

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS
IN THE FIFTH JUDICIAL CIRCUIT
CASE NO. 2020-CP-40-03674

Ammon L. "Treigh" Sullivan,

Plaintiff,

v.

Richland County School District One and
South Carolina Department of Education,

Defendants.

**PLAINTIFF'S ORDER DENYING
DEFENDANT SOUTH CAROLINA
DEPARTMENT OF EDUCATION'S
MOTION TO SET ASIDE ENTRY OF
DEFAULT AND MOTION TO DISMISS**

RECEIVED

May 19 2021

SC Court of Appeals

Presiding Judge: L. Casey Manning
Plaintiff's Attorney: Ryan K. Hicks
Defendant's Attorney: Andrew F. Lindemann
Date of Hearing: November 19, 2020

This matter is before the Court on Plaintiff's Entry of Default against Defendant South Carolina Department of Education, and Defendant South Carolina Department of Education's Notice of Motion and Motion to Set Aside Entry of Default and Motion to Dismiss. The Order/Entry of Default was entered by the Court on October 29, 2020. The Court held a hearing on Defendant's motion on November 19, 2020.

In its Motion, Defendant requests that this Court set aside the Entry of Default entered by the Court on October 29, 2020. It having been made clear the Defendant failed to answer or otherwise file a responsive pleading, more than thirty (30) days have passed since service of Plaintiff's Summons and Complaint, and without good cause shown, Defendant South Carolina Department of Education is in default pursuant to Rule 55 of the South Carolina Rules of Civil Procedure.

Defendant South Carolina Department of Education's Notice of Motion and Motion to Set Aside Entry of Default and Motion to Dismiss is hereby DENIED.¹

IT IS FURTHER ORDERED:

2. The matter is referred to the Richland County Master-in-Equity for the purposes of a hearing to determine the Plaintiff's damages to be entered against Defendant South Carolina Department of Education.

AND IT IS SO ORDERED.

L. Casey Manning
Presiding Judge, Fifth Judicial Circuit

¹ As the Court has denied Defendant's Motion to Set Aside Entry of Default it need not substantively address Defendant's Motion to Dismiss as such arguments are moot.



Richland Common Pleas

Case Caption: Ammon L Treigh Sullivan vs Richland County School District One ,
defendant, et al
Case Number: 2020CP4003674
Type: Order/Other

So Ordered

s/L. Casey Manning, 2061