outing

Plaintiff

Vs.

Velmetria Chante Weeks

Defendant

2011-CP-33-518

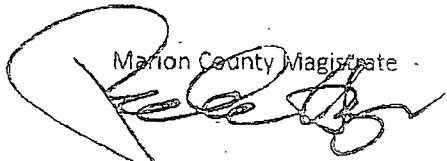
CLERK OF COURT
MARION COUNTY
MULLINS, SC 29574

2011 SEP - 7 A 11: 14

BOOK _____ PAGE _____

FILED

in this case the defendant admitted they were negligent in the present of the court. Therefore the Motion for directed verdict on the issue of negligence was denied.

Marion County Magistrate

Mackie Hayes

STATE OF SOUTH CAROLINA)
)
COUNTY OF MARION)

IN THE MAGISTRATE'S COURT

Ashlie Outing)
3913 Cherry Court)
Mullins, SC 29574)

No:

Plaintiff,)

vs.)

COMPLAINT
(Jury Trial Demanded)

Velmetria Chante Weeks)
115 Jeffs Pl.)
Mullins, SC 29574)

Defendant.)

Plaintiff complaining of the Defendant, would respectfully show unto this Court that:

1. Plaintiff is a citizen and resident of the County of Marion, State of South Carolina.
2. Plaintiff is informed and believes that the Defendant, is a citizen and resident of the County of Marion, State of South Carolina.
3. On or about January 30, 2006, Plaintiff was operating her vehicle on Highway 76 and was slowing down for traffic at a school crossing when the vehicle operated by the Defendant suddenly and forcefully struck the rear of Plaintiff's vehicle.
4. As a result of the above, the Plaintiff suffered physical harm and injury, as well as mental duress and loss of

enjoyment of life, all of which has and will in the future cause her to undergo physical and mental pain and suffering, has and will in the future cause her to have to spend money for medical services.

5. The accident and Plaintiff's damages, injuries and losses were the direct and proximate result of Defendant's negligence, gross negligence, carelessness, willfulness and wantonness in the following particulars, to wit:

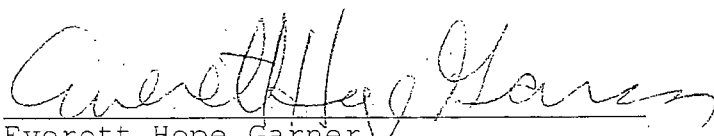
- a. In failing to maintain a proper look-out;
- b. In failing to keep her vehicle under proper control;
- c. In failing to apply her brakes if any she had;
- d. In driving too fast for conditions;
- e. In failing to use the care and caution that a reasonable person would have used under the circumstances then and there prevailing.

All of which were the direct and proximate cause of the injuries and damages suffered by the Plaintiff herein, said acts being in violation of the laws of South Carolina.

6. The Plaintiff is informed and believes that she is entitled to judgment against the Defendant for actual and punitive damages as may be established by a jury, as well as costs of this action and such other and further relief as this Court may deem just and proper.

WHEREFORE, the Plaintiff prays that she be awarded judgment

against the Defendant an amount to be determined by a jury for actual and punitive damages as well as the costs of this action and such other and further relief as this Court may deem just and proper.


Everett Hope Garner
HOLLER, DENNIS, CORBETT, ORMOND,
PLANTE & GARNER
P.O. Box 11006
Columbia, SC 29211

Columbia, South Carolina
5/4, 2006

A CERTIFIED COPY OF THE
ORIGINAL FILED IN THIS OFFICE
CASE# 01-0073
Rec'd 2-27-07

STATE OF SOUTH CAROLINA)
)
COUNTY OF MARION)

IN THE MAGISTRATE'S COURT
TWELFTH JUDICIAL CIRCUIT
CASE NUMBER: 07-0073

Ashley Outing,)
)
Plaintiff,)
)
vs.)
)
Velmetria Chante Weeks,)
)
Defendant.)
)
_____)

ANSWER

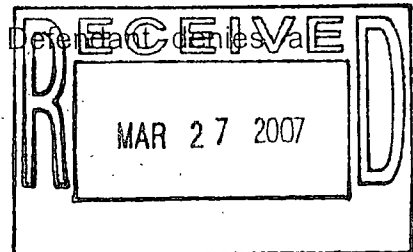
The Defendant, Velmetria Chante Weeks, without waiving any objection to venue and subject to any and all motions, answers the Complaint of the Plaintiff would allege as follows:

FOR A FIRST DEFENSE

1. That the Defendant denies all allegations contained in the Complaint which are not specifically admitted herein and demand strict proof hereof.
2. That the Defendant admits, based on information and belief, the allegations contained in Item 1.
3. That the Defendant admits, based on information and belief, the allegations contained in Item 2.
4. That the Defendant admits so much of Item 3 of the Complaint that may be construed to allege that a collision occurred, however, the Defendant denies all remaining or inconsistent allegations of Item 3.

A CERTIFIED COPY OF THE
ORIGINAL FILED IN THIS OFFICE
CASE# 07-0073

MAGISTRATE OF MARION COUNTY
SOUTH CAROLINA



5. That the Defendant is without sufficient information and knowledge to admit the allegations of Item 4 as to the damages and injuries of the Plaintiff, if any, and therefore the Defendant demands proof thereof and denies same.

6. That the Defendant denies allegations of Item 5.

7. That the Defendant denies allegations of Item 6.

FOR A SECOND DEFENSE

8. That the Defendant realleges the allegations of the First Defense above as fully as if repeated verbatim herein.

9. The Defendant alleges that if any injuries and damages were sustained by the Plaintiff, said injuries and damages were caused by the greater negligence and/or willfulness of the Plaintiff which exceeds the negligence and/or willfulness, if any, on the part of the Defendant, without which greater negligence and/or willfulness on the part of the Plaintiff, said alleged injury or damage would not have occurred or been sustained and for that reason, the Plaintiff is totally barred from recovery.

10. Alternatively, the Defendant alleges that if any injuries and damages were sustained by the Plaintiff, said injuries and damages were caused by the negligence and/or willfulness of the Plaintiff combining, concurring and contributing with the negligence and/or willfulness, if any, on the part of the Defendant, and for that reason the recovery of the Plaintiff, if any, shall be reduced in proportion to the amount of the Plaintiff's negligence.

FOR A THIRD DEFENSE

11. That the Defendant realleges the allegations of the First and Second Defenses above as fully as if repeated verbatim herein.

12. The evidence of recklessness and/or any degree of fault as alleged by the Plaintiff seeking punitive damages from this Defendant would not be, upon information and belief, clear and convincing as required by §15-33-135 of the 1976 South Carolina Code of Laws Ann. Further the imposition of punitive damages against this Defendant in the context of this lawsuit is unconstitutional under both the South Carolina and United States Constitutions. Therefore, the Plaintiff's request for punitive damages should be stricken from the Complaint.

WHEREFORE, the Defendant prays that the Complaint be dismissed with prejudice and that she be awarded judgment for the costs and disbursements of this action and for other and further relief as this Court may deem just and proper.



WILLIAM H. SEALS, JR.
Seals Law Firm, P. A.
P. O. Box 143
208 West Dozier Street
Marion, South Carolina 29571
Attorney for Defendant

Marion, South Carolina

March 27, 2007.

STATE OF SOUTH CAROLINA)
COUNTY OF MARION)

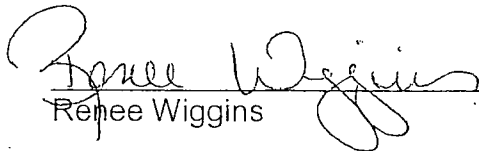
IN THE MAGISTRATE'S COURT
TWELFTH JUDICIAL CIRCUIT
CASE NUMBER: 07-0073

Ashley Outing,)
Plaintiff,)
vs.)
Velmetria Chante Weeks,)
Defendant.)

CERTIFICATE OF MAILING

I, Renee Wiggins, as an employee for William H. Seals, Jr., Attorney at Law, and counsel for the Defendant in the above captioned matter, do certify that I have served (all) counsel in this action with a copy of the pleading(s) hereinbelow specified by mailing a copy of same by United States Mails, postage prepaid, to the following address(es):

PLEADINGS: **Answer**
COUNSEL SERVED: Mr. Everett Hope Garner
Attorney at Law
P. O. Box 11006
Columbia, South Carolina 29211



Renee Wiggins

Marion, South Carolina
March 27, 2007.

D.P.S. USE ONLY

Page #

SOUTH CAROLINA TRAFFIC COLLISION REPORT FORM

Of Units

Amended - Attach Copy of Original Report

Notified

Arrival

Of

TR-310 (Rev. 01/2001)

2

Corrected

752

700

Date: 1/30/06	Time: 7:55	County: 34	1- Interstate 2- US Primary 3- SC Primary	4- Secondary 5- County 6- Other	Collision Location (Rt. # / Name): Hwy 76	0- Main 2- Alternate 5- Spur	6- Connection 7- Business 9- Other	Miles: In / Near City or Town of: Marion
---------------	------------	------------	---	---------------------------------------	---	------------------------------------	--	--

Lane # / Dir. #	Distance Offset	Direction	1- Interstate 2- US Primary 3- SC Primary	4- Secondary 5- County 6- Other	Base Intersection (Rt. # / Name): Bluff Road	0- Main 2- Alternate 5- Spur	6- Connection 7- Business 9- Other	ASRU code	MP/Grid
R.R. Id.	From	Ramp Only	To	1- Interstate 2- US Primary 3- SC Primary	4- Secondary 5- County 6- Other	Second Intersection (Rt. # / Name): Green St	0- Main 2- Alternate 5- Spur	6- Connection 7- Business 9- Other	Latitude: 34 10.485 Longitude: 078 28.354

Q-573298	Driver/Pedestrian's Full Name: Velmetria Chante Weeks	Q-573299	Driver/Pedestrian's Full Name: Ashlie Lavonne Outing
----------	---	----------	--

Unit # 1	Sex: F	Race: B	Street/R.F.D.: 115 Jeffs pl.
Birth Date: 01/12/85	City, State, & Zip: Mullins SC 29574		

Unit # 2	Sex: F	Race: B	Street/R.F.D.: 3913 Cherry Court
Birth Date: 11/7-86	City, State, & Zip: Mullins SC 29574		

State: SC	Driver's License #: 011623294	Insurance Company: STATE FARM	
Year: 94	Body: 45	Vehicle Make: FORD	VIN #: 1FA1P524OR A23910
State: SC	Year: 06	License Plate #: 165KCP	Owner's D.L. #:

State: SC	Driver's License #: 011639276	Insurance Company: HOWARD B SAUNDERS PERIOD	
Year: 93	Body: 45	Vehicle Make: FORD	VIN #: 1FMDU322X1P0617253
State: SC	Year: 06	License Plate #: 238EPD	Owner's D.L. #:

Home Telephone: (843) 464 8409	Owner's Full Name: VELMA LEE GODBOLD
Bus. Telephone:	Street/R.F.D.: 115 Jeffs place
Contributed To Collision: Yes	City, State, & Zip: Mullins SC 29574

Home Telephone:	Owner's Full Name: Cynthia G. Outing
Bus. Telephone:	Street/R.F.D.: 3913 Cherry Court
Contributed To Collision: No	City, State, & Zip: Mullins SC 29574

Estimated Speed: 10	Speed Limit: 35	C.D.L. Req: Yes No	T/B S Req: Yes No	Alc/Drg info (see back): Yes No
Summons #:	Code:	Summons #:	Code:	Towed By:

Estimated Speed: 05	Speed Limit: 30	C.D.L. Req: Yes No	T/B S Req: Yes No	Alc/Drg info (see back): Yes No
Summons #:	Code:	Summons #:	Code:	Towed By:

Q-573300	Driver/Pedestrian's Full Name:	State:	Year:	License Plate #:	Owner's D.L. #:
----------	--------------------------------	--------	-------	------------------	-----------------

Unit #:	Sex:	Race:	Street/R.F.D.:
Birth Date:	City, State, & Zip:		
State:	Driver's License #:	Insurance Company:	
Year:	Body:	Vehicle Make:	VIN #:

Home Telephone:	Owner's Full Name:			
Bus. Telephone:	Street/R.F.D.:			
Contributed To Collision: Yes No	City, State, & Zip:			
Estimated Speed:	Speed Limit:	C.D.L. Req: Yes No	T/B S Req: Yes No	Alc/Drg info (see back): Yes No
Summons #:	Code:	Summons #:	Code:	Towed By:

Dir. of Travel:	Unit 1: N S E W	Unit 2: N S E W	Unit 3: N S E W
-----------------	-----------------	-----------------	-----------------



Hwy 76



Unit 1 Dam.:	Unit 2 Dam.:	Unit 3 Dam.:	Prop. Dam. 1:	Prop. Dam.:
\$	\$	\$	\$	\$

Property Owner/Witness:	Property Owner/Witness:		
Address:	Address:		
State Zip:	Phone:	State Zip:	Phone:

Photo: Y N	Describe What Happened (Refer to Units by Number)
------------	---

unit # 1 hit unit # 2 in the Rear while unit # 2 was slowing down

NOTICE - THE TR-310 IS FOR STATISTICAL REPORTING PURPOSES ONLY AND IS A REFLECTION OF THE OFFICER'S BEST KNOWLEDGE, OPINION, AND BELIEF COVERING THE COLLISION BUT NO WARRANTY IS MADE AS TO THE FACTUAL ACCURACY THEREOF.

Investigating Officer's Name: C. J. Hutto	Rank: SGT	Badge #: 22	Code: 34	Date: 1-30-06	Reviewer's Name: G. Hutto	Rank: SGT	Internal Agency Code:
---	-----------	-------------	----------	---------------	---------------------------	-----------	-----------------------

Date of Birth	Sex	Race	INJ	Seat	RSD	A.B.D.	Eject	LAI	Tran	Name	Street Address	Zip Code
01285	F	B	0	01	99	4	1	1	2	Valmicheia C. Weeks	115 Jeffs place muller	29524
101782	M	B	0	04	99	4	1	1	2	Phillip weeks	115 Jeffs place muller	29524
11786	F	B	0	04	99	4	1	1	2	Ashlie L. outney	3913 cherry court	29524

Race	A - Asian/Pacific Islander	W - Caucasian	a) Injury Status	2- Non-incapacitating	Seating Loc.	20- Pedestrian	60- Sleeper of Cab	Restrain/Safety Device
B - African American	H - Hispanic	O - Other	0- Not Injured	3- Incapacitating	01 02 03	30- Trailing Unit	70- Riding on Unit Exterior	00- None Used
C - Alaskan Native or American Indian	U - Unk.		1- Possible	4- Fatal	04 05 06	40- Bus or Van (4th row or Higher)	80- Lap	11- Shoulder Belt Only
Air Bag Deployment / Switch	Ejection	b) Motorcycle Only	Head Injury	1- Yes	07 08 09	50- Other Enclosed Area (nontrailing)	99- Unk./NA	12- Lap Belt Only
1- Deployed Front	4- Not Deployed	1- Not Ejected	2- No	Location: After Impact	3- Freed (non-mech.)	51- Other Unenclosed Area (nontrailing)		88- Other
2- Deployed Side	7- Not Applicable	2- Part. Ejected		1- Not Trapped	4- Not Applicable	a) Transported to Medical Facility		13- Shoulder & Lap Belt
3- Deployed Both	9- Deployment Unk.	3- Tot. Ejected		2- Extricated (Mechanical Means)	9- Unknown	1- Yes	2- No	3- Unknown
4- Switch in On Position	3- No Switch	7- Not App.				b) By	1- EMS	2- Police
5- Switch in Off Position	9- Unknown	9- Unk.					8- Other	9- Unk.

Non-Collision	04- Equipment Failure	Collision: Not Fixed	27- Pedestrian	Collision: Fixed Object	47- Embankment	55- Mail Box	68- Other
1- Cargo/Equip Loss or Shift	05- Fire/Explosion	08- Overturn/Rollover	20- Animal (Deer Only)	28- Railway Veh.	40- Bridge Overhead Structure	48- Equipment	56- Median Barrier
2- Cross Median/Center Line	06- Immersion	09- Ran off Road Left	21- Animal (All Other)	29- Work Zone	41- Bridge Parapet End	49- Fence	57- Overhead Sign Support
3- Downhill Runaway	07- Jackknife	10- Ran off Road Right	22- Motor Veh. (In-Transport)	Maint. Equip.	42- Bridge Pier or Abutment	50- Guardrail End	58- Other (Post, Pole, Support, Etc.)
Event 1	Event 2	Event 3	Event 4	Most Harmful	1st Harmful	11- Separation of Units	23- Motor Veh. (Stopped)
1	1	1	1	1	2	12- Spill (Two-Wheeled Veh.)	24- Motor Veh. (Other Roadway)
2	2	2	2	2	3	18- Other Non-collision	25- Motor Veh. (Parked)
3	3	3	3	3	3	19- Unk. Non-collision	26- Pedalcycle

Direction of Collision (Struck Veh.)	30- Rear-to-Rear	50- Sideswipe Same Dir.	1st / Most Deformed Area	1st Deformed	2nd Deformed	3rd Deformed	Most Deformed
00- Not Coll. w/ Motor Veh.	41- Angle (↘ ↗)	60- Sideswipe Opposite Dir.	1 2 3 4 5 6 7 8 9 10 11 12	13 14 15 16 17 18 19 20	21 22 23 24 25 26 27 28 29 30	31 32 33 34 35 36 37 38 39 40	41 42 43 44 45 46 47 48 49 50
1st Harmful Collision	10- Rear End	42- Angle (→ ←)	51- School Bus	52- Passenger Bus	53- Other	54- Other	55- Other
20- Head On	43- Angle (↗ ↘)	99- Unknown	56- Other	57- Other	58- Other	59- Other	60- Other

Vehicle Type	15- Full Size Van	27- Pedalcycle	61- School Bus	21- Pedestrian	81- None	92- Rollover	93- Total	94- Under Carriage	98- Other	99- Unk.
01- Automobile	16- Mini Van	38- Animal Drawn Veh	62- Passenger Bus	1- Given - Known Results	4- None	1- Under-Compartment Intrusion	Under-Compartment Intrusion	Under-Compartment Intrusion	Under-Compartment Intrusion	Under-Compartment Intrusion
12- Pickup Truck	17- Sport Utility	39- Animal (Ridden)	98- Other	2- Given - Unusable	5- Refused	2- Under-No Intrusion	4- Over-MV in Transport	6- None	3- Under-Unknown	5- Over-Other Vehicle
13- Truck Tractor	25- Motorcycle	41- Pedestrian	99- Unk. (Hit and Run Only)	3- Given - Pending		3- Disabling Damage	5- Not Applicable			

Use Code	04- Ambulance	08- Farm Use	12- Fire Fighting	A1- Alcohol / Drug Test Given	3- Given - Pending	Special Use Only				
01- Personal	05- Military	09- Wrecker or Tow	13- Logging	A2- 1: Given - Known Results	4- None	1- Under-Compartment Intrusion	Under-Compartment Intrusion	Under-Compartment Intrusion	Under-Compartment Intrusion	Under-Compartment Intrusion
02- Driver Training	06- Transport Passengers	10- Police	18- Other	A3- 2: Given - Unusable	5- Refused	2- Under-No Intrusion	4- Over-MV in Transport	6- None	3- Under-Unknown	5- Over-Other Vehicle
03- Construction/Maint.	07- Transport Property	11- Government	41- Pedestrian	A1- Test Type	3- Urine	0- None/Minor	Extent of Deformity	0		

Attachment	4- Utility Trailer	8- Towed Motor Vehicle	C- Other Tanker	D1- Drug Results	3- Marijuana	0- None/Minor	Extent of Deformity	0
1- None	5- Farm Trailer	9- Petroleum Tanker	D- Flat Bed	D2- 1: Amphetamines	4- Opiates	2- Functional Damage	4- Severe/Totaled	9- Unk.
2- Mobile Home	6- Trailer w/Boat	A- Lowboy Trailer	E- Twin Trailers	D3- 2: Cocaine	5- PCP	3- Disabling Damage	5- Not Applicable	
3- Semi-Trailer	7- Camper Trailer	B- Autocarrier Trailer	F- Other	Alc Test Results	1- Two-way, Not Divided	3- Two-way, Divided; Barrier	Trafficway	1

Weather Condition	3- Cloudy	6- Fog, Smog, Smoke	02- Flashing Traffic Signal	22- Oncoming Emergency Vehicle	1- Yes, Directly	2- Yes, Indirectly	3- No	9- Unk.	School Bus Involved	2
1- Clear (no adverse conditions)	4- Sleet, Hail	7- Blowing Sand, Oil, Dirt or Snow	8- Severe Crosswinds	11- RR (X-bucks, Lights & Gates)	31- Pavement Markings (only)	43- Yield Sign	51- Flashing Beacon			
2- Rain	5- Snow			12- RR (X-bucks & Lights)	41- Stop Sign	44- Work Zone	98- None			
Light Condition	3- Dusk	6- Dark (Street Lamp Not Lit)		13- RR (X-bucks Only)	42- School Zone Sign	45- Other Warning Signs	99- Unk.			
1- Daylight	4- Dark (Lighting Unspecified)	7- Dark (No lights)		1- Before 1st Sign	3- Transition Area	5- Termination	1- Yes 2- No	Work Zone	2	
2- Dawn	5- Dark (Street Lamp Lit)			2- Advanced Warning Area	4- Activity Area	Area		Work Zone Location	2	
Junction Type	03- Five/More Points	07- Shared Use Paths or Trail	12- Y-Intersection	1- Shoulder/Median Work	3- Intermittent/Moving Work			Work Zone Type	2	
01- Crossover	04- Four-way Intersection	08- T-Intersection	13- Nonjunction	2- Lane Shift/Crossover	4- Lane Closure	8- Other	9- Unk.	1- Yes 2- No Workers Present	2	
02- Driveway	05- Railway Grade Crossing	09- Traffic Circle	99- Unk.							

Mail RR 1016, Office of Financial Responsibility
SC Department of Public Safety
PO Box 1998 Columbia, SC 29216

SOUTH CAROLINA DEPARTMENT OF PUBLIC SAFETY
FR-10 (REV. 01/01)
NOTICE OF REQUIREMENT



Date: 12-20-06	Time: 755	County: 31	1- Interstate 2- US Primary 3- SC Primary	4- Secondary 5- County	Collision Location (Rt #, Name): 5 Hwy 76	0- Main line 2- Alternate 5- Spur	6- Connection 7- Business	Miles: Dir. In / Near City or Town of: N E S W MACIN
----------------	-----------	------------	---	---------------------------	---	---	------------------------------	--

To Vehicle Owner/Operator: Failure to comply could result in appropriate action under 56-10-270 and 56-10-280 of the 1976 Code of laws of S.C. as amended, if vehicle subject to registration in S.C. and upon conviction thereof the Department must suspend your driving and/or registration privileges until all compliances have been met under the above sections of law.

Q-573298	Driver/Pedestrian's Full Name: Velmeta Chanta Weeks	Q-573299	Driver/Pedestrian's Full Name: Ashley Lavonne Outing
Unit # 1	Sex: F, Race: B, Street/R.F.D.: 115 Jells pl.	Unit # 2	Sex: F, Race: B, Street/R.F.D.: 3713 Cherry Road
Birth Date: Mullins, SC 29574	City, State, & Zip: Mullins, SC 29574	Birth Date: Mullins, SC 29574	City, State, & Zip: Mullins, SC 29574
State: SC, Driver's License #: 011623294, Insurance Company: STAR FARM	State: SC, Driver's License #: 011639276, Insurance Company: HOWARD B. SMITH JR	Year: 74, Body: LS, Vehicle Make: FORD, VIN #: 1FADP5240RA2380	Year: 93, Body: LS, Vehicle Make: FORD, VIN #: 1FMDU32X1P0117953
State: SC, Year: 06, License Plate #: 165KEP, Owner's D.L. #:	State: SC, Year: 06, License Plate #: 238EPD, Owner's D.L. #:	Home Telephone: ()	Home Telephone: ()
Owner's Full Name: Velma Lee Godbold	Owner's Full Name: Cynthia G Outing	Bus. Telephone: ()	Bus. Telephone: ()
Street/R.F.D.: 115 Jells place	Street/R.F.D.: 3713 Cherry Road	Contributed To Collision: Yes	Contributed To Collision: No
City, State, & Zip: Mullins, SC 29574	City, State, & Zip: Mullins, SC 29574		

Q-573300	Driver/Pedestrian's Full Name:	State:	Year:	License Plate #:	Owner's D.L. #:
Unit #:	Sex:	Race:	Street/R.F.D.:	Home Telephone:	Owner's Full Name:
Birth Date:	City, State, & Zip:	Bus. Telephone:	Street/R.F.D.:	Contributed To Collision: Yes/No	City, State, & Zip:
State:	Driver's License #:	Insurance Company:	Accident Insurance Information for Unit # 2		
Year:	Body:	Vehicle Make:	VIN #:	Company Name: South Carolina PEE DEE	Area Code/Phone Number: (803) 464 62

All Units Insurance Information
(to be completed by Investigating Officer)

Accident Insurance Information for Unit # 1	Company Name: STAR FARM	Area Code/Phone Number: (803) 464 8650	Agency Name: W.C. MOORES	Policy Number: 734945-027-400
Accident Insurance Information for Unit #	Company Name:	Area Code/Phone Number:	Agency Name:	Policy Number:

Insurance Information

Notice of Requirement Accepted	Signature: Velmeta Weeks	Y/N Refused to Affix Signature?
To Be Completed By Insurance Agency, Broker Or Other Company Representative	The information contained herein is based solely upon my knowledge or belief as a representative of the above insurance company and no warranty of liability is imputed into the above mentioned insurance as I have listed herein.	
Reference to Unit #:	I hereby affirm that to the best of my knowledge the vehicle described above was insured by the below stated insurance company on the date of the collision.	
Insurance Company:	Policy #: 4274388100	Signature: Cynthia G Outing
Beginning Date: 10-2-05	Ending Date: 4-2-06	NAIC# (Assigned by S.C. Dept. of Ins.): 32700
Policy Holder: Cynthia G Outing	Bus. Telephone: ()	

Notice: Failure to have this form completed by your insurance broker, agent or representative and returned to the South Carolina Department of Public Safety within 15 days may result in suspension of your driving and/or registration privileges.

If any of the below are applicable, disregard the above portion	Form FR-10 Not Issued: Section 56-10-271
Check here if a Form SR-23; Fleet Policy of 25 or more vehicles is on file with the Department covering the vehicle.	Section 56-10-521
Check here if a certificate of self-insurance has been issued by the Department covering the vehicle and indicate the certificate number: SI	No FR-10 Issued to Operator/ Owner of Unit #:
Check here if liability insurance was not in effect to comply with South Carolina statutory requirements.	Summons Issued to:
Investigating Officer's Name: [Signature]	Summons Number:
Rank: 601, Badge #: 22, Code: 34, Date: 12-20-06	Signature:
Reviewer's Name: [Signature]	Rank: Internal Agency Code:

BOOK _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF MARION)

IN THE COURT OF COMMON PLEAS)
)
TWELFTH JUDICIAL CIRCUIT IN MARION COUNTY)

Ashlie Outing,)
)
Plaintiff,)
)
vs.)
)
Velmetria Chante Weeks,)
)
Defendant)

No: *2011-02-33-518*
Magistrate Court No: 07-0073-02
NOTICE OF APPEAL

FILED
BOOK _____
PAGE _____
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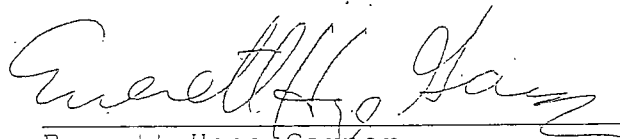
Plaintiff by and through her undersigned counsel, hereby appeals from the Decision and Judgment of the Marion County Magistrate's Court, Judge Mackie D. Hayes by trial by jury on July 20, 2011. The appeal is based upon the following grounds:

1. It is respectfully submitted that the Trial Judge erred in failing to grant Appellant's Motion for Directed Verdict on the issue of negligence when the evidence clearly mandated such a finding on the part of respondent as a matter of law.

2. It is respectfully submitted that the Trial Judge erred in failing to grant Appellant's Motion for Judgment Notwithstanding the Verdict or alternatively a new trial when the

evidence clearly mandated such.

Respectfully Submitted,



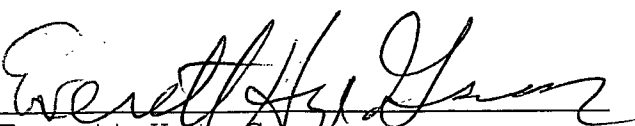
Everett Hope Garner
HOLLER, DENNIS CORBETT, ORMOND,
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(803) 765-2968
Attorney for Plaintiff

Columbia, South Carolina
8/11/11, 2011

CERTIFICATE OF COUNSEL

The undersigned hereby certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

Dated: 12/16/13



Everett Hope Garner
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