

Aug 04 2021

SC Court of Appeals

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STATE OF SOUTH CAROLINA)
COUNTY OF CHESTER)

COURT OF COMMON PLEAS

TANYA MURPHY, AS THE NATURAL MOTHER)
AND LEGAL GUARDIAN OF MINOR, A.R.,)
PLAINTIFFS,)
VS.)
CHESTER COUNTY SCHOOL DISTRICT, SOUTH)
CAROLINA DEPARTMENT OF EDUCATION,)
DEFENDER SERVICES, INC., STEVE M.)
BRIGHT, INDIVIDUALLY AND AS AGENT OF)
DEFENDER SERVICES, INC., CHESTER COUNTY,)
AND CHESTER COUNTY SHERIFF'S OFFICE,)
DEFENDANTS.)

TRANSCRIPT
OF
RECORD

2017-CP-12-79

June 16th, 2021
Chester, South Carolina

B E F O R E :

THE HONORABLE EUGENE C. GRIFFITH, JR., Judge.

A P P E A R A N C E S :

ROBERT WESLEY HAYES, JR.
ESQ.
Attorney for the Plaintiff

EDWARD SCOTT WINBURN
ESQ.
Attorney for the Defendant Chester County School
District

ADAM JESSE HEGLER
ESQ.
Attorney for the Defendants Defender Services,
Inc. and Steve Bright

Transcribed by Pamela E. Green, from
DCRP, Digital Courtroom Recorder Project

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I N D E X

(WHEREUPON, there were no exhibits marked or testimony taken during this hearing.)

1 P R O C E E D I N G S

2

3 THE COURT: All right. We've come together today to --
4 I got a note from the attorneys in their civil case that's
5 been pending for a while that's been resolved. And so I
6 thought it'd be better to put the, the matter on the record
7 that it's now being -- been resolved.

8 Mr. Hayes, you're new to the case but welcome.

9 MR. HAYES: Yes, sir.

10 THE COURT: Will you, since you're representing the
11 Plaintiff, give a brief statement?

12 MR. HAYES: Certainly, Your Honor.

13 THE COURT: We got it resolved and then I'm -- I think
14 I'm getting the defense to prepare a proposed order to put
15 in the file.

16 MR. HAYES: Thank you, Your Honor.

17 We represent Mr. Artavius Rice and he is an assistant
18 here with me today. He was involved in an altercation on
19 April 11th, 2016, at school where the -- where his arm
20 basically was taken apart or separated and used force that
21 caused his left arm to be broken. He incurred about
22 \$14,198.00 in medical bills.

23 We have resolved the claim against the School District
24 and others for \$65,000, and were -- we are -- and the
25 mother, who was -- who brought the initial case, the money's

1 been given to the son now that he's over 18, she was
2 notified of the hearing today and chose not to be present,
3 and she -- and we have the, the proposed distribution
4 with -- if, if you need that and -- Your Honor. But we just
5 mainly wanting to, since this has been a pending case, get
6 it on the record that we settled it. The mother was
7 notified and that certainly my client is in agreement with
8 the settlement.

9 THE COURT: Very well.

10 Anything from the defense?

11 MR. HEGLER: Adam Hegler on behalf of Defender Services
12 and Steve Bright. We just wanted to have this hearing
13 today, but reflected the -- in settlement and I'll prepare
14 the Order for Your Honor if you'd like me to. But, you
15 know, just give me the opportunity to do it and it remained
16 settled right now. So --.

17 THE COURT: Very well.

18 MR. WINBURN: Yes, sir, Your Honor. Scott Winburn on
19 behalf of Chester County School District. We agree with
20 Mr. Hayes's recitation of the facts, and ask for your
21 approval of this settlement.

22 THE COURT: well, considering y'all've worked hard at
23 it, and once everybody got together, it seems like things
24 started moving forward progressively and positively. So, I
25 appreciate y'all's efforts in getting it resolved, and, sir,

1 I'm, I'm glad you got your case resolved. Even though it
2 was a little slow coming, we got it done. So, I'm very,
3 very impressed with the progress and resolution you've
4 reached.

5 Are you good with it?

6 MR. RICE: Yes, sir.

7 THE COURT: Good deal.

8 All right. Which one of y'all's gonna prepare the
9 proposed order?

10 MR. HEGLER: I can do it.

11 THE COURT: Very well. Just get it proposed. Simple
12 is better. Once you get it done, show Mr. Hayes, send it to
13 my law clerk, and we'll get it signed as promptly as we can.

14 MR. HAYES: Thank you, Your Honor.

15 THE COURT: All right. Thank y'all.

16 MR. HEGLER: Thank you, Your Honor.

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19 * * *END OF REQUESTED TRANSCRIPT OF RECORD* * *

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C E R T I F I C A T E

I, Pamela E. Green, Official Court Reporter for the State of South Carolina, do hereby certify that the foregoing is a true, accurate and complete Transcript of Record of the proceedings had and evidence introduced in the trial of the captioned case, relative to appeal, in the Court of Common Pleas for Chester County, South Carolina, on the 16th day of June, 2021.

I do further certify that I am neither of kin, counsel nor interest to any party hereto.

July 16th, 2021



PAMELA E. GREEN, Court Reporter