

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF ABBEVILLE )

IN THE COURT OF COMMON PLEAS  
C.A. No.: 2018-CP-01-00218

James Millholland, )  
 )  
Plaintiff, )

vs. )

**ORDER**

Sheriff of Abbeville Ray Watson, )  
Sgt. Matthew Graham and Det. )  
Jeffrey Hines of the Abbeville )  
Sheriff's Dept, the Abbeville )  
Sheriff's Dept. and the County of )  
Abbeville, )

Defendants. )

FILED  
STATE OF SOUTH CAROLINA  
COUNTY OF ABBEVILLE  
2018 NOV -1 AM 10:45  
EMILY MCANAMAN  
CLERK OF COURT

**RECEIVED**

SEP 26 2019

SC Court of Appeals

This matter came before me for a hearing on the 23<sup>rd</sup> day of October, 2018.

The Plaintiff appeared *pro se*. The Defendants are represented by Russell W. Harter, Jr. of the firm Chapman, Harter & Harter, P.A.

I find that this is an action filed by the Plaintiff to recover personal property which he alleges he lost due to the negligence of the Defendants. The Complaint in this action was filed on July 18, 2018. The Defendants in due course timely filed an Answer to the Complaint and the Defendants have also filed a Motion for Summary Judgment. The Defendants move for summary judgment based upon the statute of limitations.

I find that all proper parties are before the court at this time and that the Plaintiff and the Defendants have received proper notice of this hearing.

It appears that the Complaint of the Plaintiff alleges acts of negligence which

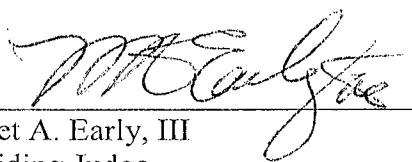
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BY *McAnaman*  
ABBEVILLE COUNTY CLERK OF COURT

occurred on or about August 20, 2014. The Defendants have specifically pled the statute of limitations as a bar to the Plaintiff's claim. Whether the Court applies a three year statute under S.C. Code Ann. §15-3-530 or a two year statute under the South Carolina Tort Claims Act, § 15-78-110, on the face of the Complaint it is clear that this action was not timely filed and is time barred.

Based on the record before me and arguments at the time of this hearing, I find that the Plaintiff's Complaint should be dismissed with prejudice, based upon the statute of limitations.

It is therefore ORDERED, ADJUSTED AND DECREED, that the Complaint of the Plaintiff be and same is hereby dismissed with prejudice and forever ended.

IT IS SO ORDERED.

  
Doyet A. Early, III  
Presiding Judge  
Eighth Judicial Circuit

Abbeyville, South Carolina

*Nov*  
October 1, 2018