

STATE OF SOUTH CAROLINA)
)
 COUNTY OF JASPER)
)
 Rodney J. Tolen,)
)
 Plaintiff,)
)
 -vs-)
)
 Happy Taxi Cab Co. a/k/a A Happy Taxi)
 Cab Co. a/k/a A Taxicab a/k/a ADR Taxi,)
 Carolyn Reynaud, n/k/a Carolyn Robinson,)
 Individually and d/b/a Happy Taxi Cab Co.)
 a/k/a A Happy Taxi Cab Co. a/k/a A Taxicab)
 Jason Robinson, Individually and d/b/a)
 Happy Taxi Cab Co. a/k/a A Happy Taxi)
 Cab Co. a/k/a A Taxicab, John Doe,)
 An unknown individual and/or business,)
)
 Defendants.)

IN THE COURT OF COMMON PLEAS
 CASE NO. 2018-CP-27-00408

ORDER FOR JUDGMENT

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This matter came before the Court on August 1, 2019, for a default damages hearing.

Present representing the Plaintiff was Amanda N. Pittman. Plaintiff was also present along with his wife, Stephanie Tolen, and Tasha Smith from McWhirter, Bellinger, & Associates, P.A. No Defendant was present, nor was any counsel for Defendant present.

This matter concerns personal injuries suffered by Plaintiff as a result of an automobile collision on January 4, 2018. Plaintiff was traveling as a passenger in a taxi owned by Defendants and driven by a John Doe driver employed by Defendants. Defendant John Doe, while acting in the course and scope of his employment with Happy Taxi Cab Co. a/k/a A Happy Taxi Cab Co. a/k/a A Taxicab a/k/a ADR Taxi ("Happy Taxi"), was driving too fast for conditions when he crashed into a concrete beam and then left the scene. As a result, Mr. Tolen sustained personal injuries that required treatment from January 4, 2018, to February 20, 2019.

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 opposing counsel
 clerk of lower court

This action was commenced by the filing of a Summons and Complaint with this Court on August 3, 2018. No responsive pleadings were filed on behalf of any Defendant. On December 3, 2018, Plaintiff filed an Amended Summons and Complaint. Defendant John Doe was served on December 11, 2018; Defendant Jason Robinson was served on January 27, 2019; and Defendant Carolyn Reynaud was served on January 11, 2019. Again, no responsive pleadings were filed.

An Affidavit of Default and Motion for Judgment was filed on or about March 18, 2019. Evidence was presented to me that all Defendants had been sent notice of the damages hearing by letter of counsel dated January 17, 2019. Notably, Defendant Carolyn Reynaud and Defendant Jason Robinson were sent letters via regular mail and via certified mail, return receipt requested, restricted delivery. No letters were returned via regular mail; Defendant Carolyn Reynaud refused to sign for the certified letter. The Jasper County Clerk of Court also indicated that she had mailed notice of the hearing to Defendants.

There was testimony that Plaintiff suffered substantial bodily injuries due to the accident and incurred medical bills in the amount of \$15,445.40 Plaintiff also testified regarding the effects of the accident on his daily life. Plaintiff testified that he has difficulty sitting for long periods of time, which has affected his marriage because he and his wife used to enjoy traveling and going to the movies. Plaintiff further testified that he continues to have pain in his back, a pins and needles sensation in his legs and feet, and headaches on a daily basis. Plaintiff averred that he had difficulty sleeping due to his pain. Plaintiff stated that he has never had issues with his back or neck, experienced a pins and needles sensation, or endured headaches in the past. Plaintiff is only 55 years old.

Served on opposing

Served on:
opposing council
Clerk of Lower Court

Based on the uncontested testimony, the court finds that the Defendants are in default and have, therefore, admitted to causing damage to Plaintiff's person, and are liable to the Plaintiff for such damages.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Plaintiff be awarded a judgment in the total amount of \$100,000.00 against the Defendants.

AND IT IS SO ORDERED.

Jennifer Blanchard McCoy
Circuit Court Judge for Jasper County

Ridgeland, South Carolina
August ____, 2019

Served on:
Opposing Council
Clerk of Lower Court



Jasper Common Pleas

Case Caption: Rodney J Tolen VS Happy Taxi Cab Co., defendant, et al
Case Number: 2018CP2700408
Type: Order/Damages

So Ordered

s/Jennifer B. McCoy #2764

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