

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

Southeastern Sureties Group, Inc.,)
)
Plaintiff,)
)
vs.)
)
Michael E. Curlee, and wife Karin M.)
Curlee; and Michael E. Curlee, and wife)
Karin M. Curlee, d/b/a All Out Bail)
Bonding,)
)
Defendants.)
)

IN THE COURT OF COMMON PLEAS

**ORDER ON MOTION FOR RELIEF
FROM JUDGMENT PURSUANT TO
RULE 60(b)**

C.A. No.: 2018-CP-23-05016

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SC Court of Appeals

This matter came before the Court on December 23, 2020, for a hearing on Defendants' Motion for Relief from Judgment pursuant to Rule 60(b) of the South Carolina Rules of Civil Procedure as to Defendant Karin M. Curlee *only*. Joshua J. Hudson, Smith Hudson Law, LLC, appeared on behalf of Plaintiff. Kenneth Gibson appeared on behalf of Defendants. Defendants argued that the North Carolina Court that issued the original Default Judgment that precipitated the supplementary proceedings in this state did not have personal jurisdiction over Ms. Curlee. For the reasons set forth herein, Defendants' Motion is DENIED.

First, Ms. Curlee executed the Agent Contract at issue in the underlying North Carolina action, she was named as a party to that action, and she had every opportunity to make her personal jurisdiction argument in that action but failed and/or refused to do so. Second, once the Judgment was domesticated in South Carolina over two years ago, Ms. Curlee had a second opportunity to raise the issue and again failed and/or refused to do so. Under the timeline of any statute or rule of civil procedure, the opportunity to raise the issue has long since passed.

Therefore, Defendants' Motion is hereby DENIED.

IT IS SO ORDERED.

JUDGE'S SIGNATURE PAGE TO FOLLOW



Greenville Common Pleas

Case Caption: Southeastern Sureties Group Inc vs. Michael E Curlee , defendant, et al

Case Number: 2018CP2305016

Type: Master/Order/Other

And It Is So Ordered!

s/ Judge Charles B. Simmons, Jr. (3023)