

IN THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM McCORMICK COUNTY

The Honorable J. Cordell Maddox, Jr.
The Honorable Debra R. McCaslin
McCormick County
Trial Court Case No. 2017CP3500045

R. Jay Lagroon, Appellant,

v.

Crystal Suggs and Scott Suggs, Respondents.

Appellate Case No. 2019-002018

RECORD ON APPEAL

Robert J. Lagroon
Pro Se Appellant
791 S.C. hwy 7
McCormick S.C. 29835

COUNSEL FOR APPELLANT

R. Jamison Tinsley
212 Oak Avenue
Greenwood, S.C 29646

Billy J. Garrett
109 Oak Avenue
Greenwood S.C. 29646

COUNSEL FOR RESPONDENT

INDEX

1. index..... i

2. Order of Judge Maddox.....1

3.Motion to Set Aside Order.....7

4. Order on Motion to Set Aside.....10

5. Order of Judge McCaslin.....12

6. Motion to Alter or Amend..... 15

7. Order on Motion to Alter or Amend.....20

8. Transcript of Record, Judge Maddox.....23

9. Transcript of Record, Judge McCaslin.....34

10. Amended Complaint60

11. Polygraph Exam.....67

12. Affidavit of Lisa Trotter.....69

13. Affidavit of Jim Wallen.....70

4. Plaintiff filed and served Defendants with a copy of an amended complaint Jan. 30, 2018. Plaintiff did not receive Defendants' consent or leave from the Court to amend filed a motion to amend the complaint Feb. 13, 2018. Plaintiff's amended complaint alleges causes of action for "intentional and negligent infliction of emotional stress," civil conspiracy, and trespass after notice.

5. Defendant Scott Suggs filed a motion to dismiss the amended complaint Feb. 20, 2018, and Defendant Crystal Suggs filed a motion to dismiss the amended complaint Feb. 21, 2018. Defendants both alleged Plaintiff's amended complaint failed to plead sufficient facts to state a cause of action and alternatively that the Court should strike Paragraphs 17, 18, 19, and 28 pursuant to SCRCP, Rule 12(f).

6. The Court grants Plaintiff's request to file his amended complaint and will consider the amended complaint in making this ruling. Pursuant to Rule 15(a), "leave shall be freely given when justice so requires and does not prejudice any other party." The litigation is in the early stages in this case as Defendants have not yet had to file an answer and no discovery has taken place so Defendants will not be prejudiced by the Court considering the amended complaint in ruling on Defendants' motion.

7. The amended complaint fails to plead sufficient facts to state a cause of action for intentional infliction of emotional distress. Plaintiff bases his intentional infliction of emotional distress cause of action on Defendants allegedly removing his children from Plaintiff's house and taking them to their mother's house where they were exposed to a third-party sexual predator who caused Plaintiff's son to contract a life-threatening disease through sexual interaction. (Amended Complaint ¶¶ 7-10, 14-15.)

Where a plaintiff makes a claim for intentional infliction of emotional distress based on a defendant's actions that injure a third party, the actor will be liable to a plaintiff who witnesses the third-party injury if the actor's intentional or reckless conduct,

"causes severe emotional distress

(a) to a member of such person's immediate family who is present at the time, whether or not such distress results in bodily harm, or

(b) to any other person who is present at the time, if such distress results in bodily harm."

Upchurch v. New York Times Co., 314 S.C. 531, 431 S.E.2d 558, 562 (1993).

In the amended complaint, Plaintiff does not allege he was present when Defendants took his children from him and exposed one of them to a third party who gave the child a sexually transmitted disease. Given that Plaintiff was not present to witness the alleged outrageous conduct of Defendants that injured his children, Plaintiff cannot recover under a theory of intentional emotional distress pursuant to Upchurch.

8. The amended complaint fails to plead sufficient facts to state a cause of action for civil conspiracy. Civil conspiracy consists of three elements: "(1) a combination of two or more persons, (2) for the purposes of injuring the plaintiff, and (3) causing the plaintiff special damage." Hackworth v. Greywood at Hammett, LLC, 385 S.C. 110, 682 S.E.2d 871, 874 (Ct. App. 2009)

(internal citation omitted).

"A claim for civil conspiracy must allege additional acts in furtherance of a conspiracy rather than reallege other claims within the complaint. Moreover, because the quiddity of a civil conspiracy claim is the special damage resulting to the plaintiff, the damages must go beyond the damages alleged in other causes of action."

Id. (internal citations omitted).

In Hackworth, the court of appeals affirmed the dismissal of the plaintiff's civil conspiracy claim because the facts alleged to constitute the civil conspiracy were identical to the facts the plaintiff alleged for its claim for breach of contract with fraudulent intent. Id. at ____, 682 S.E.2d at 875. The court of appeals also affirmed the dismissal of the plaintiff's civil conspiracy claim because the plaintiff merely repeated verbatim the same damages in the civil conspiracy as it pleaded in its action for breach of contract accompanied by a fraudulent act. Id. "If a Plaintiff merely repeats the damages from another claim instead of specifically listing special damages as part of their civil conspiracy claim, their conspiracy claim should be dismissed." Id.

The amended complaint's civil conspiracy cause of action does not add any further factual allegations different from the trespass and intentional infliction of emotional distress causes of action. The only additional factual allegation pursuant to the civil conspiracy cause of action is that Defendants conspired with a non-party while taking the courses of action that allegedly comprised the intentional infliction of emotional distress and trespass claims. (Complaint ¶¶ 8-12, 17-26.) While the amended complaint has a paragraph entitled special damages, in actuality the damages allegedly suffered from the civil conspiracy are the same damages allegedly suffered from the other causes of action or damages that are not recoverable in this case. (Complaint ¶ 27.) Plaintiff's alleged special damages are based on mental anguish suffered by Plaintiff; medical expenses for Plaintiff's children, who are not parties to this action; and costs and attorney's fees related to a family court case Plaintiff was involved in with his ex-wife at the time of the allegations contained in the amended complaint. (Id.) The Court hereby dismisses Plaintiff's claim for civil conspiracy because he failed to plead any additional facts beyond the facts that comprise the other causes of action or special damages caused by the civil conspiracy separate from the other damages.

9. At the hearing, Defendants abandoned their motion to dismiss Plaintiff's claim for trespass so Plaintiff can proceed on this cause of action.

10. The Rules of Civil Procedure are to be liberally construed so Defendants' motions to strike allegations in paragraphs 17-19 and 28 of the amended complaint pursuant to Rule 12(f) is denied.

Wherefore, having fully considered the matters before this Court it is hereby

ORDERED, ADJUDGED AND DECREED Plaintiff's motion to amend the complaint is granted; Defendants' motions to dismiss the amended complaint's claims for intentional infliction of emotional distress and civil conspiracy is granted; and Defendant's motion to strike is denied.

FURTHER ORDERED Defendants shall answer the amended complaint's remaining claim for trespass within fifteen days of the entry of this order pursuant to Rule 12(a), SCRPC.

AND IT IS SO ORDERED!

Judge J. Cordell Maddox Jr.
Circuit Court Judge

May __, 2019

Anderson, South Carolina



McCormick Common Pleas

Case Caption: R Jay Lagroon VS Crystal Suggs , defendant, et al
Case Number: 2017CP3500045
Type: Order/Dismissal

So Ordered

s/ J. Cordell Maddox Jr.

Electronically signed on 2019-04-03 13:32:59 page 6 of 6

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6

were “extreme” or “outrageous,” the husband could be awarded damages for intentional infliction of emotional distress. Id. at 141.

- 2) The amended complaint specifically states additional acts in furtherance of conspiracy not plead in connection with any other cause of action.

22. The Defendant (Suggs), by their own admission, conspired with the Non-custodial mother (Rebecca Lagroon) to intentionally and maliciously violate the Order of the South Carolina Family Court by removing the two minor children, Daniel Jay Lagroon and Becca Eloise Lagroon from the physical custody of the Plaintiff (Lagroon).

23. The Defendant (Suggs) did acts and things herein alleged pursuant to and in furtherance of the conspiracy in the above alleged agreement.

24. The Defendant (Suggs) furthered the conspiracy by cooperating with the Non-Custodial parent (Rebecca Lagroon) and lent aid and encouragement to the Non-custodial parent (Rebecca Lagroon) and ratified and adopted the acts of the Non-Custodial parent (Rebecca Lagroon) by trespassing onto the property of the Plaintiff (Lagroon) multiple times in the middle of the night, prior to the removal of the children, to coerce and enjoin the minor children in this outrageous and illegal act willingly and knowingly to deliberately inflict harm to the Plaintiff (Lagroon).

25. In furtherance of this conspiracy the Defendant (Suggs) appeared in the South Carolina Family Court in a failed attempt to conceal and condone the Defendant (Suggs) outrageous and egregious behavior in this conspiracy during the ongoing criminal investigation by both local and federal law enforcement agencies.

26. In furtherance of this conspiracy the Defendant (Suggs) trespassed onto the property of the Plaintiff (Lagroon) in the middle of the night to meet the Non-Custodial parent (Rebecca Lagroon) before the illegal removal of the minor children Daniel Jay Lagroon and Becca Eloise Lagroon from the Custodial Parent and Plaintiff (Lagroon).

- 3) The special damages are plead as direct result of Conspiracy which are not plead with any other cause of action:

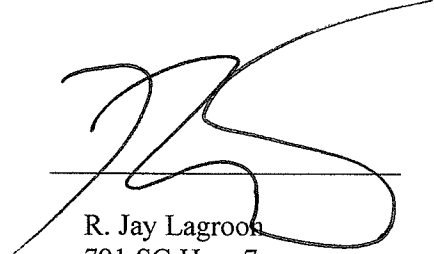
27. As a direct result of the atrocious and illegal conduct of the Defendant (Suggs) the Plaintiff (Lagroon) has suffer and continues to suffer Special Damages as a direct result of the Conspiracy complained of as follow:

- a) Loss of consortium during the investigation by the South Carolina Family Court.

- b) Medical expenses for the minor children for counseling of Daniel Jay Lagroon and Becca Eloise Lagroon.
- c) Ongoing Medical expenses for the minor child Daniel Jay Lagroon for medical testing for sexually transmitted diseases.
- d) Ongoing medical expenses for the Plaintiff (Lagroon) in the treatment of mental anguish as a direct result of the egregious and illegal conduct of the Defendant (Suggs).
- e) Ongoing medication expenses for the Plaintiff (Lagroon) in the treatment of mental anguish as a direct result of the atrocious and illegal conduct of the Defendant (Suggs).
- f) Professional polygraph examination fees for the minor child, Daniel Jay Lagroon, as a direct and proximate result of the Defendant (Suggs) egregious and illegal conduct.
- g) Attorney's fees incurred during the Investigation of this Conspiracy by the South Carolina Family Court.

WHEREAS THE PLAINTIFF in this action respectfully request the Order dated April 3, 2019 be Set Aside and **Vacated** as a matter of Law.

Respectfully Submitted,



R. Jay Lagroon
791 SC Hwy 7
McCormick SC 29835

STATE OF SOUTH CAROLINA)
)
COUNTY OF MCCORMICK)
)
R. Jay Lagroon,)
)
)
Plaintiff,)
v.)
)
Crystal Suggs and Scott Suggs,)
)
)
Defendant.)
_____)

IN THE COURT OF COMMON PLEAS
ELEVENTH JUDICIAL CIRCUIT

C.A. No. 2017-CP-35-00045

ORDER DENYING PLAINTIFF'S
MOTION TO SET ASIDE ORDER

This matter came before the Court through the Plaintiff's Motion to Set Aside Order. After careful consideration and review, the Court finds that Plaintiff's Motion to Set Aside Order should be denied.

It is hereby ordered that Plaintiff's Motion to Set Aside Order is denied.

IT IS SO ORDERED.

The Honorable J. Cordell Maddox, Jr.
South Carolina Tenth Judicial Circuit Court



McCormick Common Pleas

Case Caption: R Jay Lagroon VS Crystal Suggs , defendant, et al
Case Number: 2017CP3500045
Type: Order/Other

So Ordered

s/ J. Cordell Maddox Jr.

Electronically signed on 2019-11-18 13:17:08 page 2 of 2

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.



McCormick Common Pleas

Case Caption: R Jay Lagroon VS Crystal Suggs , defendant, et al

Case Number: 2017CP3500045

Type: Order/Electronic Form 4

So Ordered

Debra R. McCaslin

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State of South Carolina
County of McCormick

FILED IN THE COURT OF COMMON PLEAS
GWENDOLYN D. CHILES
2020 SEP 16 P 12:12
ELEVANTH JUDICAL CIRCUIT
CASE # 2017-CP-35-45
CLERK OF COURT
MCCORMICK COUNTY, SC

R. JAY LAGROON

PLAINTIFF

Vs.

CRYSTAL SUGGS AND
SCOTT SUGGS

DEFENDANT(S)

NOTICE OF MOTION AND MOTION TO

ALTER OR AMEND

TO: THE HONORABLE Debra R. McCaslin, Judge and R. Jamison Tinsley Jr. Esquire and Billy J. Garrett Jr. Esquire, attorney for Defendant, Please Take notice that the Plaintiff will move before the Honorable Judge McCaslin within ten days after service of this Motion or as soon thereafter, as counsel may be heard, for Order pursuant to Rule 59 (e) to alter or amend the Order dated August 26, 2020 received by this plaintiff September 7, 2020.

Argument

On August 8, 2019 (almost 3 weeks in advance) this plaintiff informed defense counsel he was unable to be deposed on August 27, 2019. This plaintiff offered to reschedule his deposition August 30, 2019 (2 days later) which fell within the same work week. The plaintiff cited "Patients schedules requiring timely procedures". Additionally, the plaintiff, Lagroon offered two additional dates to be deposed. On August 13, 2019 (a full week later) Defendants counsel stated the deposition could not be rescheduled because "We have reserved space in McCormick Courthouse". (Email attached)

At hearing plaintiff Lagroon, presented the affidavit of Lisa Trotter (plaintiff's patient requiring timely treatment) which states:

"I am scheduled for a surgical procedure in the office of R. Jay Lagroon at 9:45 am on August 27, 2019. I scheduled the appointment for this procedure in early June 2019 and because of my current medical condition I have stopped medication and also been pre-medicated for this procedure. I am informed by both of my physicians, that delays in this procedure will have adverse effects on my health in my current medical condition".

Miss Trotter, who has now completely recovered because of the timely treatment she received from Dr. R. Jay Lagroon, Plaintiff, offers her amended affidavit which states:

"I am informed by both my physicians, that delays in this procedure will have adverse effects on my health, in my current medical condition, including further deterioration of my eyesight which will result in blindness". (attached)

Plaintiff Lagroon, could neither ethically nor legally attend the deposition scheduled on August 27, 2019, causing the loss of Lisa Trotter's eyesight and allowing her to spend the rest of her adult life blind.

SCRCP 37(e) States:

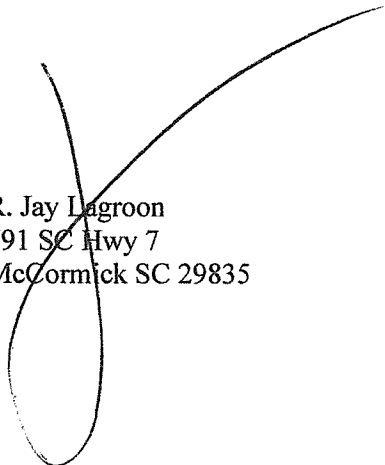
"Failure to Participate in the Framing of a Discovery Plan. If a party or his attorney fails to participate in good faith in the framing of a discovery plan by agreement as is required by Rule 26(f), the court may, after opportunity for hearing, require such party or his attorney to pay to any other party the reasonable expenses, including attorney's fees caused by the failure."

This Plaintiff, Lagroon is informed and believes that these defendants have failed to participate in good faith in the framing of a discovery plan by refusing to reschedule the deposition of the plaintiff, Lagroon. The undisputed fact that Lagroon informed the defendants weeks in advance that he could not attend the deposition on August 27, 2019 coupled with the offer to reschedule the deposition (48) forty-eight hours later in the same week, is clear and convincing evidence that the defendants had no interest in complying with SCRCP 37(e). These defendant's suggesting or allowing Lisa Trotter or any other human being to lose their sight and become permanently blind by refusing to reschedule a deposition within forty-eight hours is malicious and unimaginable.

This Plaintiff, Lagroon is informed and believes that no Court should allow or condone this type of heinous behavior.

WHEREAS THE PLAINTIFF in this action respectfully request the Order dated August 26, 2020 be altered or amended **Denying** the defendants motion to compel and **Denying** the award of the defendants \$500 jointly as to deter this type of behavior.

Respectfully Submitted,



R. Jay Lagroon
791 SC Hwy 7
McCormick SC 29835

Exhibit B

From: Jamison Tinsley tinslerj@gmail.com
Subject: Re: Deposition Case No. 2017-CP-35-45
Date: August 19, 2019 at 4:40 PM
To: jay lagroon rlagroon63@aol.com

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2019 AUG 26 P 2:52
CLERK OF COURT
MCGORMICK COUNTY, SC

Mr. Lagroon:

I received them Friday. Thanks.

Jamison

On Sun, Aug 18, 2019 at 1:46 PM jay lagroon <rlagroon63@aol.com> wrote:

Mr. Tinsley:

My records show your discovery request were received on July 6, 2019, and our answers to those request were served on you August 6, 2019 via USPS. Because I learned of damage to my office mail box, I resent our answers again on August 10, 2019 to assure timely responses to your request. USPS records show my responses were received in your office on August 12, 2019. If you maintain that you have not received my responses to your request, please so advise.

Thanks

R. Jay Lagroon

On Aug 13, 2019, at 11:13 AM, Jamison Tinsley <tinslerj@gmail.com> wrote:

Mr. Lagroon:

We are unable to agree to rescheduling the deposition because we have reserved space at the McCormick Courthouse for the deposition and arranged for a court reporter to be present Aug. 27 for the deposition.

Also, what is the status of the responses to our discovery requests, which were served upon you June 25 and due July 30? We will be filing a motion to compel those responses as well as your appearance at the deposition Aug. 27. Thanks.

Jamison Tinsley

On Thu, Aug 8, 2019 at 11:54 AM jay lagroon <rlagroon63@aol.com> wrote:

Mr. Tinsley,

Because of patients schedules requiring timely procedures in my office, I am unavailable to be deposed on August 27, 2019 at 10:00 am.

I hope we can agree to reschedule my deposition at time convenient to all parties such that I may take your clients deposition on the same day either before or after my deposition.

I am available on the following dates.

August 30, 2019 at 3pm

September 18, 2019 at 2pm

September 30, 2019 at 11am

If one of the above dates meet with your approval or you need me to provide additional dates please so advise.

If you will provide the name and contact information for the court reporter you would like to use, I will make arrangements with the same as to make these depositions efficient as possible.

I hope to avoid a Motion To Quash Deposition, but if a motion is required simply so advise and I will promptly comply.

Warmest regards,

R. Jay Lagroon, Plaintiff

FILED
GWENDOLYN D. CHILES
2019 SEP 16 P 12:12
CLERK OF COURT
MCGORMICK COUNTY, SC

IN THE COURT OF COMMON PLEAS FOR
FOR THE ELEVENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)
COUNTY OF MCCORMICK)
)
ROBERT JAY LAGROON)
Plaintiff)
vs.)
CRYSTAL SUGGS AND)
SCOTT SUGGS)
Defendant)

Civil Action No. 2017-CP-35-45

Amended Affidavit of Lisa Trotter

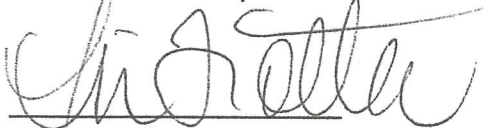
I, Lisa Trotter am over 18 years of age and competent to make this affidavit of my own personal knowledge.

I am scheduled for a surgical procedure in the office of R. Jay Lagroon at 9:45 am on August 27, 2019.

I scheduled the appointment for this procedure in early June 2019 and because of my current medical condition I have stopped medication and also been pre medicated for this procedure.

I am informed by both of my physicians, that delays in this procedure will have adverse effects on my health, in my current medical condition, including further deterioration of my eyesight which will result in blindness.

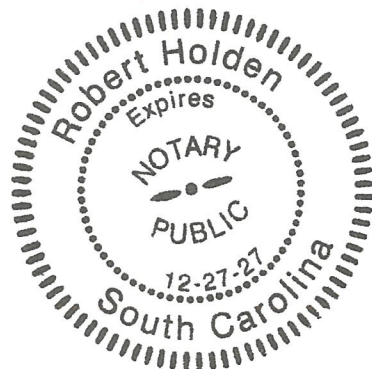
Affiant Further Sayeth Not,



Lisa Trotter

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GWENDOLYN D. CHILES
1 2020 SEP 16 P 12:12
CLERK OF COURT
MCCORMICK COUNTY, SC

Sworn before me Robert Holden Notary Public
On this 15th day of Sept, 2019-20
My commission expires on Dec. 27th, 2027



R Jay Lagroon
PLAINTIFF(S)

Crystal Suggs et al
DEFENDANT(S)

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:

On September 17, 2020, this Court received Plaintiff R. Jay Lagroon's Motion to Alter or Amend the Order of this Court issued on August 26, 2020. Defendants Scott and Crystal Suggs also filed a Motion to Alter or Amend the same Order, which this Court subsequently denied in an Order dated September 10, 2020.

Therefore, after careful consideration, Plaintiff's Motion is hereby DENIED.

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 09/17/2020 .

R Jay Lagroon for R Jay Lagroon
R Jay Lagroon for R Jay Lagroon

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.



McCormick Common Pleas

Case Caption: R Jay Lagroon VS Crystal Suggs , defendant, et al
Case Number: 2017CP3500045
Type: Order/Electronic Form 4

So Ordered

Debra R. McCaslin

Electronically signed on 2020-09-17 10:07:35 page 3 of 3

1 State of South Carolina)
 2 County of McCormick)
 3 R. Jay Lagroon,)
 4 Plaintiff,)
 5 vs.)
 6 Crystal Suggs, et al.,)
 7 Defendants.)

In the Court
 Of Common Pleas
 Case No.: 2017-CP-35-00045

Transcript of Record

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February 26, 2018

McCormick, South Carolina

BEFORE:

The Honorable J. Cordell Maddox, Judge

APPEARANCES:

R. Jay Lagroon, Esquire
 Pro se

Billy J. Garrett, Junior, Esquire
 Attorney for Defendant Crystal Suggs

Robert Jamison Tinsley, Junior, Esquire
 Attorney for Defendant Scott Suggs

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INDEX

PAGE

MOTIONS

3

Certificate of Reporter

11

EXHIBITS

NO. DESCRIPTION

ID EVDS.

NONE

1 Thereupon, the following proceedings were had,

2 THE CLERK: R. Jay Lagroon versus Crystal Suggs, et
3 al. Billy Garrett and Robert Tinsley.

4 THE COURT: Yeah. We'll make an exception for
5 Mr. Garrett.

6 MR. GARRETT: I'll let Mr. Tinsley argue.

7 THE COURT: No. No. I'll have many questions for
8 you I'm sure.

9 THE CLERK: There's two motions to dismiss on there
10 and I think there's one more. And a motion to alter and
11 amend.

12 THE COURT: Okay. All right. There's two motions.
13 Okay. We have two motions to dismiss and a motion to
14 alter or amend; is that right? Is this one of those
15 cases that if I rule on alter or amend, it takes care of
16 the motions to dismiss or not one of those easy ones?

17 MR. TINSLEY: We would still move to dismiss two
18 causes of action to allow the amendment, Your Honor.

19 THE COURT: Okay. Let's do the alter or amend first
20 because sometimes that does make it a little easier.
21 Whose motion is this to alter or amend?

22 MR. LAGROON: It's mine, Judge, Jay Lagroon.

23 THE COURT: All right. Yes, sir. Go ahead.

24 MR. LAGROON: Judge, it's simple. The amended
25 complaint was filed in error by both defendants.

1 They were supposed to file the alter or amend and they
2 inadvertently filed the amended complaint and I think
3 that's caused some confusion between the parties and the
4 amended complaint is very simple. It's based on Rule
5 SCRC15, and we're simply asking that the Judge allow us
6 leave to amend the complaint after we didn't hear back
7 from opposing counsel by phone call or email when we
8 asked them to allow that amendment.

9 THE COURT: Well, and that statute and all the case
10 law says that it's to be liberally applied even at the
11 time of trial so I can't remember a time in the last 16
12 years that I have not agreed to that so I assume y'all
13 oppose it for the record but...

14 MR. TINSLEY: For the record, Your Honor.

15 MR. GARRETT: For the record, Your Honor.

16 THE COURT: But I'll grant your motion to amend. I
17 just think that rule doesn't give me a whole lot of...

18 MR. LAGROON: Thank you, Judge. It's just a
19 clerical error and we apologize. We tried to clear it up
20 with opposing counsel. We just didn't hear from them.

21 THE COURT: Okay. All right. Moving onto your
22 motions to dismiss.

23 MR. TINSLEY: Yes, sir, Your Honor. On the amended
24 complaint which we have been served with he has three
25 causes of action. The first being intentional infliction

1 of emotional distress, second being simple conspiracy,
2 and the third being trespass, and while we deny the
3 allegations of the trespass, I think it's pled properly
4 so we're not gonna contest it, but as to the first two
5 causes of action, the intentional infliction of emotional
6 distress, I think it should be dismissed because it's
7 based on allegations that I assume from the way the
8 complaint is written it's talking about both defendants.

9 Mr. Garrett represents the wife Crystal Suggs. I
10 represent the husband Scott Suggs. The allegations are
11 that they took Mr. Lagroon's son from him, from his
12 residence improperly and he wound up getting involved in
13 a sexual relationship with an older man. That's what it
14 stems from. But under the law to recover for intentional
15 infliction of emotional distress when it involves injury
16 to a third party, you have to actually witness this
17 outrageous conduct and here there's no allegation that
18 Mr. Lagroon witnessed any of this stuff so I don't think
19 even if you assume that it's true, his allegations, they
20 don't rise to the standard of the Upchurch versus New
21 York Times Company that he be present at the time that
22 the conduct occurs so we would --

23 THE COURT: So the cause of action for the father is
24 what you're talking about?

25 MR. TINSLEY: Well, I think it goes for both parties

1 the way it's written. It just says defendants. So, oh,
2 yeah, the father. Yes. I misunderstood.

3 THE COURT: Yeah. So, okay. Let's deal with that.
4 I think he's right about that.

5 MR. LAGROON: You're right, Judge. It does contain
6 that in the Supreme Court ruling in 1993, but what he
7 doesn't point out is that it also points out in that same
8 order where he includes in that same order is it is not
9 enough the conduct be intentional or outrageous, it must
10 be conduct directed at the plaintiff and the parties that
11 abducted the children on that evening certainly knew that
12 I had sole custody of those children under South Carolina
13 Family Court order and they also knew I was home that
14 evening sleeping less than ten feet away from my daughter
15 and that's why they parked their vehicle on the property.

16 THE COURT: This was your child?

17 MR. LAGROON: My child.

18 THE COURT: Okay. I didn't realize that.

19 MR. LAGROON: Yes. These are my children. I had
20 sole custody granted by the South Carolina Family Court
21 under court order and they're simply leaving out part of
22 the order under Upchurch versus New York Times where it
23 clearly states it must be conduct directed at the
24 plaintiff and it's undisputed that the defendants in this
25 case had an axe to grind because I would not give the

1 wife a job after she was readily dismissed from Piedmont
2 Technical College as director in McCormick County.

3 THE COURT: Okay. But y'all's' position is that in
4 order for intentional infliction of emotional distress to
5 apply to this cause of action then it has to be present,
6 clear under South Carolina statute or, excuse me, under
7 that case.

8 MR. TINSLEY: Yes, sir, Your Honor.

9 THE COURT: Okay. I think they're right on that so
10 I'm gonna grant your motion to dismiss as to the father,
11 okay?

12 MR. TINSLEY: Yes, Your Honor.

13 THE COURT: But not to anyone else. All right.
14 What else have you got?

15 MR. TINSLEY: The civil conspiracy claim. His
16 allegations to give rise to it are essentially the same
17 allegations as included for his intentional infliction
18 claim as well as his trespass claim and also an element
19 of the civil conspiracy is special damages to the
20 plaintiff caused by the conspiracy and although he does
21 outline alleged special damages, they are - we don't
22 think they're cognizable damages in a legal suit, in a
23 loss of consortium during an investigation by the Family
24 Court as well as medical expenses for counseling of the
25 minor children and medical expenses for the plaintiff to

1 treat mental anguish and a professional polygraph
2 examination fee and attorney's fee incurred during the
3 investigation by the South Carolina Family Court and it
4 seems like all these things were litigated between
5 Mr. Lagroon and his ex-wife in the Family Court action
6 and these are not special damages that he could recover
7 so therefore there's no action for civil conspiracy.

8 THE COURT: Okay. Yes, sir.

9 MR. LAGROON: Thank you, Your Honor. The actions,
10 these particular causes of action have not been litigated
11 by the Family Court. The Family Court simply
12 appropriately endeavored into whether these allegations
13 were true and after a two year investigation the children
14 were returned to me and the slate was wiped clean, but
15 that was two long years of mental anguish and drugs that
16 I'm still on today and expect to be on and I'm under
17 today in this courtroom and expect to be on for the rest
18 of my life because of two not strangers, but people that
19 were very well informed and knew that I had sole custody
20 of those children and that they shouldn't be picking up
21 my children in the middle of the night from my home or
22 office and it's outrageous.

23 THE COURT: Well, and assuming that I granted your
24 motion, what causes of action would remain for him? And
25 that's what I'm trying to pare it down to.

1 MR. TINSLEY: Trespass. His third action is styled
2 as trespass after notice that deals with some damage
3 allegedly done to his house.

4 THE COURT: Okay. All right. What I'll do is take
5 this under advisement. I get these files when I get here
6 this morning.

7 MR. LAGROON: I understand completely, Your Honor,
8 and I certainly understand the condition with your
9 mother.

10 THE COURT: Appreciate it. Give me, I'll let y'all
11 know. If I rule in their favor, I'll let them know,
12 they'll send you a copy of the order and then once I
13 sign, if y'all can move forward on whatever is there.

14 MR. LAGROON: Thank you, Your Honor.

15 THE COURT: Thank you.

16 MR. TINSLEY: We have one other portion of our
17 Motion to Strike some immaterial and impertinent matter.
18 In paragraph 17 through 19 and 28 there's stuff saying
19 that our clients are abusing alcohol and illegal
20 substances and driving aggressively and making obscene
21 gestures which we don't think that should be in the
22 complaint so we would just ask that that be struck.
23 That's our Rule 12.

24 THE COURT: If they're driving aggressively and
25 making obscene gestures, is that a factual allegation in

1 the complaint?

2 MR. TINSLEY: It is. We just don't see the
3 relevance of it is where we're getting at with it because
4 it's an immaterial and impertinent matter which is not
5 related to --

6 THE COURT: I understand your motion. I'll deny
7 that though. That's a factual thing. I mean, it's, you
8 know, our pleadings are so odd now that I'll allow you to
9 leave that in there.

10 MR. LAGROON: Thank you, Your Honor.

11 MR. TINSLEY: Thank you, Judge.

12 WHEREUPON, THE HEARING WAS CONCLUDED.

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CERTIFICATE OF REPORTER

(STATE OF SOUTH CAROLINA)
(COUNTY OF LEXINGTON)

I, THE UNDERSIGNED, Steven E. LeBlanc, Sr., R.P.R., and Official Circuit Court Reporter for the Eleventh Judicial Circuit in and for the State of South Carolina, do hereby certify that I reported the proceedings in the before captioned case in the Court of Common Pleas in and for the State of South Carolina on the 26th day of February, 2018.

I FURTHER CERTIFY that the forgoing 10 pages constitute a true and accurate record of said proceedings.

I FURTHER CERTIFY that I am neither related, counsel to, nor of interest to any party hereto.

IN WITNESS WHEREOF, I have hereunto set my hand at Lexington County, this 19th day of August, 2020.

By:s/Steven E. LeBlanc

Steven E. LeBlanc, Sr., R.P.R.
Eleventh Circuit Court Reporter
State of South Carolina.

1 State of South Carolina)
 2 County of McCormick)
 3 R. Jay Lagroon,)
 4 Plaintiff,)
 5 vs.)
 6 Crystal Suggs, et al.,)
 7 Defendants.)
 _____)

In the Court
 Of Common Pleas
 Case No.: 2017-CP-35-00045

Transcript of Record

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August 25, 2020

McCormick, South Carolina

BEFORE:

The Honorable Debra R. McCaslin, Judge

APPEARANCES:

R. Jay Lagroon, Pro se

Robert Jamison Tinsley, Junior, Esquire
 Attorney for Defendant Scott Suggs

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INDEX

PAGE

MOTIONS

3

Certificate of Reporter

26

EXHIBITS

NO. DESCRIPTION

ID EVDS.

NONE

1 Thereupon, the following proceedings were had,

2 THE COURT: All right. Mr. Garrett wasn't going to
3 join us?

4 MR. TINSLEY: That's correct. He may send out a
5 Webex.

6 THE COURT: You gonna cover for him?

7 MR. TINSLEY: I'm gonna cover for him, yes, ma'am.

8 THE COURT: All right. Madam clerk, you want to
9 call the case and also swear in Mr. Lagroon as he is pro
10 se.

11 THE CLERK: Please the Court, Your Honor. Before
12 you today is case number 2017-CP-35-00045. This is a
13 motion to compel for Scott Suggs. Filing party being R.
14 Jay Lagroon. Mr. Lagroon, if you would, please stand and
15 raise your right hand and place your left hand on the
16 Bible.

17 Thereupon,

18 R. JAY LAGROON

19 after having been first duly sworn, testified as follows,

20 THE COURT: Thank you. Okay. Before me are two
21 motions to compel. Mr. Lagroon, these are your motions?

22 MR. LAGROON: That's correct, Your Honor.

23 THE COURT: I'll be happy to hear from you.

24 MR. LAGROON: Thank you, Your Honor. Judge, by way
25 of -- I understand Mr. Tinsley is covering for Mr.

1 Garrett. These are two separate motions as Your Honor
2 has pointed out with two separate fact patterns.

3 THE COURT: Okay.

4 MR. LAGROON: So I don't want to confuse one - I
5 don't want to accuse one counsel of acts that he didn't.
6 I don't want to confuse the two. Mr. Tinsley has been
7 quick to respond to my emails. Mr. Garrett has not. So
8 I didn't want to confuse those two issues. That's why
9 there's two separate motions.

10 THE COURT: And two separate fact patterns.

11 MR. LAGROON: Correct.

12 THE COURT: So let me ask, Mr. Tinsley, since
13 there's two separate fact patterns, are you prepared to
14 go forward on the other one?

15 MR. TINSLEY: I guess I would have to hear the
16 facts, hear what the discrepancy is. I wasn't aware that
17 there were two separate fact patterns.

18 THE COURT: Okay. Are you okay with us going
19 forward --

20 MR. TINSLEY: I'm okay with us going forward.

21 THE COURT: -- at this point? If there's something
22 that you can't answer, just please let me know and we'll
23 handle that as we get to it, okay?

24 MR. TINSLEY: Fair enough, Your Honor.

25 THE COURT: All right. Go ahead, Mr. Lagroon.

1 MR. LAGROON: I'm sorry, Judge. The only other
2 thing I wanted to add is I did email Mr. Garrett. I
3 understood he may have been ill yesterday from Your
4 Honor.

5 THE COURT: Right.

6 MR. LAGROON: And I did email him earlier today and
7 advised him that if he was ill, since there was two
8 separate fact patterns and that there were two separate
9 motions, I would agree to consent to continuing his
10 portion of the hearing.

11 THE COURT: And I saw that. The clerk brought that
12 up to me. I saw where that was filed. Thank you. Well,
13 which client do you represent, Mr. Tinsley?

14 MR. TINSLEY: Scott Suggs.

15 THE COURT: Okay. Well, why don't we start with
16 Mr. Scott Suggs first then.

17 MR. LAGROON: Yes, Your Honor. If it please the
18 Court, Your Honor, by way of background, on June 18th --
19 I'm sorry. I apologize. By way of background, on June
20 18th, 2014 the defendants unlawfully abducted my two
21 minor children from my office on Highway 7 in McCormick
22 County. The defendants were more than aware that I had
23 sole custody of the two minor children and that the
24 children's mother had been adjudicated as unfit by the
25 South Carolina Family Court.

1 By the background, discovery was served on
2 defendants on December 6th, 2019. On February 12th,
3 2020, I emailed the defendants' counsel requesting
4 answers. Counsel for the defendant Scott Suggs replied
5 almost immediately, we will respond to your answers.
6 Mr. Garrett for Crystal Suggs, this is where the two fact
7 patterns differ, never responded to that request.

8 THE COURT: Okay. So Mr. Garrett never responded
9 for Crystal Suggs?

10 MR. LAGROON: Correct. Mr. Tinsley responded.

11 THE COURT: Okay.

12 MR. LAGROON: On March 2nd, 2020, I emailed counsel
13 for the second time requesting answers to discovery.
14 Counsel for Scott Suggs replied, we're meeting with our
15 client this afternoon and we'll get the answers out then.
16 Counsel for Crystal Suggs upon my forwarding the email to
17 him replied he would be meeting with his client this
18 afternoon and try to get the answers out within the next
19 10 days.

20 THE COURT: And what date was that?

21 MR. LAGROON: That email was sent on March 2nd and I
22 think Mr. Garrett replied on March 2nd, but I'll verify
23 that. Yes. He did reply on March 2nd, Your Honor.

24 THE COURT: Okay.

25 MR. LAGROON: At my direction my staff attempted to

1 contact defendants' counsel monthly to resolve this
2 discovery dispute. I would like for the Court to direct
3 its attention to the affidavit of Kelly Sue Barnett which
4 I have filed with the Court and you will see by that
5 affidavit she basically called them once a month trying
6 to follow up on this in my absence which I would like to
7 elaborate on. Judge, I could not file --

8 THE COURT: Hold on. Hold on one second. Let me
9 get my hands on it, okay?

10 MR. LAGROON: Absolutely.

11 THE COURT: So I can look at it. I've got it. Give
12 me just one second. Okay. Go ahead.

13 MR. LAGROON: Judge, I cannot file this document
14 with the Court. This is the original and I was
15 instructed by the Office of Labor, Licensing and
16 Regulations to keep this on my dash because this is my
17 license. I'm gonna pass this up with Your Honor's
18 permission for you to review.

19 THE COURT: If you will show --

20 MR. LAGROON: But I can't file the original with the
21 Court because I have to have it when I'm traveling
22 through states that don't allow people to move freely.

23 THE COURT: I want to make sure that the lawyer
24 doesn't have an objection to this first, please, and then
25 I'll look at it.

1 MR. LAGROON: (Proffering.)

2 MR. TINSLEY: I don't really see its relevance, but
3 I don't have an objection to it.

4 THE COURT: Okay. Okay.

5 MR. LAGROON: The relevance of that document, Your
6 Honor, is at the request of the Governor's Office, my
7 undergraduate work was as a respiratory care
8 practitioner. As Your Honor is aware, there was a
9 shortage and I have been working in New York for several
10 months and the relevance of this is that I had to travel
11 from New York to McCormick County to have this hearing
12 and I can't file the original with the Court, but with
13 the Court's permission I'll file a copy.

14 THE COURT: And where do you live? Where do you
15 live?

16 MR. LAGROON: Where do I live? I live in
17 Lincolnton, Georgia.

18 THE COURT: Okay.

19 MR. LAGROON: That's where my residence is. And
20 that was basically why my staff has been calling these
21 offices because I've been obviously very busy. As Your
22 Honor is aware, I appeared Monday, August 24th. There
23 was a mix up with the court reporter and the hearing set
24 for today.

25 THE COURT: That's correct.

1 MR. LAGROON: On the afternoon of August 24th, the
2 day of the hearing, I received the answers to discovery
3 for defendant Scott Suggs via email from Mr. Tinsley. In
4 further attempts to resolve the discovery dispute I
5 emailed Mr. Tinsley, the defendant Suggs' counsel and
6 basically asking him to pay the fees and he declined to
7 do that. He did email me back at 8:00 last night and
8 said his client would not agree to do that. I've emailed
9 Mr. Garrett. I called him yesterday afternoon. I called
10 him this morning. I emailed him this morning as Your
11 Honor is aware and I was told he's in his office but he's
12 unavailable. Can't take the phone call.

13 THE COURT: Did he file his answer?

14 MR. LAGROON: I'm sorry.

15 THE COURT: Did he file his answer?

16 MR. LAGROON: Did Mr. Garrett file an answer?

17 THE COURT: Yes.

18 MR. LAGROON: Well, Judge, that's the difference.
19 That's where the two fact patterns change. The answers
20 that I received have Billy Garrett's name on them, his
21 office number, name, address, but they're signed by Mr.
22 Tinsley for Billy Garrett. I understand under Rule 11
23 that that's not permitted under South Carolina Rules of
24 Civil Procedure, and the rule specifically says every
25 pleading, motion or other paper that a party represented

1 by an attorney shall be signed by his individual name and
2 at least one attorney of record and I understand that Mr.
3 Garrett and Mr. Tinsley don't practice together and that
4 Mr. Tinsley is not the attorney of record for defendant
5 Crystal Suggs. That's the reason - that prompted my
6 phone call to Mr. Garrett yesterday.

7 And specifically that rule allows for the paper to
8 be stricken unless it is signed promptly after the
9 omission which is basically what I was trying to bring to
10 Mr. Garrett's attention. You know, you need to sign this
11 and I have to notify you and give you the opportunity to
12 do that and he's declined to return my phone calls and to
13 respond to my email. So I'm going to - I am going to
14 request that those answers be stricken from the record in
15 accordance with Rule 11 of the South Carolina Rules of
16 Civil Procedure.

17 THE COURT: Okay. So what is it that you're asking
18 from the Court? You want Mr. Garrett's answer stricken
19 because he did not sign it personally. He had another
20 lawyer sign it. And what else are you asking for?

21 MR. LAGROON: I'm asking for fees in the amount --
22 and I have supplied the Court with a cost of the motion
23 to compel -- I'm asking for filing fees, the travel from
24 New York and to draft the motions.

25 THE COURT: Okay. And I don't have any of that.

1 Let me make sure.

2 MR. LAGROON: Judge, I have my file copy if that
3 will assist you in any way.

4 MR. TINSLEY: How about a copy. Do you have more
5 than one?

6 MR. LAGROON: I've got two right here. One is
7 filed. I usually keep the file copy and then there's
8 whichever one. They're the same. One's just filed.
9 It's the same.

10 THE COURT: I don't have it.

11 MR. LAGROON: Judge, I'm not an attorney. I'm not
12 entitled to attorney's fees and I'm not requesting them.

13 THE COURT: Okay.

14 MR. LAGROON: I'm only requesting cost, the travel
15 from New York, the motion fee and then what it took to
16 pay the secretary to get it typed. I'm not requesting
17 any more.

18 THE COURT: And again, this is because they filed
19 their answer late?

20 MR. LAGROON: I'm sorry?

21 THE COURT: This is because they filed their answer
22 late and you came to this hearing today? The travel is
23 for the travel for today? Is that what you're claiming?

24 MR. LAGROON: No. No. I didn't drive from New
25 York. I came yesterday. As Your Honor is aware I was

1 here yesterday.

2 THE COURT: Right. So that's the reason why these
3 costs here, the filing fee is for your motions to compel,
4 the travel that you're requesting is for coming to court
5 on these motions, and drafting the motions?

6 MR. LAGROON: That's all we're asking for, Judge.

7 THE COURT: Okay.

8 MR. LAGROON: We're not entitled to anything else,
9 Your Honor, under the rule unless the Court deems some
10 other penalty is just and proper.

11 THE COURT: Okay. Is that all?

12 MR. LAGROON: And I ask that those fees be granted
13 and, of course, the costs be granted under Rule 37 and,
14 Judge, I can read the specific area of Rule 37.

15 THE COURT: No. There's no need to. I can do that.
16 Thank you though.

17 MR. LAGROON: Thank you, Your Honor. Your Honor, I
18 think that's everything I have.

19 THE COURT: Okay. Mr. Tinsley, I'll be glad to hear
20 from you.

21 MR. TINSLEY: Thank you, Your Honor. May it please
22 the Court. The first thing, I can hand this up. The
23 answers are styled as Defendants' Joint Answers to
24 Plaintiff's Interrogatories because the interrogatories
25 sent to each were the exact same. This is a husband and

1 wife who Mr. Lagroon has sued and I did sign for Mr.
2 Garrett with his permission. I signed for myself
3 as well, and they are dated March the 16th. Now, in all
4 candor to the Court, I can't find the certificate of
5 service so it very well may not - I can't prove it was
6 mailed that day. I did email Mr. Lagroon as he stated
7 Sunday with these copies so that he could be sure to have
8 it. That's everything we have.

9 To give you some background on what's been going on
10 in this case, Mr. Lagroon filed this back in 2017, three
11 causes of action, trespass, civil conspiracy and
12 intentional infliction of emotional distress. Judge
13 Maddox dismissed everything but the trespass and Mr.
14 Lagroon filed cert and filed a notice of appeal to that
15 order on December the 2nd of last year so really I think
16 the Appellate Court has the jurisdiction here. I don't
17 understand why we're fighting over discovery when the
18 appeal that Mr. Lagroon filed, the result of that is
19 gonna dictate heavily how much, what discovery is
20 appropriate in this case.

21 THE COURT: Well, the Court left the trespass
22 part.

23 MR. TINSLEY: It did leave the trespass, Your Honor.
24 And the other issue, he filed this motion last Monday. I
25 see where he filed the certificate of service. Mr.

1 Garrett and I together went on, you know, went on the
2 website to see if it was up there and found it so I have
3 seen the motion that Mr. Lagroon filed eight days ago.
4 Rule 6D requires 10 days notice. But anyway, just to
5 give you a timeline of what's happened during this case,
6 our first hearing on it on the first motion to dismiss
7 was October the 16th, 2017 in front of Judge McIntosh.
8 Judge McIntosh had to continue that case because Mr.
9 Lagroon said he was under the influence of prescription
10 drugs, so then we had to come back in 2018 for that
11 hearing which ultimately resulted in Judge Maddox's
12 ruling that is under appeal now.

13 We filed on August 13th of last year a motion to
14 compel Mr. Lagroon's discovery responses. He had given
15 us responses, but we also, we're wanting to ensure that
16 we had an order in place for his appearance at deposition
17 scheduled for August the 27th. That never got - that
18 motion never got heard, still has never been heard. Mr.
19 Lagroon did not come to that properly noticed deposition
20 which was here in the courthouse. The court officer
21 Mr. Chiles as well as I believe our court deputy, our
22 court officer and our bailiff were both present that day
23 when - and Mr. Chiles sounded Mr. Lagroon's name three
24 times inside and outside. He wasn't here. So at that
25 point we filed an affidavit, Mr. Garrett and I each filed

1 affidavits in support of fees on September the 18th and
2 September the 19th of last year.

3 THE COURT: And what date was that?

4 MR. TINSLEY: What's that?

5 THE COURT: What date did you file that? I saw the
6 affidavit.

7 MR. TINSLEY: Mine was September the 18th and Mr.
8 Garrett's was September the 19th. His client sought
9 \$525.00 in costs and fees. Or I guess just fees. My
10 client had \$606.74 in costs and fees for the court
11 reporter and things like that. So that's where discovery
12 has gone in this case. We would ask that you dismiss Mr.
13 Lagroon's motion and don't grant him any fees. Well, I'm
14 a little unclear about this affidavit from Ms. Barnett
15 saying I have left phone messages for defendants' counsel
16 and which days. I assume that's talking about Mr.
17 Garrett. I don't know anything about it. I haven't
18 gotten any messages from her.

19 THE COURT: I was gonna ask, Mr. Lagroon, was that
20 for both of these lawyers or --

21 MR. LAGROON: Yes, Your Honor, and also I would like
22 to point out Mr. Tinsley is correct except he is leaving
23 out one very vital piece of information. As I pointed
24 out, I was on a call a while ago, Your Honor, on an
25 emergency. Now, this deposition is prior to this, but I

1 also am a practicing maxillofacial oncologist, and I had
2 a patient that had to have surgery on the day of that
3 deposition. I let them know. It's in the file. I
4 emailed them. I let them know. I said, guys, we can do
5 it any day this week but this day. I have to do surgery
6 this day. So basically the lady was on a lot of drugs,
7 couldn't be off of them. We had to get her off, do the
8 procedure and then move forward, and I let them know that
9 by email, Mr. Tinsley know that by email and the patient
10 filled out an affidavit. It's in the file.

11 THE COURT: Mr. Tinsley.

12 MR. TINSLEY: He sent an email saying it was an
13 emergency procedure scheduled for that day two weeks
14 prior so given his tract record in having to have things
15 continued, we just didn't put any faith in it, Your
16 Honor, and if that was true, if it was truly an emergency
17 procedure, it would have been more than two weeks out and
18 we were not inclined to change the date. We had a court
19 reporter lined up and we filed the motion so that he was
20 on notice that we weren't agreeable to change the date
21 without him getting a protective order from the Court and
22 he didn't file any kind of motion.

23 THE COURT: And is this your prior -- I saw the
24 prior motions to compel. Those have not been heard?

25 MR. TINSLEY: Those have never been heard, Your

1 Honor. Correct.

2 THE COURT: Madam Clerk -- Mr. Tinsley, let me ask
3 you first and then, Mr. Lagroon, I'll ask you, on your
4 motion to compel, I'm willing to hear that today and
5 let's get it off the docket if you consent to that.

6 MR. TINSLEY: I'm fine with that. I don't think
7 there's really --

8 THE COURT: I noticed they were in there. I saw
9 them because I've read this file and I noticed them and I
10 thought maybe that's what I was hearing and then I saw
11 your two motions to compel and I thought, okay, I didn't
12 know if I was hearing four but only two were listed.
13 Would you consent to me --

14 MR. LAGROON: Absolutely, Your Honor.

15 THE COURT: -- going ahead and hearing that?

16 MR. LAGROON: I think basically you've heard the
17 motion already. I mean, quite honestly --

18 THE COURT: Well, they kind of go hand in hand.

19 MR. LAGROON: Right. Absolutely. And the only
20 thing I need to make sure that Your Honor has available
21 to her is the affidavit of Lisa Trotter, the patient.

22 THE COURT: I do.

23 MR. LAGROON: And also the email which I filed today
24 where Mr. Tinsley refers to it as an emergency procedure
25 and that's not what the email says. I would direct Your

1 Honor's attention to that email.

2 THE COURT: That's the affidavit of Kelly Barnett?

3 MR. LAGROON: No, ma'am. Lisa Trotter, the patient.
4 It is in my reply to the motion to compel.

5 THE COURT: I've got the affidavit that goes with
6 the motion to compel from Kelly Barnett.

7 MR. TINSLEY: And to give you some time, the email
8 he sent was August the 8th for a deposition that was
9 scheduled on August the 27th. So after getting that
10 email on August the 8th, we wanted to get the Court
11 involved so we filed our motion to compel August the 13th
12 and this is all last year.

13 THE COURT: Okay. Just tell me again, when was this
14 complaint filed, Mr. Lagroon?

15 MR. LAGROON: It was filed -- Judge, I don't know
16 that I have the complaint in front of me. I want to say
17 it was about 2017, but I don't have it in front of me,
18 Judge. I didn't bring it with me to this particular
19 motion hearing.

20 THE COURT: I see the amended complaint on January
21 of '18.

22 MR. TINSLEY: Judge, it looks like the original was
23 filed --

24 THE CLERK: August 17th, right?

25 MR. TINSLEY: I have something June 16th, 2017.

1 THE CLERK: June 16th. Yeah. June 16th and then
2 you replied on August 17th.

3 THE COURT: And it's taken this long to do
4 discovery?

5 MR. TINSLEY: Well, we had mediated the case and
6 that obviously didn't get results anywhere and the appeal
7 moved slowly, too. I've got a stack of letters dating
8 back to January where the transcript had still not been
9 properly ordered and frankly, Your Honor, that's not
10 before the Court today just so the record is clear and
11 the Court's aware of that.

12 THE COURT: Mr. Lagroon, we don't have the
13 affidavit. Do you have it, a copy of it?

14 MR. LAGROON: I don't believe -- I'm sorry, Judge.
15 I thought -- I called the Clerk's Office earlier this
16 morning --

17 THE COURT: Yes. That would be my bad then.

18 MR. LAGROON: -- to make sure that that motion was
19 not being heard and I didn't bring that material because
20 I was informed by the Clerk's Office that we were only
21 hearing the two motions, my two motions to compel.

22 THE COURT: Well, this looks like it was filed
23 August the 26th with the court two days before the
24 deposition.

25 MR. LAGROON: I don't have it in my hand, Judge. Is

1 that my reply?

2 THE COURT: It's the affidavit of Lisa Trotter.

3 MR. LAGROON: I don't know what day my reply was
4 filed.

5 THE COURT: Your reply brief was filed the same
6 day.

7 MR. LAGROON: And the only other thing I have,
8 Judge, along those lines is the email. Again, Mr.
9 Tinsley refers to that as an emergency and that's not
10 what the email says.

11 THE COURT: Okay. I think I know exactly what I'm
12 going to do.

13 MR. LAGROON: Your Honor, I have a copy of that
14 email if I need to pass it up.

15 THE COURT: Do you have the costs that you're asking
16 for, Mr. Tinsley?

17 MR. TINSLEY: I do. They're in the affidavits.
18 They're on file and I can hand those up to the clerk.

19 THE COURT: You can hand it to me. I saw it
20 somewhere, but I've got one in my hand. I'm trying not
21 to mess up the clerk's file. He might have already seen
22 it. And I am assuming, Mr. Tinsley, y'all were sharing
23 this court reporter together?

24 MR. TINSLEY: The court reporter costs are all
25 tacked on my client's attorney's fees, but yes.

1 Practically speaking yes, but we just added those costs
2 onto my affidavit.

3 THE COURT: So y'all didn't want to depose him
4 separately?

5 MR. TINSLEY: No, Your Honor. It was just easier
6 just to put it on one.

7 THE COURT: All right. Let me just kind of be
8 straightforward because that's about all I know how to
9 do, okay? This case has been going on since 2017 and
10 there is not an answer filed in this case until
11 yesterday; is that right? I mean, discovery has not been
12 answered until yesterday?

13 MR. LAGROON: Correct.

14 THE COURT: Of August the 24th of '20. That's
15 inexcusable. I will also tell you, Mr. Lagroon, I think
16 it's inexcusable, and it's hard to get court reporters,
17 trust me. My court reporter down there knows. Once they
18 are scheduled, they're scheduled for weeks, weeks in
19 advance. You can't -- Because they have to bare the cost
20 one way or the other. It's their time. You cannot do
21 that to them, okay? I'll also tell you this answer that
22 you want stricken, I'm denying that. This is a joint
23 motion. These people are husband and wife, brother and
24 sister? What are they?

25 MR. TINSLEY: Husband and wife.

1 THE COURT: Husband and wife. They might have
2 separate lawyers, but I don't see any problem with him
3 signing a joint pleading on both of their behalf so I'm
4 gonna make this really fair. Mr. Lagroon, I'm gonna
5 award you on your motion to compel and I'm gonna award
6 you 500 bucks. And, Mr. Tinsley, on your motion to
7 compel I'm gonna award you 500 bucks.

8 Now, let me kind of tell you what I think about the
9 posture of this case, okay? We've got something on
10 appeal. I know that there is a trespass claim left. I
11 really hate for y'all to keep going back and forth. My
12 gut tells me unless somebody has, wants to argue against
13 it and I'll give you a chance to do so, I think I'm going
14 to grant a stay in this case until we hear from the Court
15 of Appeals. It will keep, number 1, your costs down. I
16 think it would be more efficient. Mr. Lagroon, you live
17 in Georgia. I think once you get a decision from the
18 Court of Appeals, then maybe y'all can get a better
19 posture on this case. Either we're going forward on the
20 trespass or we're gonna go forward on all the other
21 counts that you have. I'll be glad to hear from you, Mr.
22 Lagroon.

23 MR. LAGROON: Your Honor, I agree with the Court. I
24 really don't have a response. I agree with the Court.

25 THE COURT: Thank you. Mr. Tinsley.

1 MR. TINSLEY: Judge, I'm in agreement, too. I don't
2 know. You probably don't know about this. You may. I
3 sent an email out last Tuesday to Judge McLeod's clerk
4 because I thought he was gonna be hearing the case this
5 week.

6 THE COURT: Yeah. He's out sick so y'all got stuck
7 with me.

8 MR. TINSLEY: That's great. I'm good with that.
9 And copied Mr. Lagroon and Mr. Garrett on it and said
10 essentially I thought that would make sense so I'm
11 certainly in agreement.

12 THE COURT: Well, it looks to me, when I read
13 through all of this, it looks like it's kind of
14 intertwined and I just can't see responding to a lot of
15 discovery or anything else unless you know where you're
16 going and I think right now maybe both sides don't
17 because you don't have a clear decision yet on what you
18 can argue and what you can't argue. Anybody know where
19 the Court of Appeals case stands right now? Is it on the
20 docket or --

21 MR. TINSLEY: That case moves slowly as well. I
22 don't know if Mr. Lagroon has gotten the transcript or
23 not.

24 MR. LAGROON: I have received the transcript. I
25 actually got it Friday, I think. Thursday or Friday.

1 THE COURT: All the briefs have been filed?

2 MR. LAGROON: No, ma'am. We just received -- The
3 mix up, Your Honor, was when the original order was
4 drafted by Mr. Tinsley, I think, either he or Mr. Garrett
5 drafted the order for Judge Maddox, the wrong court
6 reporter was listed on it and it caused a great deal of
7 confusion. There was a lady listed. I don't recall her
8 name, but the court reporter turned out to be Steven
9 LeBlanc and Steven just now got it to me. But that was
10 the confusion. We had the wrong name. We didn't know
11 it.

12 THE COURT: Right.

13 MR. LAGROON: And then apparently Mr. LeBlanc
14 informed me that he did not get my mailings but he got my
15 email or the email from the court administration. So
16 there's been some confusion, but we have the transcript
17 now and we expect it to move along.

18 THE COURT: Okay. Hopefully it won't take too long.
19 Like you said, this case is 2017. We need to roll on.
20 Sooner or later it's got to come to an end. Anything
21 else that I can do for you gentlemen?

22 MR. TINSLEY: Are you gonna do a Form 4 or do you
23 want me to prepare an order? How do we want to go about
24 doing that?

25 THE COURT: Honestly, I think I would do a short

1 Form 4. Everybody is in agreement. I'm gonna award 500
2 -- y'all are listening to me, right? -- to each side on
3 their motions to compel. I am denying that the answer be
4 stricken due to the attorney's signature, and I am also
5 staying this case pending the outcome of the Court of
6 Appeals. So just to let everybody know there's not
7 anything y'all can do until you get an answer and then
8 let's be Johnny-on-the-spot and keep going, okay?

9 MR. TINSLEY: Sounds good. Thank you, Your Honor.

10 THE COURT: You're welcome.

11 MR. LAGROON: Thank you, Your Honor.

12 THE COURT: Y'all have a good afternoon. I'm not
13 finished with you yet. I still got you.

14 MR. LAGROON: Yes.

15 WHEREUPON, THE HEARING WAS CONCLUDED.
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CERTIFICATE OF REPORTER

(STATE OF SOUTH CAROLINA)
(COUNTY OF LEXINGTON)

I, THE UNDERSIGNED, Steven E. LeBlanc, Sr., R.P.R., and Official Circuit Court Reporter for the Eleventh Judicial Circuit in and for the State of South Carolina, do hereby certify that I reported the proceedings in the before captioned case in the Court of Common Pleas in and for the State of South Carolina on the 25th day of August, 2020.

I FURTHER CERTIFY that the forgoing 25 pages constitute a true and accurate record of said proceedings.

I FURTHER CERTIFY that I am neither related, counsel to, nor of interest to any party hereto.

IN WITNESS WHEREOF, I have hereunto set my hand at Lexington County, this 17th day of February, 2021.

By:s/Steven E. LeBlanc

Steven E. LeBlanc, Sr., R.P.R.
Eleventh Circuit Court Reporter
State of South Carolina.

59

IN THE COURT OF COMMON PLEAS
FOR THE ELEVENTH JUDICIAL CIRCUIT

FILED
2018 JAN 30 PM 3:46
CLERK OF COURT
McCORMICK COUNTY, SC

STATE OF SOUTH CAROLINA)
)
COUNTY OF MCCORMICK)
ROBERT JAY LAGROON)
)
 Plaintiff,)
)
 vs.)
CRYSTAL SUGGS AND)
SCOTT SUGGS)
)
 Defendant.)

Civil Action No. 2017-CP-35-45
AMENDED COMPLAINT
(JURY TRIAL DEMANDED)

Plaintiff Robert Jay Lagroon (Lagroon) a resident of Lincoln County Georgia, sues Crystal Suggs and Scott Suggs independently and collectively for Internal infliction of Emotional Distress Accompanied by Civil Conspiracy and Trespass after notice.

NATURE OF THE ACTION

1. The Plaintiff Lagroon would respectfully show this honorable Court that on or about June 18, 2014, The Defendants (Suggs) did conspire with the Non-Custodial parent (Rebecca Lagroon) to unlawfully remove the two minor children from the Office of the Plaintiff Located at 791 SC Hwy 7 McCormick SC.
2. The Plaintiff will also show that shortly before this unlawful act the Defendant Suggs had repeatedly requested employment from the plaintiff (Lagroon) after being terminated from Piedmont technical College, McCormick Campus.

3. The Plaintiff will show the Defendants (Suggs) had been put on both verbal and written trespass notice not to return to the property of Lagroon prior to the unlawful acts committed on or about June 18, 2014.

VENUE AND JURISDICTION

4. Suggs is currently, and was during the relevant period, a citizen and resident of South Carolina in McCormick County and under the Jurisdiction of this Court.

5.. Venue is proper pursuant to S.C. Code § 15-7-30, as Suggs resides in McCormick County, and the actions set forth herein occurred in McCormick County.

FACTUAL ALLEGATIONS

6. The Plaintiff Lagroon had lawful sole custody of his two minor children Daniel Lagroon DOB 12/4/1998 and Becca Lagroon DOB 12/28/1999 as awarded by the South Carolina Family Court.

7. The minor children thrived and excelled in academics under the care of the plaintiff and step mother, Kelli Barnett, after being removed from the care of their mother by the South Carolina Family Court for educational deficiencies.

8. At the unclean hands of the defendants (Suggs) the children were removed from the property of the plaintiff (Lagroon) in the middle of the night and transported to the non-custodial parent (Rebecca Lagroon) in violation of the South Carolina Family Court Order.

9. This illegal act inflicted immeasurable emotional stress on the Plaintiff (Lagroon) as the Non-Custodial Parent (Rebecca Lagroon) and the Defendant (Suggs) subjected the Minor child

Daniel to a sexual predator (Randy Mercer) which would be only made possible by the egregious conduct of the Defendant (Suggs).

10. Because of the illegal acts of the defendant's (Suggs) Randy Mercer's life threatening disease was forced on the Minor child, Daniel who was exposed to this disease during sexual interaction while under the influence of illicit drugs and alcohol which was only made possible by the outrageous actions of the Defendant (Suggs).

FOR THE FIRST CAUSE OF ACTION

(Intentional and negligent infliction of emotional stress)

11. Lagroon repeats and realleges paragraphs one (1) through eleven (11) of this Complaint as if fully set forth herein.

12. The Defendant's (Suggs) actions were so extreme and outrageous as to exceed all possible bounds of decency and must be regarded as atrocious and utterly intolerable in a civilized community.

13. The emotional distress that Lagroon suffered because of Defendant's (Suggs) conduct was so severe that no reasonable person could be expected to endure it.

14. As a result of the Defendant's conduct, Lagroon suffered emotional distress, humiliation, and embarrassment.

15. The Defendant (Suggs) intentionally and recklessly removed the two minor children from the physical custody of the Plaintiff (Lagroon) in violation of the South Carolina Family Court Order which inflicted severe emotional distress on the Plaintiff (Lagroon).

16. The Defendant (Suggs) is certain or substantially certain that removal of the two minor children, Daniel Jay Lagroon and Becca Eloise Lagroon from the Plaintiff (Lagroon) physical custody in violation of the South Carolina Family Court Order, caused intentional infliction of emotional distress which did result from the Defendant's (Suggs) egregious conduct.

17. The Plaintiff (Lagroon) is informed and believes the Defendant (Suggs) intentional and outrageous conduct is directed at the Plaintiff (Lagroon) as he had repeatedly declined to employ the Defendant (Suggs) because of repeated abuse of alcohol after termination as administrator of Piedmont Technical College, McCormick Campus.

18. The Plaintiff (Lagroon) is informed and believes the Defendant (Suggs) intentional and outrageous conduct is directed at the Plaintiff (Lagroon) because he had been forced to place the Defendant (Suggs) on written and verbal trespass notice to protect his minor children because of the Defendant (Suggs) admission of illegal substance abuse.

19. The Defendant (Suggs) intentional and outrageous conduct is directed at the Plaintiff (Lagroon) because of the aggressive driving and obscene gestures witnessed by the Plaintiff (Lagroon) and his wife prior to this outrageous and illegal act.

20. The Defendant (Suggs) intentional and outrageous conduct which was directed at the Plaintiff (Lagroon) was conducted in the presence of the Plaintiff (Lagroon) two minor children, Daniel Jay Lagroon and Becca Eloise Lagroon.

FOR THE SECOND CAUSE OF ACTION

(Civil Conspiracy)

21. Lagroon repeats and realleges paragraphs one (1) through twenty (20) of this Complaint as if fully set forth herein.

22. The Defendant (Suggs), by their own admission, conspired with the Non-custodial mother (Rebecca Lagroon) to intentionally and maliciously violate the Order of the South Carolina Family Court by removing the two minor children, Daniel Jay Lagroon and Becca Eloise Lagroon from the physical custody of the Plaintiff (Lagroon).

23. The Defendant (Suggs) did acts and things herein alleged pursuant to and in furtherance of

the conspiracy in the above alleged agreement.

24. The Defendant (Suggs) furthered the conspiracy by cooperating with the Non-Custodial parent (Rebecca Lagroon) and lent aid and encouragement to the Non-custodial parent (Rebecca Lagroon) and ratified and adopted the acts of the Non-Custodial parent (Rebecca Lagroon) by trespassing onto the property of the Plaintiff (Lagroon) multiple times in the middle of the night, prior to the removal of the children, to coerce and enjoin the minor children in this outrageous and illegal act willingly and knowingly to deliberately inflict harm to the Plaintiff (Lagroon).

25. In furtherance of this conspiracy the Defendant (Suggs) appeared in the South Carolina Family Court in a failed attempt to conceal and condone the Defendant (Suggs) outrageous and egregious behavior in this conspiracy during the ongoing criminal investigation by both local and federal law enforcement agencies.

26. In furtherance of this conspiracy the Defendant (Suggs) trespassed onto the property of the Plaintiff (Lagroon) in the middle of the night to meet the Non-Custodial parent (Rebecca Lagroon) before the illegal removal of the minor children Daniel Jay Lagroon and Becca Eloise Lagroon from the Custodial Parent and Plaintiff (Lagroon).

Special Damages as Direct Result of Conspiracy

27. As a direct result of the atrocious and illegal conduct of the Defendant (Suggs) the Plaintiff (Lagroon) has suffer and continues to suffer Special Damages as a direct result of the Conspiracy complained of as follow:

- a. Loss of consortium during the investigation by the South Carolina Family Court.
- b. Medical expenses for the minor children for counseling of Daniel Jay Lagroon and Becca Eloise Lagroon.

- c. Ongoing Medical expenses for the minor child Daniel Jay Lagroon for medical testing for sexually transmitted diseases.
- d. Ongoing medical expenses for the Plaintiff (Lagroon) in the treatment of mental anguish as a direct result of the egregious and illegal conduct of the Defendant (Suggs).
- e. Ongoing medication expenses for the Plaintiff (Lagroon) in the treatment of mental anguish as a direct result of the atrocious and illegal conduct of the Defendant (Suggs).
- f. Professional polygraph examination fees for the minor child, Daniel Jay Lagroon, as a direct and proximate result of the Defendant (Suggs) egregious and illegal conduct.
- g. Attorney's fees incurred during the Investigation of this Conspiracy by the South Carolina Family Court.

FOR A THIRD CAUSE OF ACTION

(Trespass after notice)

. Lagroon repeats and realleges paragraphs one (1) through twenty (27) of this Complaint as if fully set forth herein.

28. Because of the admission of illegal drug use and continued abuse of alcohol in the presence of the Plaintiff (Lagroon) and his wife, the Defendants (Suggs) had been previously placed on "No Trespass Notice" and verbally warned not to return to property owned by the Plaintiff (Lagroon) before June 18,2014.

29. After notice was given and despite verbal warnings the Defendant (Suggs) admits returning to the property of the Plaintiff (Lagroon) before and on June 18, 2014 at which time the Defendant (Suggs) removed the minor children, Daniel Jay Lagroon and Becca Eloise Lagroon in violation of the "No Trespass Notice" and in violation of the South Carolina Family Court Order awarding sole custody to the Plaintiff (Lagroon).

30. The Defendant (Suggs) struck the gate of the Plaintiff (Lagroon) causing damage to gate and gate retaining post.

31. The Defendant (Suggs) did the things herein alleged maliciously and to oppress the Plaintiff (Lagroon). Plaintiff (Lagroon) is therefore entitled to compensatory, exemplary and punitive damages in a sum to be determined by and enlightened jury.

PRAYER FOR RELIEF

WHEREFORE the Defendant (Suggs) did the things herein alleged maliciously and to oppress the Plaintiff (Lagroon) and having fully set forth his Complaint, Lagroon prays the jury award him all available relief including but not limited to the following:

Award Lagroon appropriate compensatory, consequential, punitive and special damages against Suggs to compensate Lagroon for his monetary loss, lost wages, humiliation, embarrassment and emotional distress, and litigation costs, caused by Suggs breaches of its duties to Lagroon; and,

Award Lagroon such other and further relief as the Court deems just and proper.



R. JAY LAGROON

1216 WHITE OAK ROAD

LINCOLNTON GA 30817

706-401-4893

bb

**POLYGRAPH EXAMS
JOHNNY W. HARTLEY**

20 GOWHAM CT
IRMO, SC 29063

MOBILE (803) 467-7611

August 11, 2016

Danny Durham
Attorney at Law
Durham & Crane Law Firm, P.C.
2350 Washington Road
Augusta, Georgia 30904

Re: Daniel LaGroon
Report of Polygraph Examination on 8-11-16

CASE SYNOPSIS/EXAMINERS CONCLUSION:

Daniel LaGroon is a 17 year old white male that has accused his mother (Becky) of enabling him to meet an adult male named Randy Mercer and providing access to a key to her boyfriend's (Stan Heard) house.

Johnny W. Hartley administered a computerized polygraph examination to Daniel LaGroon on August 11, 2016. Daniel LaGroon was examined to determine if he was being truthful about whether or not his mother enabled him to meet Randy Mercer at a football game and provided the use of a key to her boyfriend's house.

A Bi-Zone test was used with the following relevant questions being asked on three separate charts:

- R5. ARE YOU LYING ABOUT YOUR MOTHER MAKING A KEY TO STAN HEARD'S HOUSE AVAILABLE? ANS. NO
- R7. ARE YOU LYING ABOUT YOUR MOTHER ENABLING YOUR INITIAL CONTACT WITH RANDY MERCER? ANS. NO

The reactions to the above questions were numerically evaluated and computerized scored. Both the numerical and computer score produced a Plus 4. A Plus 3 is all that is required for non-deceptive charts. It is therefore the opinion of this examiner that Daniel LaGroon was TRUTHFUL when he answered the above relevant questions.

Professionally yours,
Johnny W. Hartley

**POLYGRAPH EXAMS
JOHNNY W. HARTLEY**

**20 GOWHAM CT
IRMO, SC 29063**

MOBILE (803) 467-7611

CREDENTIALS

- *Licensed Polygraph Examiner for 40 years
- *SC Law Enforcement Division Polygraph Examiner for 27 years
Chief Polygraph Examiner for SLED and the State of SC (18yrs) retired
- *Sled Polygraph Quality Control Officer
- *South Carolina Licensed Polygraph Examiner (Certified 1975)
- *South Carolina Polygraph Licensing Coordinator
- *South Carolina Law Enforcement S/A – 27 yrs (Lt. - 18 yrs.)

EXPERTISE

- *Over 30,000 Polygraph Examinations Conducted and reviewed as of 1999
- *Over 30,000 Polygraph Quality Control Reviews
- *Private Polygraph Examiner Specializing in Criminal Testing for 15 yrs
- *Expert witness in the US Federal District Court in Augusta, Georgia
- *Expert Witness in SC State Court
- *Expert Witness for the State of New York
- *TESTIFIED AS AN EXPERT WITNESS IN SENTENCING IN US
DISTRICT COURT IN AUGUSTA, GA
- *Nationally Recognized Speaker in Criminal Polygraph Examinations
C.I.A, Federal Intra-agency, and the American Polygraph Association
- *Department of Defense Computerized Polygraph Qualified
- *Participated in Development of Computerized Scoring with Johns
Hopkins University Applied Physics Science and the National Security
Agency

**PROFESSIONAL
ASSOCIATIONS**

- *Member of the American Polygraph Association since 1975
- *Past President of the South Carolina Association of Polygraph Examiners
- *Member of the SC Law Enforcement Officers Association – 24 yrs
- *American Polygraph Research and Development Committee
- *American Polygraph Membership Committee

**SPECIALIZED
TRAINING**

- *South Carolina Criminal Justice Academy
- *The New York Lie Detection Center
- *The FBI Advanced Polygraph Course
- *The Department of Defense Computerized Polygraph Course
- *Continuing Education Courses from Nine Different American Polygraph
Associations Seminars.

EDUCATION

- *B. S. in Political Science, Clemson University

**SUMMARY
OF SKILLS**

- *Retired Chief Examiner for the State of SC
- *Former Coordinator for Quality Assurance on all Polygraph
Examinations Conducted by the South Carolina Law
Enforcement Division
- *Former Training Coordinator for SC Police and Private
Intern Examiners
- *Developed the Policies and Procedures for the Operation
of the SC Law Enforcement Division Polygraph Division

Exhibit D

IN THE COURT OF COMMON PLEAS FOR
FOR THE ELEVENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA
COUNTY OF MCCORMICK

FILED
GWENDOLYN D. CHILES
2019 AUG 26 P 2:52

Civil Action No. 2017-CP-35-45

ROBERT JAY LAGROON

Plaintiff

vs.

CRYSTAL SUGGS AND

SCOTT SUGGS

Defendant

CLERK OF COURT
MCCORMICK COUNTY, SC

Affidavit of Lisa Trotter

I, Lisa Trotter am over 18 years of age and competent to make this affidavit of my own personal knowledge.

I am scheduled for a surgical procedure in the office of R. Jay Lagroon at 9:45 am on August 27, 2019.

I scheduled the appointment for this procedure in early June 2019 and because of my current medical condition I have stopped medication and also been pre medicated for this procedure.

I am informed by both of my physicians, that delays in this procedure will have adverse effects on my health in my current medical condition.

Affiant Further Sayeth Not.

Lisa Trotter

NADENE DUCK
NOTARY PUBLIC
Elbert County
State of Georgia
My Comm. Expires 3-8-2022

Sworn before me Nadene Duck Notary Public

On this 26 day of Aug 2019

My commission expires on March 8, 2022

Nadene Duck

2017 OCT 16 AM 9:59

CLERK OF COURT
MCCORMICK COUNTY, SC

IN THE COURT OF COMMON PLEAS
FOR THE ELEVENTH JUDICIAL CIRCUIT

STATE OF SOUTH CAROLINA)	Civil Action No 2017-CP-35-45
COUNTY OF MCCORMICK)	
ROBERT JAY LAGROON)	
)	
Plaintiff,)	Affidavit of Jim Wallen
vs.)	
CRYSTAL SUGGS AND)	
SCOTT SUGGS)	
)	
Defendant.)	

I am, Jim Wallen Chief Investigator for Lincoln County Sheriffs Department in Lincoln County ,Georgia. I am over 18 years of age and competent to make this affidavit of my own personal knowledge.

I am in jury trials on Monday October 16, 2017 and unable to attend this Motion Hearing. In McCormick County October the 16, 2017 at 10:00 a.m.

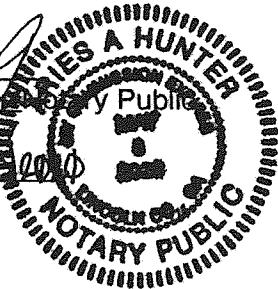
Attached is the statement of the defendants in this matter obtained during my investigation in the abduction of Daniel and Becca Lagroon.

Affiant Further Sayeth Not.

Jim Wallen

 Jim Wallen

Sworn before me *Paul F. Hunter*
 On this 13 day of 10, 2017
 My commission expires on 05/01/2020



Jim wallen

From: Crystal Suggs [cgsuggs@gmail.com]
Sent: Wednesday, March 04, 2015 2:46 PM
To: jwallen@lincolncountyga.com
Subject: Lagroom case

About 2 weeks prior to June 18, 2014, I was contacted by Rebecca Lagroom saying that she didn't know what was going on with the children and their father, but her hands were tied and she couldn't do anything. Daniel her son told her I could probably help them. I told her to have Daniel text me. Daniel text me and asked if I could take them to their Mother's house in McCormick and I said I could and to text me when they're ready to go that I would pick them up on the road. On June 18th he text and said they were ready to be picked up. I picked them up on Hwy. 7 about 9:45 p.m. and took them to their Mother's residence in McCormick.

Crystal Suggs
223 Willington Academy Drive
McCormick, SC 29835
864-391-2205

FILED
GWEN DOUGLAS CHILES
2017 OCT 16 A 10:41
CLERK OF COURT
McCORMICK COUNTY, SC