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THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM GREENWOOD COUNTY  
Court of Common Pleas

The Honorable Frank Addy, Circuit Court Judge

RECEIVED  
MAY 13 2019  
SC Court of Appeals

Tony Young.....Appellant,

v.

The Greenwood County Sheriff's Office.....Respondent.

Case No. 2016-CP-24-00157

**NOTICE OF APPEAL**

Tony Young appeals the Order of the Honorable Frank Addy, dated March 27, 2019. The appellant received written notice of the entry of Judge Addy's Order on March 27, 2019.

April 10, 2019

JK

*s/ Joshua T. Hawkins*  
Joshua T. Hawkins, S.C. Bar #78470  
Helena L. Jedziniak, S.C. Bar #100825  
Hawkins & Jedziniak, LLC  
1225 South Church Street  
Greenville, South Carolina 29605  
(864) 275-8142 (telephone)  
(864) 752-0911 (facsimile)  
**Attorneys for Appellant**

Rusty Harter  
Chapman, Harter & Harter, P.A.  
14 Lavinia Avenue  
Greenville, South Carolina 29601  
(864) 233-4500 (telephone)  
**Attorney for Respondent Greenwood County Sheriff's Office**

FORM 7  
PROOF OF SERVICE OF A NOTICE OF APPEAL

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

**RECEIVED**  
MAY 13 2019  
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The Honorable Frank Addy, Circuit Court Judge

Case No. 2016-CP-24-00157

Tony Young,

Appellant,

v.

The Greenwood County  
Sheriff's Office,

Respondent.

PROOF OF SERVICE

I certify that I served the Notice of Appeal on the Greenwood County Sheriff's Office by depositing a copy of it in the United States Mail, postage prepaid, on April 10, 2019, addressed to its attorney of record, Rusty Harter, P.O. Box 10224, Greenville, South Carolina 29603.

May 1, 2019

s/ Joshua T. Hawkins  
Hawkins & Jedziniak, LLC  
1225 South Church Street  
Greenville, South Carolina 29605  
(864) 275-8142  
josh@hjlsc.com  
Attorney for Appellant

Hawkins & Jedziniak, LLC

1225 South Church Street  
Greenville, South Carolina 29605  
Telephone: (864) 275-8142  
Facsimile: (864) 752-0911  
josh@hjlsc.com

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MAY 13 2019

SC Court of Appeals

April 10, 2019

The Honorable Jenny Abbott Kitchings  
Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, South Carolina 29201

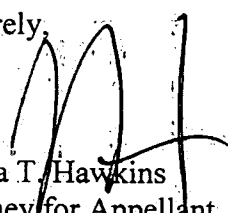
Re: *Tony Young v. Greenwood County Detention Center and the Greenwood County Sheriff's Office*  
Civil Action No. 2016-CP-24-00157

Dear Ms. Kitchings:

Enclosed for filing is a notice of appeal in the case referenced above. Also please find enclosed a copy of the order which is to be challenged on appeal as well as the \$250.00 filing fee.

With this mailing, we are serving counsel for the respondent.

Sincerely,

  
Joshua T. Hawkins  
Attorney for Appellant

Enclosures

Copy (with a Certificate of Service):

Mr. Russell W. Harter, Jr.  
Chapman, Harter & Harter, P.A.  
P.O. Box 10224  
Greenville, South Carolina 29603

Copy:

The Honorable Frank R. Addy Jr.'s Chambers  
528 Monument Street, Suite 210  
Greenwood, South Carolina 29646

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STATE OF SOUTH CAROLINA  
COUNTY OF GREENWOOD

THE COURT OF COMMON PLEAS  
CASE NO. 2016-CP-24-00157

TONY YOUNG,  
Plaintiff,

vs.

GREENWOOD COUNTY DETENTION  
CENTER AND THE GREENWOOD  
COUNTY SHERRIFF'S OFFICE,  
Defendants.

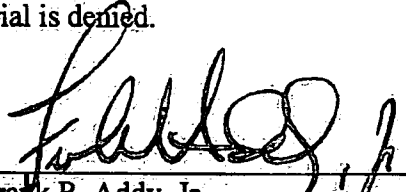
RECEIVED  
MAY 13 2019  
SC Court of Appeals  
ORDER DENYING MOTION FOR NEW TRIAL

THIS MATTER COMES BEFORE THE COURT on Plaintiffs' post-trial motion, dated October 5, 2018, seeking a new trial absolute or a judgment notwithstanding the verdict. Having considered the argument of counsel for Plaintiff and reviewed the applicable law, the Court finds that the rulings at trial were correct and, even if erroneous, not so substantial as to have affected the outcome.

This matter was tried before a jury, and a verdict in favor of the Defendants was rendered by the jury on September 27, 2018. The Plaintiff and the Defendants presented conflicting evidence on the issue of gross negligence, and the jury simply found that the Plaintiff had not met his burden of proving the Defendant acted negligently in providing medical care to the Plaintiff. In light of the contested nature of the testimony and out of due respect and deference to the findings of the trier of fact, the court declines to grant the Plaintiff's motion for a new trial.

THEREFORE, Plaintiffs' motion for a new trial is denied.

IT IS SO ORDERED.

  
\_\_\_\_\_  
Frank R. Addy, Jr.  
Circuit Court Judge  
Eighth Judicial Circuit

March 22, 2019  
Greenwood, South Carolina