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Aug 13 2020

SC Court of Appeals

STATE OF SOUTH CAROLINA)
)
 COUNTY OF BEAUFORT)
)
 KIM LIKINS,)
)
)
 Plaintiff,)
)
 v.)
)
 C. C. "SKIP" HOAGLAND,)
)
)
 Defendant.)
)
 _____)

IN THE COURT OF COMMON PLEAS
 FOURTEENTH JUDICIAL CIRCUIT
 CASE NUMBER: 2015-CP-07-2937

**ORDER FINDING DEFENDANT
 HOAGLAND IN CONTEMPT OF
 COURT**

This matter came before the Court on January 30, 2018 on Plaintiff's Motion for Order and/or Rule Show Cause, Memorandum of Law in Support of Motion for Contempt/Rule to Show Cause and Supplement to Motion, the affidavits of Gregory M. Alford authenticating certain e-mails, and supplemental exhibits all of which are filed as of record with this Court (collectively, "the filings"). Barrett Brewer, Esq. appeared on behalf of Defendant and John P. Linton, Jr., Esq. and Gregory Alford, Esq. appeared on behalf of Plaintiff.

Prior to the hearing, on January 24, 2018, this Court issued a Rule to Show Cause directing Defendant C.C. "Skip" Hoagland ("Defendant" or " Defendant Hoagland") to appear before this Court and show cause as to why he should not be held in contempt of this Court's Order issued on November 8, 2017 ("the Order"). That Order precludes the parties--and others--from making any extra-judicial comments about this case to the media and any third parties about any aspect of this action until a jury verdict has been returned. Additionally, the Order provides that all communications between counsel of record shall be conducted solely by the attorneys and their staff and expressly prohibits the parties from communicating directly or indirectly with or to opposing counsel.

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Defendant appeared on January 30, 2018 and elected not to testify. The Court finds by clear and convincing evidence that the e-mails sent by Defendant, which are attached to the filings, violate the Order and that Defendant's violations of the Order were willful. The Court also finds that Defendant failed to present any evidence establishing a defense or inability to comply with the Order. Included among the e-mails are examples of communications by Defendant to numerous third parties about the subject matter of this case; communications by Defendant directly to counsel for the Plaintiff; and an admission by the Defendant that he contacted a witness following her deposition in this case to discuss the questions posed to her at the deposition, all in clear willful violation of the Court's Order.¹

Based upon the forgoing, the Court **HEREBY FINDS** Defendant Hoagland in **CONTEMPT OF COURT**. The Court takes under advisement and holds in abeyance the decision of whether Defendant Hoagland's contempt is civil contempt or criminal contempt. The Court also takes under advisement and holds in abeyance the decision of what sanction or punishment is appropriate. The Court will make those determinations at the end of this case. Defendant's actions from now until the end of the case may inform the Court's ultimate decision.

AND IT IS SO ORDERED!

The Honorable Lawton McIntosh
South Carolina Circuit Court Judge

Anderson, South Carolina
February __, 2018

¹ Also included in the e-mails are multiple examples of Defendant directly e-mailing the Court about this case. To the extent the Order did not specifically state that Defendant is prohibited from directly contacting the Court, the Order was verbally amended in Court on January 30, 2018 to prohibit any such direct communication by a party to the Court. That amendment is further memorialized and adopted by this order.



Beaufort Common Pleas

Case Caption: Kim Likins VS C C Skip Hoagland , defendant, et al
Case Number: 2015CP0702937
Type: Order/Other

S/R. LAWTON McINTOSH

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