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September 5, 2019

**RECEIVED**  
SEP 05 2019  
SC Court of Appeals

**Via Hand Delivery**

The Honorable V. Claire Allen  
Deputy Clerk of Court  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

RE: Brandon Glover v. David Hill, JHOC, Inc., Earl Cuff and Willie Glover  
Appellate Case No. 2019-001442  
Our File No. 054194/01501

Dear Ms. Allen:

I am writing on behalf of Appellants David Hill and JHOC, Inc. in response to your August 30, 2019 deficiency letter. In your letter, you asked us to provide a complaint or other document filed in the circuit court to confirm the caption on Appellants' notice of appeal. I have enclosed a copy of Plaintiff Brandon Glover's Second Amended Complaint showing the complete caption in this case.

You also requested that we "confirm all counsel for the appellant." Counsel from Nelson Mullins Riley & Scarborough LLP—C. Mitchell Brown, Blake T. Williams, and Nicholas A. Charles—represent Appellants in this appeal. Rule 203 of the South Carolina Appellate Court Rules directs an appellant to include "[t]he names, mailing addresses, and telephone numbers of *all attorneys of record* and the names of the party or parties represented by each." Rule 203(e)(1)(E), SCACR (emphasis added). Accordingly, we listed the additional attorneys of record who represented Appellants in the trial court—Christian Stegmaier; William M. Connor, V; Robert L. Shannon, Jr. (admitted *pro hac vice* in the circuit court); and Ciera N. Locklair (admitted *pro hac vice* in the circuit court)—in the notice of appeal and accompanying proof of service.

Please contact us if you need additional information. Thank you for your consideration of this matter.

The Honorable V. Claire Allen  
September 5, 2019  
Page 2

Very truly yours,

A handwritten signature in black ink, appearing to read "Nick Charles", written in a cursive style.

Nicholas A. Charles

Enclosures

cc: Christian Stegmaier, Esquire  
William M. Connor, V, Esquire  
Robert L. Shannon, Jr., Esquire  
Ciera N. Locklair, Esquire  
H. Woodrow Gooding, Esquire  
Mark B. Tinsley, Esquire  
David R. Williams, Esquire  
Virginia W. Williams, Esquire  
E. Mitchell Griffith, Esquire  
Anthony W. Livotti, Esquire  
Alexis V. Blich, Esquire

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF ORANGEBURG )  
 )  
 BRANDON GLOVER, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 DAVID HILL, JHOC, INC., EARL )  
 CUFF and WILLIE GLOVER, )  
 )  
 Defendants, )  
 )  
 \_\_\_\_\_ )

IN THE COURT OF COMMON PLEAS  
 CIVIL ACTION NO.: 16-CP-38-01152

**SECOND AMENDED COMPLAINT  
 (JURY TRIAL DEMANDED)  
 (AUTOMOBILE WRECK)**

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 SC Court of Appeals

CLERK OF COURT  
 ORANGEBURG, SC

2011 MAR 31 PM 12:34

FILED FOR RECORD  
 WINIFRA B. CLARK

The Plaintiff, complaining of Defendants herein, alleges:

1. Plaintiff is a citizen and resident of Orangeburg County, South Carolina, and was a citizen and resident of Orangeburg County, South Carolina, at the time of the incident described herein.
2. Defendant David Hill is a citizen and resident of a state other than the State of South Carolina and has subjected himself to the jurisdiction of this court through his commission of a tortious act in whole within the State of South Carolina pursuant to S.C. Code Ann. § 36-2-803(A)(3).
3. Defendant JHOC, Inc. is a corporation organized and existing in a state other than the State of South Carolina, with its principal place of business in a state other than South Carolina; Defendant JHOC, Inc. has subjected itself to the jurisdiction of this Court through its commission of a tortious act in whole within the State of South Carolina pursuant to S.C. Code Ann. § 36-2-803(A)(3).

4. Defendant Earl Cuff is a citizen and resident of a state other than the State of South Carolina, and has subjected himself to the jurisdiction of this court through his commission of tortious acts in whole within the State of South Carolina pursuant to S.C. Code Ann. §36-2-803(A)(3).

5. Defendant Willie Glover is a citizen and resident of Orangeburg County, South Carolina, and was a citizen and resident of Orangeburg County, South Carolina, at the time of the incident described herein.

6. At all times relevant herein, Defendant David Hill was an agent, servant, and/or employee of Defendant JHOC, Inc. and was acting within the course of scope of his employment making it liable for the acts or omissions of defendant David Hill.

7. The most substantial part of the acts or omissions giving rise to the causes of action stated herein occurred in Orangeburg County, South Carolina.

8. On or about August 4, 2015, Defendant Earl Cuff was operating his vehicle in a westerly direction of Interstate 26 in Orangeburg County, South Carolina. Defendant Earl Cuff's vehicle became disabled thereby causing Defendant Earl Cuff to attempt to exit to the right shoulder of Interstate 26; however, Defendant Earl Cuff failed to completely remove his vehicle from the roadway and was parked partially on Interstate 26. Plaintiff was a passenger in a vehicle being operated by Defendant Willie Glover traveling behind Defendant Earl Cuff on Interstate 26. Defendant David Hill was operating Defendant JHOC's tractor trailer rig in the same direction and lane of travel behind Defendant Willie Glover. As Defendant Willie Glover made a sudden stop to avoid hitting Defendant Earl Cuff's disabled vehicle that was parked partially in the roadway, in front of Defendant David Hill, who was following too closely and

traveling too fast, rear ended Defendant Willie Glover's vehicle. Defendant Willie Glover then collided with a tree.

9. As a result of this incident, Plaintiff suffered injuries to his neck, back, right shoulder and other parts of his body; these injuries have caused and will in the future cause him to endure great physical pain, suffering, mental anguish, emotional distress, and impairment of health and bodily efficiency; have caused Plaintiff to spend money for medical services; and have caused a permanent disability.

10. Defendant Glover, Defendant Cuff, Defendant Hill, and Defendant JHOC, by and through the acts and/or omissions of Defendant Hill, were negligent, careless, reckless, grossly negligent, willful and wanton at the time and place above-mentioned in the following particulars:

**AS TO DEFENDANT EARL CUFF**

- a. In failing to remove his vehicle from the roadway;
- b. In failing to properly maintain control of his vehicle;
- c. In failing to properly warn other drivers that his vehicle was disabled in the roadway;
- d. In failing to take evasive action to avoid the collision;
- e. In failing to exercise the degree of care and caution that a reasonably prudent person would have exercised under the same or similar circumstances; and
- f. In such other and further particulars as the evidence in trial may show;

**AS TO DEFENDANT WILLIE GLOVER**

- a. In failing to maintain a proper lookout;
- b. In failing to maintain proper control of his vehicle;
- c. In failing to take evasive action to avoid the collision;

- d. In stopping suddenly;
- e. In traveling too fast for existing conditions;
- f. In failing to properly apply his brakes;
- g. In failing to exercise the degree of care and caution that a reasonably prudent person would have exercised under the same or similar circumstances; and
- h. In such other and further particulars as the evidence in trial may show;

**AS TO DEFENDANTS DAVID HILL AND JHOC. INC.**

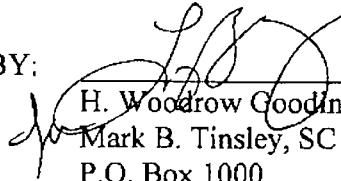
- a. In failing to maintain a proper lookout;
- b. In failing to maintain proper control of his vehicle;
- c. In failing to take evasive action to avoid the collision;
- d. In following too closely;
- e. In traveling too fast for existing conditions;
- f. In failing to properly apply his brakes;
- g. In failing to properly train and supervise its drivers (as to Defendant JHOC);
- h. In failing to exercise the degree of care and caution that a reasonably prudent person would have exercised under the same or similar circumstances; and
- i. In such other and further particulars as the evidence in trial may show;

all of which combined and concurred as a direct and proximate cause of the injuries and damages suffered by Plaintiff herein, said acts being in violation of the statutes and laws of the State of South Carolina.

WHEREFORE, Plaintiffs pray for judgment against Defendants in a sum sufficient to adequately compensate for actual damages as a jury may reasonably award, for the costs of this action, and for such other and further relief as this Court may deem just and proper.

GOODING AND GOODING, P.A.

BY:



H. Woodrow Gooding, SC Bar #2180

Mark B. Tinsley, SC Bar #15597

P.O. Box 1000

Allendale, SC 29810

(803) 584-7676

Attorneys for Plaintiff

March 29, 2017

