

substitute Kimberly T. Thomason and Devon M. Puriefoy,

2. The Court finds further, that although Plaintiffs have argued the Rule 60 relief from judgment should be denied as our Court's have routinely held that attorney negligence does not entitle a party subject to a judgment to relief, this Court finds that, pursuant to the United States Supreme Court case of Maples v. Thomas, attorney abandonment has been established. In accordance with the findings of our nation's Supreme Court, the action, or inaction, of Defendant's former counsel went beyond traditional notions of attorney negligence and constitute attorney abandonment. Maples v. Thomas, 565 U.S. 266, 273, 132 S. Ct. 912, 918, 181 L. Ed. 2d 807 (2012).
3. Finally, I find that as a result of this Court's grant of Defendant's Rule 60 Motion for Relief from Judgment, the Court need not consider Defendant's Motion to Quash as doing so would be premature.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

IT IS SO ORDERED!

Alex Kinlaw, presiding Judge
Thirteenth Judicial Circuit

_____, SC
this ___ day of _____, 2019



Greenville Common Pleas

Case Caption: David Rosen vs. Josephine Middleton
Case Number: 2018CP2300513
Type: Order/Vacate Judgment

So Ordered

s/Alex Kinlaw, Jr., #2763

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