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S.C. SUPREME COURT

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November 18, 2021

Patricia Howard, Clerk of Court  
South Carolina Supreme Court  
PO Box 11330  
Columbia SC 29211

Via [supctfilings@sccourts.org](mailto:supctfilings@sccourts.org)

Re: Estate of Jane Doe 202 v. City of North Charleston et al., 2014-CP-10-4591  
Appellate Case No. 2017-002392

Dear Ms. Howard:

SCACR 208(b)(7) requires counsel to inform the court if “pertinent and significant” authority comes to the attention of counsel while an appeal is pending.

In this case there is a petition for *certiorari* pending. Among the issues is the “state created danger” theory of liability, on which the trial court directed a verdict. The Fourth Circuit yesterday decided Callahan v. North Carolina Department of Public Safety, a published opinion for which the Fourth Circuit’s advance sheet copy is attached.

The case relates to the elements for state created danger, which is at issue in the pending petition in the review of whether the trial court properly construed those elements or added elements not required or recognized in the jurisdictions included in the Fourth Circuit.

For that reason, we attach a copy of the Fourth Circuit Opinion and ask that it be provided to the court.

Sincerely,



Gregg Meyers

Incl: Callahan v. North Carolina

c: Mr. Dorsel, via [chris@sennlegal.com](mailto:chris@sennlegal.com)