

STATE OF SOUTH CAROLINA )  
COUNTY OF GREENVILLE )

IN THE COURT OF COMMON PLEAS  
THIRTEENTH JUDICIAL CIRCUIT  
2020-CP-23-02623

Sherry A. Lee, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
Light Rx Greenville, )  
 )  
Defendant. )  
\_\_\_\_\_ )

**RECEIVED**  
**MAY 18 2021**  
**SC Court of Appeals**

This matter arises out of a judgment entered by Magistrates Court in favor of Ms. Lee against Light Rx Greenville in the amount of \$7,000.00 and entered on December 27, 2019.

Plaintiff instituted supplemental proceedings in an effort to collect the judgment debt. The Rule to Show Cause was personally served by the Greenville County Sheriff's Office on the Manager for Light Rx Greenville. See, Aff. of Service filed 11/12/2020. A hearing was held on February 5, 2021. At that time, and as noted in an Order filed March 4, 2021, no agent or representative of Defendant appeared. The attorney for Light Rx Greenville did appear. Based upon the failure to appear, a contempt hearing was scheduled for March 29, 2021.

On March 29, 2021 Plaintiff and Defendant's attorney appeared. Once again, no representative of Defendant appeared despite the clear language of the Order filed March 4, 2021 putting Defendant on notice that failure to appear may result in a finding of contempt.

Defendant's attorney argues that the Defendant in this action is different from the Defendant that he represents due to some type asset purchase. However, despite being allowed two opportunities to appear and present evidence in support of this contention to the Court, and

after the Court providing notice to the Manager of Light Rx Greenville independent of notice to their attorney, there is no evidence before the Court to support Defendant's attorney's argument.

In light of the record on this case, the Court finds that Light Rx Greenville is in willful contempt of Court for failure to appear at two separate Court-ordered hearings. Accordingly, the Court imposes a sanction of \$3,000.00 for failure to appear and payable to the Clerk of Court for Greenville County. Further, in that Plaintiff has been required to travel from Fayetteville, North Carolina on two separate occasions, the Court will award Plaintiff all travel fees and expenses, including any time off from work, upon presentation of an Affidavit supporting the same.

In the event the above sanction is not paid within 21 days, the Court will issue an arrest Order for the registered agent and/or Manager of Light Rx Greenville.

Notwithstanding the above, the Court notes that in that this is a contempt action, it is in no way impacted by an action pending in 2021-CP-23-00464, which is an action brought by RVB Greenville, LLC d/b/a Light Rx against Ms. Lee that attempts to collaterally attack the judgment in the present action.

AND IT IS SO ORDERED

JUDGE'S SIGNATURE PAGE TO FOLLOW



Greenville Common Pleas

**Case Caption:** Sherry A Lee vs. Light Rx Greenville

**Case Number:** 2020CP2302623

**Type:** Master/Order/Other

And It Is So Ordered!

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