

Bobby Leopard et al
PLAINTIFF(S)

Perry Wendell Barbour
DEFENDANT(S)

RECEIVED
Mar 11 2021

30 Court of Appeals

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled);
 Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded;
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

This matter was before the court on Plaintiffs' Motion for Default Judgment and Damages and Defendant's Motions to Vacate Entry of Default and Dismiss. After considering the Wham factors, this court grants Defendant's Motion to Vacate Entry of Default and orders that Defendant's filed Answer be entered. Furthermore, this court grants Defendant's Motion to Dismiss on the basis that the statute of limitations has passed in this matter. Accordingly, the court finds that it is unnecessary to address Plaintiff's Motion for Default Judgment and Damages.

ORDER INFORMATION

This order ends does not end the case. See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 02/16/2021 .

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.



Cherokee Common Pleas

Case Caption: Bobby Leopard , plaintiff, et al VS Perry Wendell Barbour

Case Number: 2020CP1100632

Type: Order/Electronic Form 4

So Ordered

s/Letitia H. Verdin, SC Judge 2162