

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

Jan 6 2022

SC Court of Appeals

APPEAL FROM McCORMICK COUNTY
J. Cordell Maddox, Jr., Eleventh Circuit Court Judge
Debra R. McCaslin, Eleventh Circuit Court Judge

Appellate Case No. 2019-002018

R. Jay Lagroon, Appellant,

v.

Crystal Suggs and Scott Suggs, Respondent

RECORD ON APPEAL

Robert Jay Lagroon
791 SC Hwy 7
McCormick S.C. 29835

COUNSEL FOR APPELLANT

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

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

COUNSEL FOR RESPONDENT

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STATE OF SOUTH CAROLINA

COUNTY OF MCCORMICK

Robert Jay Lagroon,

Plaintiff,

vs.

Crystal Suggs and Scott Suggs,

Defendants.

IN THE COURT OF COMMON PLEAS

ELEVENTH JUDICIAL CIRCUIT

Case No. 2017-CP-35-45

**ORDER GRANTING PLAINTIFF'S
MOTION TO AMEND, PARTIALLY
GRANTING DEFENDANTS' MOTION
TO DISMISS THE AMENDED
COMPLAINT, AND DENYING
DEFENDANTS' MOTION TO STRIKE**

**PRESIDING JUDGE:
DATE OF HEARING:
PLAINTIFF'S ATTORNEY:
DEFENDANT CRYSTAL SUGGS'
ATTORNEY:
DEFENDANT SCOTT SUGGS' ATTORNEY:
COURT REPORTER:**

**J. CORDELL MADDOX JR.
FEBRUARY 26, 2018
PRO SE/PRESENT**

**BILLY J. GARRETT JR.
R. JAMISON TINSLEY JR.
ANGELA P. BERRY**

Pursuant to Defendants' motions to dismiss based upon Rule 12(b)(6), this matter came before the court for a hearing on the above-mentioned date. Based upon the pleadings and arguments presented at the hearing, I hereby make the following:

FINDINGS OF FACT and CONCLUSIONS OF LAW

1. Plaintiff commenced this case by filing a summons and complaint Jun. 16, 2017, and serving Defendants July 21, 2017. This complaint alleged Defendants committed the torts of intentional infliction of emotional distress and civil conspiracy that caused damage to Plaintiff.
2. Defendants each timely filed motions to dismiss the complaint pursuant to SCRCP, Rule 12(b)(6).
3. On Oct. 16, 2017, the Court continued a hearing regarding Defendants' motions to dismiss because Plaintiff indicated to the Court that he had taken medications that morning that would affect his ability to proceed.

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
① 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), SCRCP.

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

(IN THE COURT OF COMMON PLEAS

FILED ELEVENTH JUDICIAL CIRCUIT
CLERK OF COURT

2019 APR 22 P 1:17 CASE# 2017-CP-35-45

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NOTICE OF MOTION AND MOTION
TO SET ASIDE ORDER

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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:

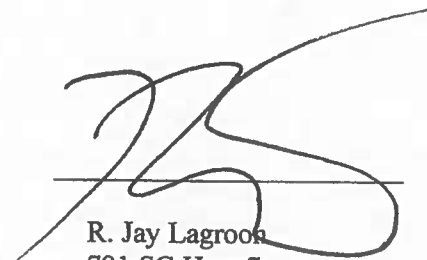
27. As a direct result of the atrocious and illegal conduct of the Defendant (Suggs) the Plaintiff (Lagroon) has suffer and continues to suffer Special Damages as a direct result of the Conspiracy complained of as follow:

- 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,

A handwritten signature in black ink, appearing to be 'RJL', written over a horizontal line.

R. Jay Lagroon
791 SC Hwy 7
McCormick SC 29835

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	ELEVENTH JUDICIAL CIRCUIT
COUNTY OF MCCORMICK	)	
	)	C.A. No. 2017-CP-35-00045
R. Jay Lagroon,	)	
	)	ORDER DENYING PLAINTIFF'S
	)	MOTION TO SET ASIDE ORDER
	)	
Plaintiff,	)	
v.	)	
	)	
Crystal Suggs and Scott Suggs,	)	
	)	
Defendant.	)	
_____	)	

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

STATE OF SOUTH CAROLINA
COUNTY OF McCormick
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2017CP3500045

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:

This matter was before the Court on Plaintiff's two Motions to Compel against Defendants Scott Suggs and Crystal Suggs, the Court also heard Defendants' outstanding Motions to Compel against Plaintiff, as well as an oral Motion to Strike discovery responses submitted by Defendant Crystal Suggs.

The Court hereby GRANTS Plaintiff Lagroon's Motions to Compel and awards Plaintiff a total of \$500 jointly in costs against Defendants Scott and Crystal Suggs.

The Court hereby GRANTS Defendant's Scott and Crystal Suggs Motions to Compel and awards the Defendants \$500 jointly in costs against Plaintiff Lagroon.

The Court denies Plaintiff's Motion to Strike discovery responses, and Orders this case STAYED during the pendency of the appellate action involved in this case.

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 08/26/2020 .

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 2020-08-26 14:46:25 page 3 of 3

County of McCormick

FILED IN THE COURT OF COMMON PLEAS
GWENDOLYN D. CHILES
ELEVENTH JUDICIAL CIRCUIT
2020 SEP 16 PM 12:12

ELEVENTH JUDICIAL CIRCUIT

CASE # 2017-CP-35-45

R. JAY LAGROON

CLERK OF COURT
MCGORMICK COUNTY, SC

NOTICE OF MOTION AND MOTION TO

PLAINTIFF

ALTER OR AMEND

Vs.

CRYSTAL SUGGS AND
SCOTT SUGGS

DEFENDANT(S)

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:

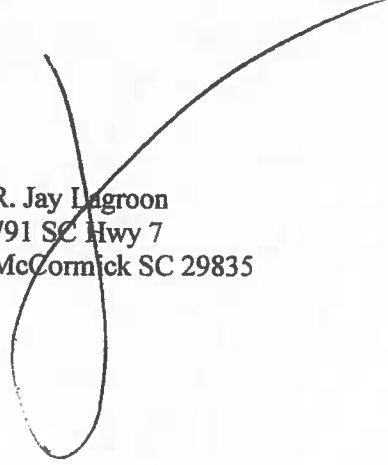
"Failure to Participate in the Framing of a Discovery Plan. If a party or his attorney fails to participate in good faith in the framing of a discovery plan by agreement as is required by Rule 26(f), the court may, after opportunity for hearing, require such party or his attorney to pay to any other 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 riagroon63@aol.com

Mr. Lagroon:

I received them Friday. Thanks.

Jamison

On Sun, Aug 18, 2019 at 1:46 PM jay lagroon <riagroon63@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 <riagroon63@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

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FILED
GWENDOLYN D. CHILES
2019 AUG 26 P 2:52
CLERK OF COURT
McCORMICK COUNTY, SC

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

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

STATE OF SOUTH CAROLINA)
COUNTY OF MCCORMICK)

Civil Action No. 2017-CP-35-45

ROBERT JAY LAGROON)

Plaintiff)

vs.)

CRYSTAL SUGGS AND)

SCOTT SUGGS)

Defendant)

Amended Affidavit of Lisa Trotter

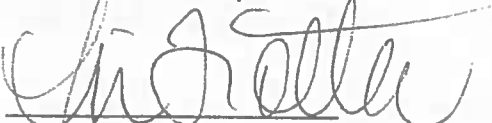
I, Lisa Trotter am over 18 years of age and competent to make this affidavit of my own personal knowledge.

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.

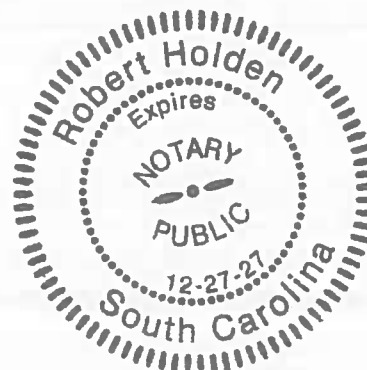

Lisa Trotter

FILED
GWENDOLYN D. CHILES
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



STATE OF SOUTH CAROLINA
COUNTY OF McCormick
IN THE COURT OF COMMON PLEAS

FORM 4

JUDGMENT IN A CIVIL CASE

CASE NO. 2017CP3500045

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), SCRCPP; ☐ Rule 41(a), SCRCPP (Vol. Nonsuit); ☐ Rule 43(k), SCRCPP (Settled);
☐ Other
- ☐ **ACTION STRICKEN (CHECK REASON):** ☐ Rule 40(j), SCRCPP; ☐ 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-Fileers 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	)	In the Court
2	County of McCormick	)	Of Common Pleas
3	R. Jay Lagroon,	)	Case No.: 2017-CP-35-00045
4	Plaintiff,	)	
5	vs.	)	Transcript of Record
6	Crystal Suggs, et al.,	)	
7	Defendants.	)	

8

9

February 26, 2018

10

McCormick, South Carolina

11

12 BEFORE:

13

The Honorable J. Cordell Maddox, Judge

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15 APPEARANCES:

16

R. Jay Lagroon, Esquire
Pro se

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

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

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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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1 CERTIFICATE OF REPORTER

2 (STATE OF SOUTH CAROLINA)

3 (COUNTY OF LEXINGTON)

4

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

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

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

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

17

18

19 By:s/Steven E. LeBlanc

20

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

24

25

1	State of South Carolina	)	In the Court
2	County of McCormick	)	Of Common Pleas
3	R. Jay Lagroon,	)	Case No.: 2017-CP-35-00045
4	Plaintiff,	)	
5	vs.	)	Transcript of Record
6	Crystal Suggs, et al.,	)	
7	Defendants.	)	

8

9

August 25, 2020

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McCormick, South Carolina

11

12 BEFORE:

13

The Honorable Debra R. McCaslin, Judge

14

15 APPEARANCES:

16

R. Jay Lagroon, Pro se

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

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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.
16
17
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25

1 CERTIFICATE OF REPORTER

2 (STATE OF SOUTH CAROLINA)

3 (COUNTY OF LEXINGTON)

4

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

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

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

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

17

18

19 By:s/Steven E. LeBlanc

20

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

24

25

IN THE COURT OF COMMON PLEAS
FOR THE ELEVENTH JUDICIAL CIRCUIT

FILED
GIVEN 12.0.18
2018 JAN 30 PM 3:46
CLERK OF COURT
MCCORMICK COUNTY, SC

STATE OF SOUTH CAROLINA	)	Civil Action No. 2017-CP-35-45
COUNTY OF MCCORMICK	)	
ROBERT JAY LAGROON	)	AMENDED COMPLAINT
Plaintiff,	)	(JURY TRIAL DEMANDED)
vs.	)	
CRYSTAL SUGGS AND	)	
SCOTT SUGGS	)	
Defendant.	)	

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

**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.

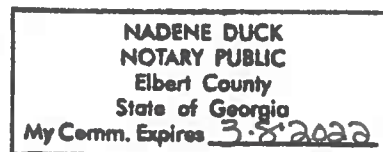


Lisa Trotter

Sworn before me Nadene Duck Notary Public

On this 26 day of August 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

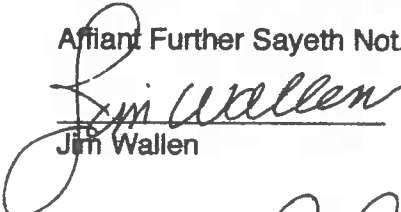
STATE OF SOUTH CAROLINA	)	Civil Action No 2017-CP-35-45
COUNTY OF MCCORMICK	)	
ROBERT JAY LAGROON	)	
Plaintiff,	)	Affidavit of Jim Wallen
vs.	)	
CRYSTAL SUGGS AND	)	
SCOTT SUGGS	)	
Defendant.	)	

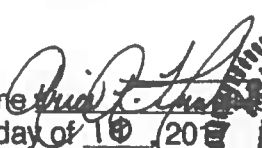
I am, Jim Wallen Chief Investigator for Lincoln County Sheriffs Department in Lincoln County ,Georgia. I am over 18 years of age and competent to make this affidavit of my own personal knowledge.

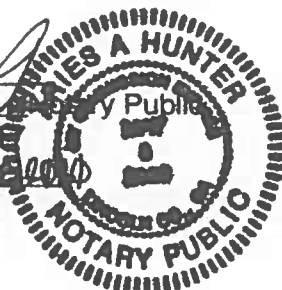
I am in jury trials on Monday October 16, 2017 and unable to attend this Motion Hearing. In McCormick County October the 16, 2017 at 10:00 a.m.

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

Sworn before me  a Notary Public
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
GWENDOLYN D. CHILES
2017 OCT 16 A 10:41
CLERK OF COURT
LINCOLN COUNTY, SC

STATE OF SOUTH CAROLINA

COUNTY OF McCormick

IN THE COURT OF COMMON PLEAS

R. Jay LagoonFILED
GWENDOLYN D. CHILES
Plaintiff(s)

CIVIL ACTION COVERSHEET

2017 JUN 16 P 4:31

2017 -CP - 35-45

vs.

A TRUE COPY

Crystal & Scott SuggsCLERK OF COURT
McCORMICK COUNTY, SC
Defendant(s)Gwendolyn D. Chiles
Clerk of Court, McCormick CountySubmitted By: R. Jay Lagoon
Address: 1216 White Oak Road
Lincolnton GA 30817
706-401-4893SC Bar #: _____
Telephone #: 706-401-4893
Fax #: _____
Other: _____
E-mail: _____

NOTE: The coversheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for the use of the Clerk of Court for the purpose of docketing. It must be filled out completely, signed, and dated. A copy of this coversheet must be served on the defendant(s) along with the Summons and Complaint.

DOCKETING INFORMATION (Check all that apply)

*If Action is Judgment/Settlement do not complete

- ☒ JURY TRIAL demanded in complaint. ☐ NON-JURY TRIAL demanded in complaint.
- ☐ This case is subject to ARBITRATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
- ☐ This case is subject to MEDIATION pursuant to the Court Annexed Alternative Dispute Resolution Rules.
- ☐ This case is exempt from ADR. (Proof of ADR/Exemption Attached)

NATURE OF ACTION (Check One Box Below)

- | | | | | | |
|--|--|---|--|--|---|
| Contracts
☐ Constructions (100)
☐ Debt Collection (110)
☐ General (130)
☐ Breach of Contract (140)
☐ Fraud/Bad Faith (150)
☐ Failure to Deliver/Warranty (160)
☐ Employment Discrim (170)
☐ Employment (180)
☐ Other (199) _____ | Torts - Professional Malpractice
☐ Dental Malpractice (200)
☐ Legal Malpractice (210)
☐ Medical Malpractice (220)
Previous Notice of Intent Case #
20____-NI-_____
☐ Notice/ File Med Mal (230)
☐ Other (299) _____ | Torts - Personal Injury
☐ Conversion (310)
☐ Motor Vehicle Accident (320)
☐ Premises Liability (330)
☐ Products Liability (340)
☒ Personal Injury (350)
☐ Wrongful Death (360)
☐ Assault/Battery (370)
☐ Slander/Libel (380)
☐ Other (399) _____ | Real Property
☐ Claim & Delivery (400)
☐ Condemnation (410)
☐ Foreclosure (420)
☐ Mechanic's Lien (430)
☐ Partition (440)
☐ Possession (450)
☐ Building Code Violation (460)
☐ Other (499) _____ | | |
| Inmate Petitions
☐ PCR (500)
☐ Mandamus (520)
☐ Habeas Corpus (530)
☐ Other (599) _____ | Administrative Law/Relief
☐ Reinstate Drv. License (800)
☐ Judicial Review (810)
☐ Relief (820)
☐ Permanent Injunction (830)
☐ Forfeiture-Petition (840)
☐ Forfeiture-Consent Order (850)
☐ Other (899) _____ | Judgments/Settlements
☐ Death Settlement (700)
☐ Foreign Judgment (710)
☐ Magistrate's Judgment (720)
☐ Minor Settlement (730)
☐ Transcript Judgment (740)
☐ Lis Pendens (750)
☐ Transfer of Structured Settlement Payment Rights Application (760)
☐ Confession of Judgment (770)
☐ Petition for Workers Compensation Settlement Approval (780)
☐ Other (799) _____ | Appeals
☐ Arbitration (900)
☐ Magistrate-Civil (910)
☐ Magistrate-Criminal (920)
☐ Municipal (930)
☐ Probate Court (940)
☐ SCDOT (950)
☐ Worker's Comp (960)
☐ Zoning Board (970)
☐ Public Service Comm. (990)
☐ Employment Security Comm (991)
☐ Other (999) _____ | | |
| Special/Complex /Other
<table border="0"> <tr> <td style="vertical-align: top;"> ☐ Environmental (600)
 ☐ Automobile Arb. (610)
 ☐ Medical (620)
 ☐ Other (699) _____
 ☐ Sexual Predator (510)
 ☐ Permanent Restraining Order (680) </td> <td style="vertical-align: top;"> ☐ Pharmaceuticals (630)
 ☐ Unfair Trade Practices (640)
 ☐ Out-of State Depositions (650)
 ☐ Motion to Quash Subpoena in an Out-of-County Action (660)
 ☐ Pre-Suit Discovery (670) </td> </tr> </table> | | | | ☐ Environmental (600)
☐ Automobile Arb. (610)
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☐ Unfair Trade Practices (640)
☐ Out-of State Depositions (650)
☐ Motion to Quash Subpoena in an Out-of-County Action (660)
☐ Pre-Suit Discovery (670) | | | | |

Submitting Party Signature: _____

Date: 6/16/17

Note: Frivolous civil proceedings may be subject to sanctions pursuant to SCRCP, Rule 11, and the South Carolina Frivolous Civil Proceedings Sanctions Act, S.C. Code Ann. §15-36-10 et. seq.

IN THE COURT OF COMMON PLEAS
FOR THE ELEVENTH JUDICIAL CIRCUIT

FILED
GWENDOLYN D. CHILES

2017 JUN 16 P 4: 31

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. _____

2017CP3545

SUMMONS

TO THE DEFENDANTS ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to this Complaint upon the subscribers, at their offices, 791 SC Hwy 7, McCormick South Carolina 29835, within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the Complaint within the time aforesaid, or otherwise appear and defend, judgment by default will be rendered against you for the relief demanded in the Complaint.


R. JAY LAGROON

1216 White Oak Road

Lincolnton Georgia 30817

706-401-4893

IN THE COURT OF COMMON PLEAS
FOR THE ELEVENTH JUDICIAL CIRCUIT

FILED
GWENDOLYN D. CHILES

2017 JUN 16 P 4: 32

STATE OF SOUTH CAROLINA)

Civil Action No. CLERK OF COURT
MCCORMICK COUNTY, SC

COUNTY OF MCCORMICK)

2017CP3545

ROBERT JAY LAGROON)

COMPLAINT

Plaintiff,)

(JURY TRIAL DEMANDED)

vs.)

(Intentional infliction of Emotional Distress

CRYSTAL SUGGS AND)

Accompanied by Civil Conspiracy)

SCOTT SUGGS)

Defendant.)

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.

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 for 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 Office 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 office of the plaintiff (Lagroon) 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 defendant Lagroon as the Non-Custodial Parent (Rebecca Lagroon) and the defendant (Suggs) subjected the Minor child Daniel to a sexual predator (Randy Mercer).
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.
11. Randy Mercer has been convicted for his conduct and is incarcerated in federal prison.

FOR THE FIRST CAUSE OF ACTION

(Intentional infliction of emotional stress)

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

13. The Defendant's (Suggs) actions were so extreme and outrageous as to exceed all possible bounds of decency.

14. 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.

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

16. Plaintiff seeks actual and punitive damages to redress his damages.

FOR THE SECOND CAUSE OF ACTION

(Civil Conspiracy)

17. Lagroon repeats and realleges paragraphs one (1) through sixteen (16) of this Complaint as if fully set forth herein.

18. The Defendant's conspired with the Non-custodial mother (Rebecca Lagroon) to intentionally and maliciously violated the Order of the South Carolina Family Court.

19. The Defendant's (Suggs) actions were so extreme and outrageous as to exceed all possible bounds of decency.

20. 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.

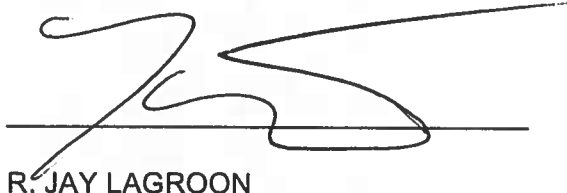
21. As a result of the Defendant's conduct, Lagroon suffered emotional distress, humiliation, and embarrassment.

22. Plaintiff seeks actual and punitive damages to redress his damages.

PRAYER FOR RELIEF

WHEREFORE, having fully set forth his Complaint, Lagroon prays the jury award him all available relief including but not limited to the following:

1. Award Lagroon appropriate compensatory, consequential, and punitive 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,
2. Award Lagroon such other and further relief as the Court deems just and proper.

A handwritten signature in black ink, appearing to be 'R. Jay Lagroon', written over a horizontal line.

R. JAY LAGROON

1216 WHITE OAK ROAD

LINCOLNTON GA 30817

706-401-4893

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF MCCORMICK	)	ELEVENTH JUDICIAL CIRCUIT
	)	
Robert Jay Lagroon,	)	Case No. 2017-CP-35-45
	)	
Plaintiff,	)	DEFENDANT SCOTT SUGGS'S
	)	NOTICE OF MOTION AND MOTION
vs.	)	TO DISMISS
	)	
Crystal Suggs and Scott Suggs,	)	
	)	
Defendants.	)	
_____	)	

TO: PLAINTIFF AND/OR PLAINTIFF'S ATTORNEY

YOU WILL PLEASE TAKE NOTICE that the undersigned, on behalf of Defendant Scott Suggs, will move before the Court of Common Please, for the Eleventh Judicial Circuit to dismiss Plaintiff's Complaint and to grant such other relief as the Court deems just, equitable, and proper. Counsel for Defendant Scott Suggs is informed and believes that said hearing to dismiss shall take place _____, 2017 at ____:____ m before the Presiding Judge in the **McCormick County Courthouse**, or as soon as it may thereafter be heard.

The Court should dismiss Plaintiff's Complaint pursuant to SCRCP, Rule 12(b)(6) because Plaintiff fails to plead sufficient facts to state a cause of action for intentional infliction of emotional distress or civil conspiracy.

Plaintiff commenced this lawsuit by filing the summons and complaint June 16, 2017, and serving Defendants July 21, 2017. Plaintiff alleges Defendants' intentional conduct occurred June 18, 2014.

Plaintiff has failed to plead facts that constitute a cause of action upon which the court can grant relief for intentional infliction of emotional distress because he did not witness the alleged outrageous conduct that injured his son. Where a plaintiff makes a claim for intentional infliction

of emotional distress based on 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).

Plaintiff does not plead sufficient facts to meet this standard of recovery for intentional infliction of emotional distress based on Defendant's alleged actions that injured Plaintiff's son. Plaintiff does not allege he was present when the alleged outrageous conduct by Defendants occurred to injure Plaintiff's son. Also, Plaintiff does not allege that Defendants had any control over Randy Mercer, who was the party who inflicted the injury upon Plaintiff's son. Plaintiff, therefore, has failed to plead facts that constitute a cause of action for intentional infliction of emotional distress based on an injury to a third party.

Further, Plaintiff does not plead sufficient facts that constitute 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.

In the present case, Plaintiff's civil conspiracy cause of action merely adds that Defendants conspired with a non-party while undertaking the same actions as alleged in his intentional infliction of emotional distress claim. See Complaint, ¶¶ 8-11, 12-13, 17-19. Plaintiff also merely repeated the same damages in his civil conspiracy cause of action as he did in his intentional infliction of emotional distress cause of action rather than pleading special damages. See Complaint, ¶¶ 14,-15, 20-21. The Court should, therefore, dismiss Plaintiff's civil conspiracy claim as it does not properly allege any additional actions in furtherance of the conspiracy or special damages.

WHEREFORE, Defendant Scott Suggs prays for the following relief:

1. For an Order dismissing Plaintiff's Complaint with prejudice; and
2. For such other relief as the Court deems just, proper, and equitable.

TINSLEY & TINSLEY, P.C.
Attorney for Defendant Scott Suggs



R. Jamison Tinsley Jr.
212 Oak Ave.
Greenwood, SC 29646

(864) 223-0770
Fax: (864) 377-8278
Tinslerj@gmail.com
S.C. Bar No. 79903

Greenwood, South Carolina

August 15, 2017

COPY

STATE OF SOUTH CAROLINA)
)
COUNTY OF MCCORMICK)
)
Robert Jay Lagroon,)
)
Plaintiff,)
)
vs.)
)
Crystal Suggs and Scott Suggs,)
)
Defendants.)
_____)

IN THE COURT OF COMMON PLEAS

ELEVENTH JUDICIAL CIRCUIT

CASE NO.: 2017-CP-35-45

CERTIFICATE OF SERVICE

The undersigned employee does hereby certify that on the 15th day of August, 2017, she served the pleading specified below, by U.S. mail delivery postage prepaid to: Honorable Gwendolyn D. Chiles and Robert Jay Lagroon , at the addresses listed below:

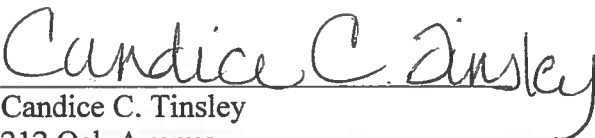
SERVED BY U.S. MAIL DELIVERY:

Honorable Gwendolyn D. Chiles
McCormick County Clerk of Court
133 S. Mine St., Room 102
McCormick, SC 29835

Robert Jay Lagroon
791 SC Hwy 7
McCormick, SC 29835

1. Defendant Scott Suggs's Notice
Of Motion And Motion To Dismiss

TINSLEY & TINSLEY, P. C.
Attorneys for Defendant Scott Suggs


Candice C. Tinsley

212 Oak Avenue
Greenwood, SC 29646
Phone: (864) 223-0770
Fax: (864) 377-8278

August 15, 2017,
Greenwood, South Carolina.

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF MCCORMICK	)	ELEVENTH JUDICIAL CIRCUIT
	)	
Robert Jay Lagroon,	)	Case No. 2017-CP-35-45
	)	
Plaintiff,	)	DEFENDANT CRYSTAL SUGGS'S
	)	NOTICE OF MOTION AND MOTION
vs.	)	TO DISMISS
	)	
Crystal Suggs and Scott Suggs,	)	
	)	
Defendants.	)	
_____	)	

TO: PLAINTIFF AND/OR PLAINTIFF'S ATTORNEY

YOU WILL PLEASE TAKE NOTICE that the undersigned, on behalf of Defendant Crystal Suggs, will move before the Court of Common Pleas, for the Eleventh Judicial Circuit to dismiss Plaintiff's Complaint and to grant such other relief as the Court deems just, equitable, and proper. Counsel for Defendant Crystal Suggs is informed and believes that said hearing to dismiss shall take place OCT 16, 2017 at 10:00 AM before the Presiding Judge in the **McCormick County Courthouse**, or as soon as it may thereafter be heard.

The Court should dismiss Plaintiff's Complaint pursuant to SCRCF, Rule 12(b)(6) because Plaintiff fails to plead sufficient facts to state a cause of action for intentional infliction of emotional distress or civil conspiracy.

Plaintiff commenced this lawsuit by filing the summons and complaint June 16, 2017, and serving Defendants July 21, 2017. Plaintiff alleges Defendants' intentional conduct occurred June 18, 2014.

Plaintiff has failed to plead facts that constitute a cause of action upon which the court can grant relief for intentional infliction of emotional distress because he did not witness the alleged outrageous conduct that injured his son. Where a plaintiff makes a claim for intentional

infliction of emotional distress based on 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).

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"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).

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HS
13/14
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WHEREFORE, Defendant Crystal Suggs prays for the following relief:

1. For an Order dismissing Plaintiff's Complaint with prejudice; and
2. For such other relief as the Court deems just, proper, and equitable.

THE GARRETT LAW FIRM, P.C.
Attorney for Defendant Crystal Suggs



Billy J. Garrett, Jr.

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

2018 FEB 13 A 10:09

STATE OF SOUTH CAROLINA) Civil Action No. 2017-CP-35-45

COUNTY OF MCCORMICK)

ROBERT JAY LAGROON) Notice of Motion and Motion to Amend

Plaintiff,)

vs.)

CRYSTAL SUGGS AND)

SCOTT SUGGS)

Defendant.)

TO: THE PRESIDING JUDGE AND BILLY GARRETT AND R. JAMISON TINSLEY,
ATTORNEY FOR DEFENDANT

YOU WILL PLEASE TAKE NOTICE that the Plaintiff will move before the Honorable Judge of the Eleventh Judicial Circuit on the 26th of Feb., 2018 at 10:00 ^{am} or as soon thereafter as counsel may be heard, at the McCormick County Courthouse, McCormick, South Carolina, for an Order GRANTING Plaintiff's Motion to Amend Complaint. This motion is based on the South Carolina rules of civil procedure and all other applicable South Carolina statutory law.



R. JAY LAGROON

1216 WHITE OAK ROAD

LINCOLNTON GA 30817

IN THE COURT OF COMMON PLEAS
FOR THE ELEVENTH JUDICIAL CIRCUIT

FILED
GREENWOOD, S.C.
2018 FEB 13 A 10:09
CLERK OF COURT
RECORDED 1116 SC

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

This is to certify that the undersigned, Kelli Sue Barnett, did cause the Notice of Motion and Motion to be served in regard to the above reference matter by first class mail on this 13th day of February, 2018 along with a copy of the Certificate of Service to:

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

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


Kelli Sue Barnett
1216 White Oak Road
Lincolnton, Ga 30817

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF MCCORMICK	)	ELEVENTH JUDICIAL CIRCUIT
	)	
Robert Jay Lagroon,	)	Case No. 2017-CP-35-45
	)	
Plaintiff,	)	DEFENDANT SCOTT SUGGS'S
	)	NOTICE OF MOTION AND MOTION
vs.	)	TO DISMISS AMENDED COMPLAINT
	)	
Crystal Suggs and Scott Suggs,	)	
	)	
Defendants.	)	
_____	)	

TO: PLAINTIFF AND/OR PLAINTIFF'S ATTORNEY

YOU WILL PLEASE TAKE NOTICE that the undersigned, on behalf of Defendant Scott Suggs, will move before the Court of Common Pleas, for the Eleventh Judicial Circuit to dismiss Plaintiff's Complaint and to grant such other relief as the Court deems just, equitable, and proper. Counsel for Defendant Scott Suggs is informed and believes that said hearing to dismiss shall take place at the prescheduled date of **February 26, 2018, at 10:00 a.m.** before the Presiding Judge in the **McCormick County Courthouse**, or as soon as it may thereafter be heard.

The Court should also dismiss Plaintiff's Amended Complaint pursuant to SCRCP, Rule 15(a) because Plaintiff failed to amend his complaint within thirty days of Defendants' service of motions to dismiss or to receive leave of the court or Defendants' written consent to amend his complaint.

The Court should dismiss Plaintiff's claims for intentional infliction of emotional distress and civil conspiracy pursuant to SCRCP, Rule 12(b)(6) because Plaintiff fails to plead sufficient facts to state a cause of action for intentional infliction of emotional distress, civil conspiracy, or trespass.

Alternatively, the Court should strike Paragraphs 17, 18, 19, and 28 pursuant to SCRCP, Rule 12(f) because these paragraphs contain impertinent, immaterial, and scandalous matter.

I. The Court should dismiss Plaintiff's amended complaint as untimely.

Plaintiff commenced this lawsuit by filing the summons and complaint June 16, 2017, and serving Defendants July 21, 2017. Plaintiff alleges Defendants' intentional conduct occurred June 18, 2014. Defendant Scott Suggs filed and served a motion to dismiss Aug. 15, and Defendant Crystal Suggs filed and served a motion to dismiss Aug. 16. The Court continued a hearing Oct. 16 because Plaintiff indicated to the Court that he was unable to proceed because of the medication he had taken that morning. Plaintiff then served an amended complaint via mailing on the attorneys of record for each Defendant on Jan. 30, 2018; he personally served the Defendants February 8. He subsequently served a motion to amend his complaint via mail on the attorneys of record for each Defendant on Feb. 13.

"A party may amend his pleading once as a matter of course at any time before or within 30 days after a responsive pleading is served[.]..." SCRCP, Rule 15(a). Otherwise a party may amend his pleading only by leave of court or by written consent of the adverse party[.]... Id.

Plaintiff did not comply with the time limits of the rule as he waited more than five months to amend his complain from when Defendants served him with motions to dismiss. Plaintiff has not received Defendants' written consent or leave of court to amend his complaint so the Court should dismiss his amended complaint as untimely filed and rule upon his complaint.

II. The Court should dismiss Plaintiff's amended complaint as it fails to state a cause of action for which relief can be granted.

A. Intentional Infliction of Emotional Distress.

Plaintiff has failed to plead facts that constitute a cause of action upon which the court can grant relief for intentional infliction of emotional distress because he did not witness the alleged

outrageous conduct that injured his son. Where a plaintiff makes a claim for intentional infliction of emotional distress based on 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"

This leaves out part of Order which helps me.

(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).

Plaintiff does not plead sufficient facts to meet this standard of recovery for intentional infliction of emotional distress based on Defendant's alleged actions that injured Plaintiff's son.

Plaintiff does not allege he was present when the alleged outrageous conduct by Defendants occurred to injure Plaintiff's son. Also, Plaintiff does not allege that Defendants had any control over Randy Mercer, who was the party who inflicted the injury upon Plaintiff's son. Plaintiff, therefore, has failed to plead facts that constitute a cause of action for intentional infliction of emotional distress based on an injury to a third party.

B. Civil Conspiracy

Further, Plaintiff does not plead sufficient facts that constitute 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.

In the present case, Plaintiff’s civil conspiracy cause of action merely adds that Defendants conspired with a non-party while undertaking the same course of action as alleged in his intentional infliction of emotional distress and trespass claims. See Complaint, ¶¶ 8-12, 17-26. While Plaintiff purports to allege special damages caused by Defendants’ civil conspiracy, these alleged damages are actually the same damages sought pursuant to the intentional infliction of emotional distress claim. See Complaint, ¶¶ 27. Plaintiff asks for damages related to Plaintiff’s mental anguish and costs incurred for Plaintiff’s son, who is not a party to this action. The Court should, therefore, dismiss Plaintiff’s civil conspiracy claim as it does not properly allege any additional actions in furtherance of the conspiracy or special damages, which are cognizable in this action.

III. The Court should strike Paragraphs 17, 18, 19, and 28 from the amended complaint because they consist of impertinent, immaterial, and scandalous matter.

“[T]he Court may order stricken from any pleading any insufficient defense or any redundant, immaterial, or impertinent matter.” Rule 12(f), SCRCP.

Plaintiff makes repeated allegations that Defendants abuse alcohol and illegal substances, drive aggressively and make obscene gestures. See ¶¶ 17-19, 28. While Defendant Scott Suggs denies such allegations, they are immaterial to Plaintiff's causes of action and are scandalous so the Court should order them stricken.

WHEREFORE, Defendant Scott Suggs prays for the following relief:

1. For an order dismissing Plaintiff's Amended Complaint with prejudice;
2. Alternatively, for an order dismissing Plaintiff's causes of actions for intentional infliction of emotional distress and civil conspiracy;
3. For an order striking paragraphs 17, 18, 19, and 28 from Plaintiff's Amended Complaint;
4. Costs, attorney's fees, and sanctions; and
5. For such other relief as the Court deems just, proper, and equitable.

TINSLEY & TINSLEY, P.C.
Attorney for Defendant Scott Suggs

s/R. Jamison Tinsley Jr.
R. Jamison Tinsley Jr.
212 Oak Ave.
Greenwood, SC 29646
(864) 223-0770
Fax: (864) 377-8278
Tinslerj@gmail.com
S.C. Bar No. 79903

Greenwood, South Carolina

February __, 2018

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF MCCORMICK	)	ELEVENTH JUDICIAL CIRCUIT
	)	
Robert Jay Lagroon,	)	Case No. 2017-CP-35-45
	)	
Plaintiff,	)	DEFENDANT CRYSTAL SUGGS'S
	)	NOTICE OF MOTION AND MOTION
vs.	)	TO DISMISS AMENDED COMPLAINT
	)	
Crystal Suggs and Scott Suggs,	)	
	)	
Defendants.	)	
	)	

TO: PLAINTIFF AND/OR PLAINTIFF'S ATTORNEY

YOU WILL PLEASE TAKE NOTICE that the undersigned, on behalf of Defendant Crystal Suggs, will move before the Court of Common Pleas, for the Eleventh Judicial Circuit to dismiss Plaintiff's Complaint and to grant such other relief as the Court deems just, equitable, and proper. Counsel for Defendant Crystal Suggs is informed and believes that said hearing to dismiss shall take place at the prescheduled date of **February 26, 2018, at 10:00 a.m.** before the Presiding Judge in the **McCormick County Courthouse**, or as soon as it may thereafter be heard.

The Court should also dismiss Plaintiff's Amended Complaint pursuant to SCRCP, Rule 15(a) because Plaintiff failed to amend his complaint within thirty days of Defendants' service of motions to dismiss or to receive leave of the court or Defendants' written consent to amend his complaint.

The Court should dismiss Plaintiff's claims for intentional infliction of emotional distress and civil conspiracy pursuant to SCRCP, Rule 12(b)(6) because Plaintiff fails to plead sufficient facts to state a cause of action for intentional infliction of emotional distress, civil conspiracy, or trespass.

Alternatively, the Court should strike Paragraphs 17, 18, 19, and 28 pursuant to SCRCP, Rule 12(f) because these paragraphs contain impertinent, immaterial, and scandalous matter.

I. The Court should dismiss Plaintiff's amended complaint as untimely.

Plaintiff commenced this lawsuit by filing the summons and complaint June 16, 2017, and serving Defendants July 21, 2017. Plaintiff alleges Defendants' intentional conduct occurred June 18, 2014. Defendant Scott Suggs filed and served a motion to dismiss Aug. 15, and Defendant Crystal Suggs filed and served a motion to dismiss Aug. 16. The Court continued a hearing Oct. 16 because Plaintiff indicated to the Court that he was unable to proceed because of the medication he had taken that morning. Plaintiff then served an amended complaint via mailing on the attorneys of record for each Defendant on Jan. 30, 2018; he personally served the Defendants February 8. He subsequently served a motion to amend his complaint via mail on the attorneys of record for each Defendant on Feb. 13.

“A party may amend his pleading once as a matter of course at any time before or within 30 days after a responsive pleading is served[.]...” SCRCP, Rule 15(a). Otherwise a party may amend his pleading only by leave of court or by written consent of the adverse party[.]... Id.

Plaintiff did not comply with the time limits of the rule as he waited more than five months to amend his complain from when Defendants served him with motions to dismiss. Plaintiff has not received Defendants' written consent or leave of court to amend his complaint so the Court should dismiss his amended complaint as untimely filed and rule upon his complaint.

II. The Court should dismiss Plaintiff's amended complaint as it fails to state a cause of action for which relief can be granted.

A. Intentional Infliction of Emotional Distress.

Plaintiff has failed to plead facts that constitute a cause of action upon which the court can grant relief for intentional infliction of emotional distress because he did not witness the alleged outrageous conduct that injured his son. Where a plaintiff makes a claim for intentional infliction of emotional distress based on 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).

Plaintiff does not plead sufficient facts to meet this standard of recovery for intentional infliction of emotional distress based on Defendant's alleged actions that injured Plaintiff's son. Plaintiff does not allege he was present when the alleged outrageous conduct by Defendants occurred to injure Plaintiff's son. Also, Plaintiff does not allege that Defendants had any control over Randy Mercer, who was the party who inflicted the injury upon Plaintiff's son. Plaintiff, therefore, has failed to plead facts that constitute a cause of action for intentional infliction of emotional distress based on an injury to a third party.

B. Civil Conspiracy

Further, Plaintiff does not plead sufficient facts that constitute 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."

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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.

In the present case, Plaintiff's civil conspiracy cause of action merely adds that Defendants conspired with a non-party while undertaking the same course of action as alleged in his intentional infliction of emotional distress and trespass claims. See Complaint, ¶¶ 8-12, 17-26. While Plaintiff purports to allege special damages caused by Defendants' civil conspiracy, these alleged damages are actually the same damages sought pursuant to the intentional infliction of emotional distress claim. See Complaint, ¶¶ 27. Plaintiff asks for damages related to Plaintiff's mental anguish and costs incurred for Plaintiff's son, who is not a party to this action. The Court should, therefore, dismiss Plaintiff's civil conspiracy claim as it does not properly allege any additional actions in furtherance of the conspiracy or special damages, which are cognizable in this action.

III. The Court should strike Paragraphs 17, 18, 19, and 28 from the amended complaint because they consist of impertinent, immaterial, and scandalous matter.

“[T]he Court may order stricken from any pleading any insufficient defense or any redundant, immaterial, or impertinent matter.” Rule 12(f), SCRCP.

Plaintiff makes repeated allegations that Defendants abuse alcohol and illegal substances, drive aggressively and make obscene gestures. See ¶¶ 17-19, 28. While Defendant Crystal Suggs denies such allegations, they are immaterial to Plaintiff’s causes of action and are scandalous so the Court should order them stricken.

WHEREFORE, Defendant Crystal Suggs prays for the following relief:

1. For an order dismissing Plaintiff’s Amended Complaint with prejudice;
2. Alternatively, for an order dismissing Plaintiff’s causes of actions for intentional infliction of emotional distress and civil conspiracy;
3. For an order striking paragraphs 17, 18, 19, and 28 from Plaintiff’s Amended Complaint;
4. Costs, attorney’s fees, and sanctions; and
5. For such other relief as the Court deems just, proper, and equitable.

THE GARRETT LAW FIRM, P.C.
Attorney for Defendant Crystal Suggs

s/Billy J. Garrett Jr.
Billy J. Garrett, Jr.
109 Oak Avenue
Greenwood, S.C. 29646
Phone: (864) 229-8000
Facsimile: (864) 229-8001

Greenwood, South Carolina

February 21, 2018

III. The Court should strike Paragraphs 17, 18, 19, and 28 from the amended complaint because they consist of impertinent, immaterial, and scandalous matter.

"[T]he Court may order stricken from any pleading any insufficient defense or any redundant, immaterial, or impertinent matter." Rule 12(f), SCRPC.

Plaintiff makes repeated allegations that Defendants abuse alcohol and illegal substances, drive aggressively and make obscene gestures. See ¶¶ 17-19, 28. While Defendant Crystal Suggs denies such allegations, they are immaterial to Plaintiff's causes of action and are scandalous so the Court should order them stricken.

WHEREFORE, Defendant Crystal Suggs prays for the following relief:

1. For an order dismissing Plaintiff's Amended Complaint with prejudice;
2. Alternatively, for an order dismissing Plaintiff's causes of actions for intentional infliction of emotional distress and civil conspiracy;
3. For an order striking paragraphs 17, 18, 19, and 28 from Plaintiff's Amended Complaint;
4. Costs, attorney's fees, and sanctions; and
5. For such other relief as the Court deems just, proper, and equitable.

THE GARRETT LAW FIRM, P.C.
Attorney for Defendant Crystal Suggs



Billy J. Garrett, Jr.
109 Oak Avenue
Greenwood, S.C. 29646
Phone: (864) 229-8000
Facsimile: (864) 229-8001

Greenwood, South Carolina

February 21, 2018

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF MCCORMICK	)	ELEVENTH JUDICIAL CIRCUIT
	)	
Robert Jay Lagroon,	)	Case No. 2017-CP-35-45
	)	
Plaintiff,	)	ANSWER OF DEFENDANT SCOTT
	)	SUGGS
vs.	)	
	)	
Crystal Suggs and Scott Suggs,	)	
	)	
Defendants.	)	
	)	

TO: PLAINTIFF AND/OR PLAINTIFF'S ATTORNEY

Defendant Scott Suggs, while reserving all motions filed and motions to be filed, would respectfully:

1. Deny Paragraph 1.
2. Deny Paragraph 2.
3. Deny Paragraph 3.
4. Admit Paragraph 4.
5. Admit Defendant Scott Suggs resides in McCormick County and that venue is proper in McCormick County but deny the remainder of Paragraph 5.
6. Deny Paragraph 6.
7. Deny Paragraph 7.
8. Deny Paragraph 8.
9. Deny Paragraph 9.
10. Deny Paragraph 10.

11. Defendant Scott Suggs is not required to answer Paragraphs 11-27 because the Court has dismissed Plaintiff's intentional infliction of emotional distress and civil conspiracy causes of action pursuant to an order dated Apr. 3, 2019.

12. Respond to the unnumbered paragraph, which should be Paragraph 28, in a manner consistent with the previous responses.

13. Deny Paragraph 28.

14. Deny Paragraph 29.

15. Deny Paragraph 30.

16. Deny Paragraph 31.

17. Deny Plaintiff's prayer for relief.

FOR A FIRST AFFIRMATIVE DEFENSE
(Statute of Limitations)

18. Plaintiff's cause of action for trespass should be dismissed because it violates the statute of limitations.

FOR A SECOND AFFIRMATIVE DEFENSE
(Waiver)

19. Plaintiff's subsequent actions waived his right to bring an action for trespass so the Court should dismiss this cause of action.

WHEREFORE, Defendant Scott Suggs' prays for the following relief:

1. Dismissal of the complaint with prejudice;
2. Costs and attorney's fees; and
3. Such other and further relief as the Court deems just, equitable, and proper.

(SIGNATURE BLOCK ON FOLLOWING PAGE)

TINSLEY & TINSLEY, P.C.
Attorney for Defendant Scott Suggs

s/R. Jamison Tinsley Jr.
R. Jamison Tinsley Jr.
109 Oak Ave.
Greenwood, SC 29646
(864) 223-0770
Fax: (864) 377-8278
Tinslerj@gmail.com
S.C. Bar No. 79903

April 8, 2019

Greenwood, South Carolina

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF MCCORMICK	)	ELEVENTH JUDICIAL CIRCUIT
	)	
Robert Jay Lagroon,	)	Case No. 2017-CP-35-45
	)	
Plaintiff,	)	ANSWER OF DEFENDANT CRYSTAL
	)	SUGGS
vs.	)	
	)	
Crystal Suggs and Scott Suggs,	)	
	)	
Defendants.	)	
	)	

TO: PLAINTIFF AND/OR PLAINTIFF'S ATTORNEY

Defendant Crystal Suggs, while reserving all motions filed and motions to be filed, would respectfully:

1. Deny Paragraph 1.
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3. Deny Paragraph 3.
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5. Admit Defendant Crystal Suggs resides in McCormick County and that venue is proper in McCormick County but deny the remainder of Paragraph 5.
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12. Respond to the unnumbered paragraph, which should be Paragraph 28, in a manner consistent with the previous responses.

13. Deny Paragraph 28.

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15. Deny Paragraph 30.

16. Deny Paragraph 31.

17. Deny Plaintiff's prayer for relief.

**FOR A FIRST AFFIRMATIVE DEFENSE
(Statute of Limitations)**

18. Plaintiff's cause of action for trespass should be dismissed because it violates the statute of limitations.

**FOR A SECOND AFFIRMATIVE DEFENSE
(Waiver)**

19. Plaintiff's subsequent actions waived his right to bring an action for trespass so the Court should dismiss this cause of action.

WHEREFORE, Defendant Crystal Suggs' prays for the following relief:

1. Dismissal of the complaint with prejudice;
2. Costs and attorney's fees; and
3. Such other and further relief as the Court deems just, equitable, and proper.

(SIGNATURE BLOCK ON FOLLOWING PAGE)

THE GARRETT LAW FIRM, P.C.
Attorney for Defendant Crystal Suggs

s/ Billy J. Garrett Jr.
Billy J. Garrett, Jr.
109 Oak Avenue
Greenwood, S.C. 29646
Phone: (864) 229-8000
Facsimile: (864) 229-8001

Greenwood, South Carolina

April 8, 2019

Section 15-36-10
Trivulus

Section (D)

STATE OF SOUTH CAROLINA)
COUNTY OF MCCORMICK)
Robert Jay Lagroon,)
Plaintiff,)
vs.)
Crystal Suggs and Scott Suggs,)
Defendants.)

IN THE COURT OF COMMON PLEAS
ELEVENTH JUDICIAL CIRCUIT
Case No. 2017-CP-35-45

**DEFENDANTS' JOINT MOTION TO
COMPEL PLAINTIFF'S DISCOVERY
RESPONSES AND ATTENDANCE AT
A DEPOSITION**

TO: PLAINTIFF, ROBERT JAY LAGROON

✓ YOU WILL PLEASE TAKE NOTICE that the undersigned, on behalf of Defendants, will move before the Court of Common Pleas, for the Eleventh Judicial Circuit to compel Plaintiff's discovery responses and attendance at the scheduled deposition and to grant such other relief as the Court deems just, equitable, and proper. This hearing shall take place ten days after service of this motion or as soon as it may be heard at the McCormick County Courthouse.

✓ On June 25, Defendant Scott Suggs served Plaintiff with written interrogatories pursuant to Rule 33(b), SCRCF, and requests to produce documents pursuant to Rule 34. See Exhibit A. Defendant Crystal Suggs likewise served written interrogatories and requests to produce to Defendant on June 27. See Exhibit B. Pursuant to Rules 33(a) and 34(b), Plaintiff had thirty days to respond to these discovery requests. Plaintiff's responses were due to Defendant Scott Suggs on July 30 and to Defendant Crystal Suggs on Aug. 2 because the requests were served via mail.

See Rule 6(e). Plaintiff has not served any responses or objections on either Defendant.

✓ Defendant Scott Suggs also served a notice of deposition on Plaintiff on June 25 pursuant to Rule 30. See Exhibit A. The deposition is scheduled for Aug. 27 at 10:00 a.m. Defendant Scott Suggs had to reserve a room in the McCormick County Courthouse and arrange for a court

✓ reporter. Plaintiff e-mailed Defendant Scott Suggs' counsel Aug. 8 claiming that he could not appear at the scheduled time "because of patients schedules requiring timely procedures in my office." See Exhibit C. Plaintiff has a history of causing delays in this litigation as the Court continued a motion to dismiss being heard Oct. 16, 2017, when Plaintiff informed the Court at the beginning of the hearing that he was under the influence of prescription drugs that made him unable to participate.

Defendants, therefore, request that the Court require Plaintiff to respond to their discovery requests and require his attendance at the deposition scheduled for Aug. 27 at 10:00 a.m. If Plaintiff ignores the Court and continues to fail to participate in discovery, then Defendants request that the Court strike his complaint and dismiss the action pursuant to Rule 37(b)(2)(C) or prevent him from introducing any evidence at trial that he has failed to timely produce in discovery pursuant to Rule 37(b)(2)(B). Defendants also request that the Court require Plaintiff to pay Defendants' reasonable attorney's fees and costs incurred for this motion and for obtaining the information withheld by Plaintiff. Defendants also request that the Court consider any other sanctions it deems just, proper, and equitable pursuant to Rule 37.

THE GARRETT LAW FIRM, P.C.
Attorney for Defendant Crystal Suggs

s/ Billy J. Garrett Jr.
Billy J. Garrett, Jr.
109 Oak Avenue
Greenwood, S.C. 29646
Phone: (864) 229-8000
Facsimile: (864) 229-8001

TINSLEY & TINSLEY, P.C.
Attorney for Defendant Scott Suggs

s/R. Jamison Tinsley Jr.

R. Jamison Tinsley Jr.
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S.C. Bar No. 79903

August 13, 2019

Greenwood, South Carolina

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	)	MOTION TO COMPEL
Plaintiff,	)	
vs.	)	
CRYSTAL SUGGS	)	
Defendant.	)	

FILED
GWENDOLYN D. CHILES
2020 AUG 14 P 2:21
CLERK OF COURT
MCCORMICK COUNTY, SC

TO: BILLY J. GARRETT JR, ESQUIRE ATTORNEY FOR DEFENDANT

Plaintiff by and through his undersigned attorney, will hereby move this honorable court within ten (10) or at such time as convenient to the court for an order compelling Defendant be required to answer fully and completely Interrogatories respond with all documents requested by Request to Produce were served upon Defendant on December 6th 2019. Defendant was put on notice as to the requested documents and request by Email from Plaintiff dated February 12th and March 2nd, 2020.

This motion is based upon the applicable South Carolina Rules of Civil Procedure and case law thereunder, as more fully set forth in Plaintiff's Brief, if any, to be supplied before or at the time of the hearing, plus any other affidavits or other documents supplied to the Court.

Plaintiff will also move this Honorable Court for payment of Plaintiff's reasonable cost and expenses incurred by Defendant's failure to properly respond to discovery requests, in accordance with Rule 37 (a) (4) of the South Carolina Rules of Civil Procedure and for other appropriate sanctions.

I certify that I have attempted to resolve this matter with opposing counsel without success prior to filing this motion.

A handwritten signature in black ink, appearing to read 'R Jay Lagroon', written over a horizontal line.

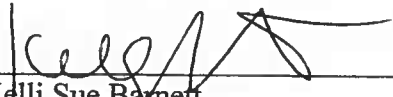
R Jay Lagroon, Plaintiff
791 Sc Hwy
McCormick SC, 29835
706-401-4893

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	)	Certificate of Service
Plaintiff,	)	
vs.	)	
CRYSTAL SUGGS AND	)	
SCOTT SUGGS	)	
Defendant.	)	

FILED
GWENDOLYN D. CHILES
2020 AUG 14 PM 2:23
CLERK OF COURT
MCCORMICK COUNTY, SC

This is to certify that the undersigned, Kelli Sue Barnett, did cause Motion to Compel to the defendants to be served in regard to the above reference matter by first class mail on this 14th day of August along with a copy of the Certificate of Service to:


Kelli Sue Barnett
129 Springdale Rd.
Elberton Ga. 30635

R. Jamison Tinley Jr.
212 Oak Ave.
Greenwood S.C. 29835

Billy Garrett Jr.
109 Oak Ave.
Greenwood S.C. 29835

August 14, 2020

COPY

ELECTRONICALLY FILED - 2020 Sep 04 2:28 PM - MCCORMICK - COMMON PLEAS - CASE#2017CP3500045

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF MCCORMICK	)	ELEVENTH JUDICIAL CIRCUIT
	)	
Robert Jay Lagroon,	)	Case No. 2017-CP-35-45
	)	
Plaintiff,	)	DEFENDANTS' JOINT MOTION TO
	)	ALTER OR AMEND
vs.	)	
	)	
Crystal Suggs and Scott Suggs,	)	
	)	
Defendants.	)	
	)	

Pursuant to Rule 59(e), SCRCP, Defendants Crystal Suggs and Scott Suggs ("the Suggs") respectfully request the Court reconsider and amend its Form 4 Order dated Aug. 26, 2020. The Suggs received notice of the order Aug. 26, 2020.

The Court awarded each side \$500.00 in costs for motions to compel regarding discovery disputes. The Court's award to Plaintiff of \$500.00 was based upon Plaintiff's Affidavit of Cost for Motion to Compel. In this affidavit, Plaintiff claimed to have incurred \$473.06 in travel costs to appear at the hearing, which was originally scheduled for Aug. 24 but had to be continued until Aug. 25. Plaintiff provided no proof of these travel expenses. Plaintiff filed his motion Aug. 14, just eleven days prior to the hearing. The Suggs do not know whether he filed this motion with the Clerk of Court personally.

The hearing occurred in less than the ten days of service required by SCRCP, Rule 6(d). While Plaintiff filed a certificate of service with the Court claiming that he served the motion on the Suggs' counsel Aug. 14 via mail, neither of the undersigned has ever received Plaintiff's motion to compel in the mail. The Suggs only saw the motion by checking the Clerk of Court's website Aug. 18 after the Court notified the Suggs of the hearing. The address used for Mr. Tinsley on Plaintiff's certificate of service is an old address that Mr. Tinsley does not use anymore.



This hearing was based upon a motion filed by Plaintiff, and he set the hearing. He should have made arrangements with the Clerk of Court to have it heard when he was going to be in the McCormick area and did not have to incur large travel expenses. If the Court makes the Suggs pay expenses that Plaintiff brought upon himself, it would create an unequitable result.

Plaintiff presented numerous documents at the hearing so that the Suggs did not have a proper opportunity to review prior to the hearing. Upon review, the Suggs discovered that Plaintiff produced a temporary emergency 90-day authorization from the Department of Labor, Licensing, and Regulation that expired July 9. As such, this document was not applicable. The Suggs request a copy of Plaintiff's paid airplane ticket for the date in question. Plaintiff also had a hearing in a different case scheduled for Aug. 24 that was heard Aug. 25 so the Suggs should only have to pay for half of his travel expenses if the Court deems that his travel expenses were proper.

While the Suggs understand that the Court must accommodate and be flexible with pro se parties, the Court should not punish the Suggs for Plaintiff's failure to properly schedule the hearing at a more convenient time and Plaintiff's failure to provide proper proof of travel expenses.

The Suggs request that the Court reconsider its order and deny Plaintiff's request for costs or reduce it by the \$473.06 of travel costs as Plaintiff did not provide adequate proof of his travel expenses.

THE GARRETT LAW FIRM, P.C.
Attorney for Defendant Crystal Suggs

s/ Billy J. Garrett Jr.
Billy J. Garrett, Jr.
109 Oak Avenue
Greenwood, S.C. 29646
Phone: (864) 229-8000
Facsimile: (864) 229-8001

TINSLEY & TINSLEY, P.C.
Attorney for Defendant Scott Suggs

s/R. Jamison Tinsley Jr.
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Fax: (864)377-8278
Tinslerj@gmail.com
S.C. Bar No. 79903

September 4, 2020

Greenwood, South Carolina

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM MCORMICK COUNTY
IN THE COURT OF COMMON PLEAS
ELEVENTH JUDICIAL CIRCUIT

CORDELL MADDOX Eleventh Circuit Court Judge

Appellate Case No. 2019-002018
Case No. 2017-CP-35-00045

Robert Jay Lagroon.....Appellant

V.

Crystal Suggs and Scott Suggs.....Respondent

MOTION FOR COMPLETE AND CORRECT TRANSCRIPT

(Hearing Requested)

Robert Jay Lagroon, Appellant hereby moves for an Order **Granting** the Motion for Complete and Correct Transcript. The grounds for this motion are that justifiable because the Appellant has fully complied with SCACR.

By way of background, this action is a result of the kidnapping of the Appellants minor children by the Non-custodial parent.

There is a significant time delay in Appellant Lagroon receipt of the transcript in the above captioned matter by no fault of the Appellate Lagroon.

Judge Maddox Order contained the name of the court reporter as, Angela Berry, which was ultimately found in error. After several months, the Appellate Lagroon discovered the correct court reporter was Stephen LaBlanc and immediately ordered the transcript.

During this time the SC Court of Appeals combined this appeal with a second appeal in the same above captioned matter.

Upon receipt of the transcript from reporter Lablanc, Appellant Lagroon contacted the court reporter challenging the transcript and requested to review the backup tapes from the hearing.

Court reporter LaBlanc emailed Appellate Lagroon stating "You need a court order" (attached)

Wherefore the Appellate prays this Honorable Court **GRANT** this motion and Order a true and correct copy of the backup tapes to be promptly delivered to the Appellate Lagroon , without delay and a complete and correct transcript be prepared and any other relief this Court deems just and proper.

Respectfully Submitted,

Robert Jay Lagroon
791 SC Hwy 7
McCormick SC 29835
(706) 401-4893

Cc:

South Carolina Office of Court Administration
1220 Senate Street, Suite 200
Columbia, SC 29201

South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

From: LeBlanc, Steven sleblanc@sccourts.org
Subject: Re: R. Jay Lagroon vs. Crystal Suggs, et al. 2017CP35-00045 2/26/2018 McCormick Judge Maddox
Date: September 2, 2020 at 10:20 AM
To: R Jay Lagroon rlagroon63@aol.com

You need a court order.

From: R Jay Lagroon <rlagroon63@aol.com>
Sent: Wednesday, September 2, 2020 10:14:03 AM
To: LeBlanc, Steven
Subject: Re: R. Jay Lagroon vs. Crystal Suggs, et al. 2017CP35-00045 2/26/2018 McCormick Judge Maddox

*** EXTERNAL EMAIL: This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Thank you for your response

You position is back up tapes for that hearing do not exist? Or you are simply refusing to allow me hear short of a Court Order. Please advise.

R Jay Lagroon

On Sep 2 2020 at 9:34 AM, LeBlanc, Steven <sleblanc@sccourts.org> wrote:

Good morning. If you are referring to the transcript that I provided to you from the date of 2/26/2018, I have provided you the entire transcript from that day. Mr. Garrett did not testify in the hearing I reported on 2/26/2018. You may be contacting the wrong reporter again. I don't know. Audio recordings are not available for review. Thank you.

From: R Jay Lagroon <rlagroon63@aol.com>
Sent: Wednesday, September 2, 2020 7:14:55 AM
To: LeBlanc, Steven
Subject: Re: R. Jay Lagroon vs. Crystal Suggs, et al. 2017CP35-00045 2/26/2018 McCormick Judge Maddox

*** EXTERNAL EMAIL: This email originated from outside the organization. Please exercise caution before clicking any links or opening attachments. ***

Good morning,

It appears the transcript lacks Mr. Garrett's testimony. I would like make arrangements with you to review the back up tapes at your earliest convenience.

Please advise.

Thank you in advance for your cooperation.

R Jay Lagroon

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM MCORMICK COUNTY
IN THE COURT OF COMMON PLEAS
ELEVENTH JUDICIAL CIRCUIT

CORDELL MADDOX JR, Eleventh Circuit Court Judge

Appellate Case No. 2019-002018

Robert Jay Lagroon.....Appellant

V.

Crystal Suggs and Scott Suggs.....Respondent

I certify that on March 29, 2021, I served a copy of the Motion in this action, dated March 29, 2021, on all parties of record by mailing the Notice to them to their addresses as so stated below, by depositing it in the U.S. Mail, First Class in an envelope with the sufficient postage affixed.

Respectfully Submitted,



Kelli Sue Barnett.
129 Springdale Rd
Elberton Ga. 30635

South Carolina Court of Appeals
PO Box 11629
Columbia, SC 29211

South Carolina Office of Court Administration
1220 Senate Street, Suite 200
Columbia, SC 29201

Steven LeBlanc, Court Reporter
PO Box 184
Lexington SC 29701

Counsel of Record

R. Jamison Tinsley Jr.
212 Oak Avenue
Greenwood, SC 29646

Billy J. Garrett, Jr.
109 Oak Avenue
Greenwood, SC 29646

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF MCCORMICK	)	ELEVENTH JUDICIAL CIRCUIT
	)	
Robert Jay Lagroon,	)	Case No. 2017-CP-35-45
	)	
Plaintiff,	)	DEFENDANT SCOTT SUGGS'
	)	INTERROGATORIES TO PLAINTIFF
vs.	)	
	)	
Crystal Suggs and Scott Suggs,	)	
	)	
Defendants.	)	
_____	)	

TO: PLAINTIFF NAMED ABOVE

YOU WILL TAKE NOTICE that you are hereby required to answer, in writing, the following Interrogatories propounded by the Plaintiff pursuant to Rule 33(b) of the South Carolina Rules of Civil Procedure. The answers to these Interrogatories are due thirty days from the service of these interrogatories pursuant to Rule 33(a). These Interrogatories shall be deemed to continue from the time of service until the time of trial of the action so that information sought, which comes to the knowledge of a party or his representative or attorney after original Answers to Interrogatories have been submitted, shall be promptly transmitted to the other party.

1. Give the names and addresses of persons known to the parties or counsel to be witnesses concerning the facts of the case and indicate whether or not written or recorded statements have been taken from the witnesses and indicate who has possession of such statements.
2. Set forth a list of photographs, plats, sketches or other prepared documents in possession of the party that relate to the claim or defense in the case.
3. Set forth the names and addresses of all insurance companies which have liability insurance coverage relating to the claim and set forth the number or numbers of the policies involved and the amount or amounts of liability coverage provided in each policy.

4. List the names and addresses of any expert witnesses whom the party proposes to use as a witness at the trial of the case.

5. For each person known to the parties or counsel to be a witness concerning the facts of the case, set forth either a summary sufficient to inform the other party of the important facts known to or observed by such witness, or provide a copy of any written or recorded statements taken from such witnesses.

6. Set forth an itemized statement of all damages, exclusive of pain and suffering, claimed to have been sustained by the party.

7. What evidence does Plaintiff have that Defendant Scott Suggs trespassed on his property June 18, 2014, as alleged in the amended complaint?

8. When did Plaintiff put Defendant Scott Suggs on written "No Trespass Notice" and verbally warn him not to return to property owned by Plaintiff?

9. What specifically did Plaintiff say to Defendant Scott Suggs when making the verbal warnings questioned about in Interrogatory No. 8?

10. Describe the damage, including the repair cost, that the alleged trespass caused to the gate on Plaintiff's property.

11. Describe in detail all lawsuits or claims in which the party has been involved within the past ten (10) years.

12. Identify any crimes with which you have been charged or convicted within the past ten (10) years, including the date of arrest, nature of the crime, date and manner of disposition.

TINSLEY & TINSLEY, P.C.
Attorney for Defendant Scott Suggs



R. Jamison Tinsley Jr.

109 Oak Ave.
Greenwood, SC 29646
(864) 223-0770
Fax: (864) 377-8278
Tinslerj@gmail.com
S.C. Bar No. 79903

Greenwood, South Carolina

June 25, 2019

COPY

STATE OF SOUTH CAROLINA

COUNTY OF MCCORMICK

Robert Jay Lagroon,

Plaintiff,

vs.

Crystal Suggs and Scott Suggs,

Defendants.

IN THE COURT OF COMMON PLEAS

ELEVENTH JUDICIAL CIRCUIT

Case No. 2017-CP-35-45

**DEFENDANT SCOTT SUGGS'
REQUEST TO PRODUCE TO
PLAINTIFF**

TO: PLAINTIFF NAMED ABOVE

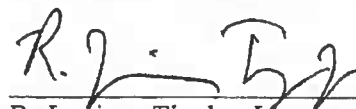
Pursuant to Rule 34 of the South Carolina Rules of Civil Procedure, Plaintiff, by and through his undersigned attorney, hereby requests Plaintiff to produce to Defendant Scott Suggs' counsel at their offices at 109 Oak Ave., Greenwood, SC, 29646, within thirty days and permit the inspection, copying, and/or photographing of:

1. All statements of possible witnesses, including parties to this action, whether written, oral, summarized, or reproduced in any matter whatsoever.
2. All photographs, diagrams, sketches, plats or other prepared documents of any kind whatsoever relating to this action.
3. Copies of all resumes, expert reports, opinions or conclusions and the most current curriculum vitae of any expert retained by you in this case.
4. Any invoice or estimate of repair costs to the gate on Plaintiff's property that the amended complaint alleges Defendant Scott Suggs' damaged by trespassing.
5. Any other documents and statements identified in the answers to Defendant Scott Suggs' Interrogatories to Plaintiff.
6. Any documents received by Plaintiff pursuant to a subpoena issued in this case.

7. Any other documents that Plaintiff plans to introduce as an exhibit or for impeachment in the trial of this case.

TINSLEY & TINSLEY, P.C.

Attorney for Defendant Scott Suggs



R. Jamison Tinsley Jr.

109 Oak Ave.

Greenwood, SC 29646

(864) 223-0770

Fax: (864) 377-8278

Tinslerj@gmail.com

S.C. Bar No. 79903

Greenwood, South Carolina

June 25, 2019

STATE OF SOUTH CAROLINA)
)
COUNTY OF MCCORMICK)
)
Robert Jay Lagroon,)
)
Plaintiff,)
)
vs.)
)
Crystal Suggs and Scott Suggs,)
)
Defendants.)
_____)

IN THE COURT OF COMMON PLEAS
ELEVENTH JUDICIAL CIRCUIT
Case No. 2017-CP-35-45
**DEFENDANT CRYSTAL SUGGS'
INTERROGATORIES TO PLAINTIFF**

TO: PLAINTIFF NAMED ABOVE

YOU WILL TAKE NOTICE that you are hereby required to answer, in writing, the following Interrogatories propounded by the Plaintiff pursuant to Rule 33(b) of the South Carolina Rules of Civil Procedure. The answers to these Interrogatories are due thirty days from the service of these interrogatories pursuant to Rule 33(a). These Interrogatories shall be deemed to continue from the time of service until the time of trial of the action so that information sought, which comes to the knowledge of a party or his representative or attorney after original Answers to Interrogatories have been submitted, shall be promptly transmitted to the other party.

1. Give the names and addresses of persons known to the parties or counsel to be witnesses concerning the facts of the case and indicate whether or not written or recorded statements have been taken from the witnesses and indicate who has possession of such statements.
2. Set forth a list of photographs, plats, sketches or other prepared documents in possession of the party that relate to the claim or defense in the case.
3. Set forth the names and addresses of all insurance companies which have liability insurance coverage relating to the claim and set forth the number or numbers of the policies involved and the amount or amounts of liability coverage provided in each policy.

4. List the names and addresses of any expert witnesses whom the party proposes to use as a witness at the trial of the case.

5. For each person known to the parties or counsel to be a witness concerning the facts of the case, set forth either a summary sufficient to inform the other party of the important facts known to or observed by such witness, or provide a copy of any written or recorded statements taken from such witnesses.

6. Set forth an itemized statement of all damages, exclusive of pain and suffering, claimed to have been sustained by the party.

~~7.~~ What evidence does Plaintiff have that Defendant Crystal Suggs trespassed on his property June 18, 2014, as alleged in the amended complaint?

~~8.~~ When did Plaintiff put Defendant Crystal Suggs on written "No Trespass Notice" and verbally warn him not to return to property owned by Plaintiff?

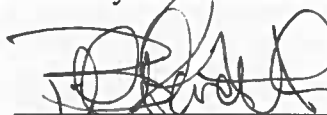
~~9.~~ What specifically did Plaintiff say to Defendant Crystal Suggs when making the verbal warnings questioned about in Interrogatory No. 8?

~~10.~~ Describe the damage, including the repair cost, that the alleged trespass caused to the gate on Plaintiff's property.

11. Describe in detail all lawsuits or claims in which the party has been involved within the past ten (10) years.

12. Identify any crimes with which you have been charged or convicted within the past ten (10) years, including the date of arrest, nature of the crime, date and manner of disposition.

THE GARRETT LAW FIRM, P.C.
Attorney for Defendant Crystal Suggs



Billy J. Garrett, Jr.

109 Oak Avenue
Greenwood, S.C. 29646
Phone: (864) 229-8000
Facsimile: (864) 229-8001

Greenwood, South Carolina

June 27, 2019

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF MCCORMICK	)	ELEVENTH JUDICIAL CIRCUIT
	)	
Robert Jay Lagroon,	)	Case No. 2017-CP-35-45
	)	
Plaintiff,	)	DEFENDANT CRYSTAL SUGGS'
	)	REQUEST TO PRODUCE TO
vs.	)	PLAINTIFF
	)	
Crystal Suggs and Scott Suggs,	)	
	)	
Defendants.	)	
	)	

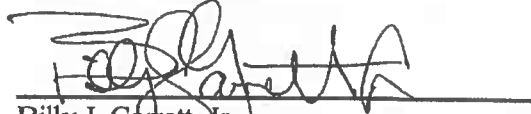
TO: PLAINTIFF NAMED ABOVE

Pursuant to Rule 34 of the South Carolina Rules of Civil Procedure, Plaintiff, by and through his undersigned attorney, hereby requests Plaintiff to produce to Defendant Crystal Suggs' counsel at their offices at 109 Oak Ave., Greenwood, SC, 29646, within thirty days and permit the inspection, copying, and/or photographing of:

1. All statements of possible witnesses, including parties to this action, whether written, oral, summarized, or reproduced in any matter whatsoever.
2. All photographs, diagrams, sketches, plats or other prepared documents of any kind whatsoever relating to this action.
3. Copies of all resumes, expert reports, opinions or conclusions and the most current curriculum vitae of any expert retained by you in this case.
4. Any invoice or estimate of repair costs to the gate on Plaintiff's property that the amended complaint alleges Defendant Crystal Suggs damaged by trespassing.
5. Any other documents and statements identified in the answers to Defendant Crystal Suggs' Interrogatories to Plaintiff.
6. Any documents received by Plaintiff pursuant to a subpoena issued in this case.

7. Any other documents that Plaintiff plans to introduce as an exhibit or for impeachment in the trial of this case.

THE GARRETT LAW FIRM, P.C.
Attorney for Defendant Crystal Suggs



Billy J. Garrett, Jr.
109 Oak Avenue
Greenwood, S.C. 29646
Phone: (864) 229-8000
Facsimile: (864) 229-8001

Greenwood, South Carolina

June 27, 2019

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

First Answers to Interrogatories of
the Defendant Scott Suggs

1. Robert Lagroon
791 SC Hwy 7
McCormick SC 29835

No Written/Recorded Statements

LCSO Chief Investigator Jim Wallen
145 School St.
Lincolnton Ga.30817

Affidavit filed McCormick County Clerk of
Court

Kelli Barnett
129 Springdale Rd.
Elberton Ga.30635

No Written/Recorded Statements

Betty (former co worker PTC)
Address unknown at this time

No Written/Recorded Statements

Karen Hoyt
115 Esmont Dr.
McCormick SC 29835

No Written/Recorded Statements

Johnny W. Hartley
20 Gowham Ct.
Irmo, SC 29063

Polygraph Exam of Daniel Lagroon
Possession of Plaintiff

Scott Lewis
529 Stephens Mill Dr
North Augusta SC 29860

No Written/Recorded Statements

Cory Drennan
2751 Hwy 72 East
Abbeville S.C. 29620

No Written/Recorded Statements

Daniel Jay Lagroon
156101 Hooper St
Athens Ga 30609

Written Statements
Possession of Plaintiff

2. None at the time
3. None
4. Johnny W. Hartley
LCSO Investigator Jim Wallen
5. Robert Jay Lagroon will testify to his Emotional distress/Pain Suffering/ Expenses incurred as result of Defendants Unlawful acts/Stalking by defendants after abduction of the Plaintiffs minor children, Verbal and Written trespass notice/Defendants repeated request to employ her in his business.

Jim Wallen will testify to his findings of his Investigation

Kelli Barnett will testify to his Emotional distress/Pain Suffering/ Expenses incurred as result of Defendants Unlawful acts/Stalking by the defendants after abduction of the Plaintiffs minor children, Verbal and Written trespass notice/Defendants repeated request to employ her.

Betty (former Co Worker PTC) will testify to events resulting in Crystal Suggs dismissal from Piedmont Technical College, Demeanor of Crystal Suggs, Stalking of Betty after dismissal from PTC

Karen Hoyt will testify to events surrounding expulsion of Crystal Suggs from McCormick Rotary Club

Johnny Hartley will testify to polygraph exam of Daniel Lagroon

Scott Lewis will testify to the actions of verbal abuse/assault which include profanity/obscenities of defendants during execution of Service of Process.

Cory Drennan will testify to the events surrounding removal of Crystal Suggs while trespassing on posted property of South Carolina Department of Natural Resources while grossly intoxicated in the middle of the night.

Daniel Jay Lagroon will testify to his written statements/emotional distress/Pain suffering/loss of consortium with Becca Lagroon (Daniel's Sister)

6. Minor children medical bills

Marc Harari Phd \$5000.00

Andy Allgood atty \$3500.00

Guardian Ad Litem fees

Travel Cost

Court Cost,

time out of Work

7. Testimony of Daniel Lagroon

8. Written Notice dated and Served May 26, 2014

Verbal warnings

May 4, 2014

May 11, 2014

May 25, 2014

9. Plaintiff-

a) "You heard what she said, Please leave and don't come back"

b) "My God, what part of {don't come back} don't you understand, Please Leave and Please don't come back"

c) "I'm sorry it's come to this"

10. Erosion of area defendant drove on lawn at a high rate of speed.

Erosion of area defendant turned around on driveway at a high rate of speed.

11. Divorce

Over 300 Collections actions

Lagroon v LCSO false imprisonment, false arrest

12. January 2017, Order of Lincoln County Superior Court "Case dismissed"
Arrested Immediately following dismissal by Judge for reason unknown
Released 1 hour later upon payment to atty John R B Long
(Civil action Pending LCSO false Imprisonment/false arrest/RICO)

July 2017, Operation of vessel after dark without lights, Columbia County Georgia
Pending

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

STATE OF SOUTH CAROLINA	)	Civil Action No. 2017-CP-35-45
COUNTY OF MCCORMICK	)	
ROBERT JAY LAGROON	)	
Plaintiff	)	First Production of Request to
vs.	)	produce of Defendant Scott Suggs
CRYSTAL SUGGS AND	)	
SCOTT SUGGS	)	
Defendant	)	

1. Time line of events with attachments prepared by Daniel Lagroon.
2. Polygraph Exam of Daniel Lagroon
3. Affidavit of Jim Wallen
4. Trespass Notice

Timeline of Events

- January 9, 2014 Momma bought me an iPhone 5s(see attachment 1) and instructed me not to let my father know that I had it. She said she had a plan to get me and Becca away from my dad and to come live with her. She said she could not live without us anymore and we had to come live with her or she thought she would die. She also said she was behind in child support, medical bills, didn't have any money, and was worried she would end up in jail.
- January – April 2014 I met Shea Masterson on the internet through the phone my mother had provided me. I told mom about it and she pushed me to meet with him.
- May 17, 2014 Mom picks us up at my father's office in McCormick at 9a.m. and takes us to her house. She and Becca leave and Shea comes to her house and stays for about two hours. Mom gave Shea Bahama Mamas, Jamaican Me Hoppies (wine coolers), and pot for us (see Attachment 2).
- June 8, 2014 I got caught on the boat with the phone momma gave me. Daddy took my phone, computer, and anything that connected to the internet or that I could communicate with anyone. I couldn't stand this, so I called Momma. She said I wouldn't have to worry about that if I just came to live with her, that she would never take my stuff from me like that.
- June 12-16, 2014 Momma told me that the time was near; it was almost time to leave Dad's. She told me we had everyone on our side, and it was time to go.
- June 17, 2014 Momma, Stan, Crystal, and Scott come in their vehicles to load up Becca and I's belongings. Momma said to bring most of our stuff, but not everything so that Daddy and Kelli wouldn't notice. We had four or five garbage bags full of stuff. I put some in Mom's car and some in Crystal's car.
- June 18, 2014 Crystal arrives drunk. She hit the gate post in front of dad's office with her car. Mom hid her car at the storage units by dad's office. Crystal, Mom, and Stan loaded up the rest of our stuff that we had brought, then we took Mom back to her car and followed her to her house in McCormick (see attachment 8.)

June 19, 2014	Mom met with Officers Willis and Lewis. Officer Lewis/Willis never asked Sissy and I any questions. They asked Momma everything and she did all the talking. This is when I found out that Momma had contacted Officer Lewis previously, and that he was in on the whole thing. I overheard Officer Lewis tell momma that he promised nothing was going to happen to her, Stan, Scott or Crystal. He said "Becky, me and Hollywood got this," and said he was leaving McCormick County, and that there would be no report of the incident in the Sherriff's office to help the SOB (referring to my dad.)
June 19 – July 28. 2014	Rita Smith comes to foster care and tells me what our story is going to be (ie: dad abused me.) Rita and Mom photo shopped photos and gave me the details on our story as to our "abuse."
August 2 – 5, 2014	Immediately when we were released to my mom from foster care, she took us to Isle of Psalms, SC on vacation with Stan Heard.
August 6, 2014	Mom took me to the Augusta Mall and bought me an Apple iPod at the Apple Store (see Attachment 3.)
September, 2014	Anne Barron hosted a party for Rita and Momma, celebrating what Mom and Rita considered to be a victory (see attachment 6 for all events prior to and including this.)
Sept. – Nov. 2014	Momma started mentioning a Mr. Mercer to me. Apparently she had met him at a clothing store in Augusta. It was someone she thought I needed to meet. It was arranged that he would pick me up at some of the Lincolnton football games at school, and that we would go to Stan's house. Momma gave me a key to Stan's and told me when Mercer would be picking me up. I told her I didn't want to do it, but she told me I needed to, that it would make her happy if I did it. She gave me a pill and told me it would help me relax. I met Mr. Mercer four times: the first time, Mom took me to the game, and he met Mom and I in the parking lot after she had dropped Becca off with her friends. The first time I met Mr. Mercer, he had wine coolers there for me. They were my favorite, and he said that Momma told him that. After drinking the first, I don't remember much about the rest of the night. I knew where I was, but I felt like I had no judgment or control over my body. I described this feeling to my mother, and explained to her that I didn't like it. She said it just means I was having a good time. When I told her I didn't want to meet Mr. Mercer anymore,

she became angry, and told me if I refused, then I would be in big trouble, and that if I wanted to keep her happy then I would keep doing what I was doing. Each visit went about the same way. Only difference is the second time, Stan took me to the football game, and Mr. Mercer picked me up, and the third time Crystal and Scott took me to the football game and Mr. Mercer picked me up.

December 2, 2014

This night (the fourth visit,) Mr. Mercer picked me up from my mom's house and we went to Stan's. The same thing happened: he gave me a wine cooler, and I don't remember much different but the cameras (see attachment 4.)

December '14 – March '15

Throughout this period of time, I was interviewed by six different law enforcement agencies. Throughout these interviews, I informed them that I think that Momma and Mr. Mercer drugged me, because of how relaxed I felt after Momma gave me the pill, and how I don't remember much after drinking my first wine cooler. They explained to me that Mr. Mercer had been taking photos and videos of our encounters, and that my mom had been getting paid \$3,000 - \$4,000 for each time he met me.

May 2015

After I refused to cooperate, Mom didn't want me anymore, she only wanted Becca. So, finally, my nightmare ended. I got to come back to live with my dad, but am still undergoing emotionally painful HIV testing (see attachment 7). But, I fear my sister's nightmare has just begun. My sister's life is in danger. I wonder everyday, "if my mom will do this to me, what will she do to Sissy?"

December 18, 2015

Mr. Mercer is sentenced to 30 years in prison, followed by 25 years of supervised release for sexual exploitation of a minor (see attachment 5.)

Index of Attachments

1. Receipt for iPhone 5s Momma gave me in January of 2014
2. Victim Impact Statement by me to the SCAG Office
3. Receipt for iPod Mom bought me in August of 2015
4. McCormick County police report from December of 2015
5. News article stating Mr. Mercer pleads guilty and is sentenced
6. My statement to Chief Investigator Jim Wallen, Lincoln County Sherriff's Office
7. Email from FBI Agent Brian Jones stating Mr. Mercer admits he has HIV
8. Surveillance pictures from storage units of Momma's car

Attachment I

	iPhone 5s F17LX008FNJL Out of Warranty
Product	
IPHONE 5S GOLD 16GB MM	
F17LX008FNJL	
AppleCare Coverage	No Coverage
Repair Coverage	Out of Warranty*
PURCHASE DETAILS	
Jan 9, 2014	expired 60 days ago
Date of Purchase	
PCIS Receipt No.	
GR44	
Used Through Charge	
No	
MAC	
Dec 27, 2013	
Service/Starting Date	
Jan 2, 2014	
Ship Date	
VERIZON WIRELESS - 1000041S	
Ship Point Name	
MEMPHIS	
Ship Point City	
Ship Point Country	



Attachment 2

South Carolina Attorney General Victim Impact Statement

CASE INFORMATION

Case: State v. Shon Waters
Charge: Assault + Battery 2nd
Warrant: _____ Indictment: 2015-BS-35-051
County: McCormick

VICTIM INFORMATION

Victim Name: Daniel Lagroon M ☒ F ☐
Contact Person: Dr. Jay Lagroon Relationship: Father
Mailing Address: PO Box 234
City: Lincolnton State: GA Zip: 30817
Home phone: _____ Work phone: _____
Cell phone: 706-990-7304 Other phone: _____
E-mail Address: _____

NOTIFICATION REQUEST

Please check one of the following three statements:

- ☒ I absolutely want to be present for a guilty plea or other proceeding concerning this case.
- ☐ I would like to be present if it is convenient, but this is not absolutely necessary.
- ☐ I will come if I am needed, but do not care to be present otherwise.

Please check one of the following statements:

- ☒ I would like to be notified by the appropriate agencies of all post-trial proceedings involving the offender including, but not limited to appeals, probation, parole, etc.
- ☐ I do not want to be notified about post-trial proceedings involving the offender.

Please turn to the back of this form and complete accordingly

CRIME IMPACT

Please answer the following questions as appropriate to your case: (use an additional sheet if needed)

If and how has the crime affected you? (financially, mentally, physically, etc.)

See attached statement

Have you noticed any change in yourself since this happened? This might include changes in your personal habits, the way you deal with others, or the amount of tension or nervousness you feel.

Describe any physical injuries you suffered and medical treatment received as a result of the crime.

Have you received any counseling or psychological services because of the crime?

Did you suffer monetary loss due to the crime? If so, please summarize the loss below.

Medical Expenses: _____

Counseling: _____

Lost Wages: _____

Property Loss: _____

Funeral Expenses: _____

Other: _____

Did you recover any monetary loss? If so summarize below:

Recovery from insurance: _____

Victim Compensation (SOVA): _____

SIGNATURE REQUIRED

Thank you for taking time to complete this impact statement. Please sign indicating the statement was given truthfully and voluntarily:

Daniel Loggion / [Signature]
Name of Victim / Contact person

6/11/2015
Date

6/16/15

The various medical testing I've had to endure has been painstaking and tedious. Because of what happened, I've had to endure multiple medical tests and still have more testing scheduled. Because of the constant meetings and appointments, I've had to miss a lot of school which has affected my school work. It's hard to concentrate and stay focused on anything. Not only did I spend forty days in foster care last summer, but also now my sister and me are separated for the first time in our lives and I don't get to see her at all. Because of what has happened at the hands of my mother, I am afraid to stay with my mom and visit my sister. Before now, I've never been separated from my sister, I love her and want her back home with my father, Kelly and me. Through my parents divorce, she and I have become closer than most brothers and sisters. My psychologist has recommended that I take a moment to explain how this has happened to me so that the people involved may be able to educate children in the future so that they may see the warning signs of divorced parents and be able to avoid this horrible childhood nightmare.

Since my parents divorced when I was only 5, the only memories of my mom are daily yelling and hitting, and moving from house to house with boyfriend after boyfriend. This childhood nightmare finally ended when I agreed to mom's plan of running away to meet Masterson. The first time we met we met was great. We

hungout at mom's, and I got to try pot and drink beer for the first time. Next week when mom took me to Greenwood, I was talked into doing things I never wanted to do. Since mom got caught and has lied about what she did, everyone believes her and not me. No one wants to hear the truth about how I have become the victim of a mother who lies and will do anything to keep my sister and me away from my dad. I pray everyday that my coming here will stop this from happening to any child ever again.

This whole ordeal has been a very bad dream for me, and I just want to wake up and it be over.

Jagwon

DUPLICATE RECEIPT



Apple Store, Augusta
3450 Wrightsboro Road, Unit A215
Augusta, GA 30909
augusta@apple.com
706-731-1800

Attachment 3

www.apple.com/retail/augusta

August 06, 2014 06:28 PM

iPod Touch 32GB Space Gray \$ 249.00
Part Number: ME978LL/A
Serial Number: CCQN28XYFMJF
Return Date: Aug. 20, 2014
For Support, Visit: www.apple.com/support

Sub-Total	\$ 249.00
Tax@8.0%	\$ 19.92
Total	\$ 268.92
Amount Paid Via Cash	\$ 300.00
Change Due	(\$ 31.08)



* R 3 6 4 5 5 5 2 7 8 2 *

<http://apple.com/legal/sales-support/sales-policies/retail.html>
Tell us about your experience at the Apple Store.
Visit www.apple.com/feedback/retail.html

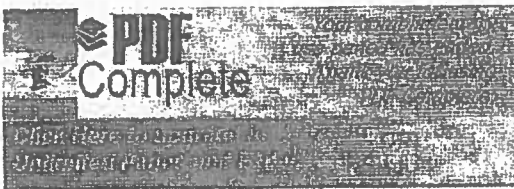
142

Attachment 4

PDF Complete		CASE NUMBER		2,0,1,4,-,1,9,9,9		MCCIC		INQ. N		EXTD. N	
COMPLETED		FORCED ENTRY		PREMISE TYPE		UNITS ENTERED		TYPE VICTIM			
☒ YES ☐ NO		☐ YES ☐ NO		Residence/Home				☐ Individual			
☐ YES ☐ NO		☐ YES ☐ NO						☐ Business			
☐ YES ☐ NO		☐ YES ☐ NO						☐ Financial Inst.			
☐ YES ☐ NO		☐ YES ☐ NO						☐ Government			
☐ YES ☐ NO		☐ YES ☐ NO						☐ Relig. Orgn.			
☐ YES ☐ NO		☐ YES ☐ NO						☐ Soc/Public			
☐ YES ☐ NO		☐ YES ☐ NO						☐ Other			
☐ YES ☐ NO		☐ YES ☐ NO						☐ Unknown			
☐ YES ☐ NO		☐ YES ☐ NO						☐ Police Off.			
INCIDENT LOCATION (SUBDIVISION, APARTMENT AND NUMBER, STREET NAME AND NUMBER)		ZIP CODE		WEAPON TYPE							
720 HOLIDAY RD., MCCORMICK		29835									
INCIDENT DATE		24 HR. CLOCK		DATE		24 HR. CLOCK		DISPATCH DATE/TIME IN HR. CLOCK		LOCATION NO.	
12/05/2014								DISP. DATE		DISP. TIME	
								TIME ARRIVED		DEPARTURE TIME	
COMPLAINANT'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT		RACE		SEX		AGE	
HEARD, STAN.		RU		☒ S ☐ O ☐ U		W		M		45	
ADDRESS		CITY		STATE		ZIP CODE		LOCATION NO.			
720 HOLIDAY RD		MCCORMICK		SC		29835					
VICTIM'S NAME (LAST, FIRST, MIDDLE)		RELATIONSHIP TO SUBJECT		RESIDENT		RACE		SEX		AGE	
LAGROON, DANIEL, JAY				☒ S ☐ O ☐ U		W		M		15	
HEIGHT		WEIGHT		HAIR		EYES		FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.		DOB	
509		160		BRO		HAZ		DOB 12/04/1998			
ADDRESS		CITY		STATE		ZIP CODE		LOCATION NO.			
791 HWY 7		MCCORMICK		SC		29835					
VISIBLE INJURY (VICT. 1) ☐ YES ☒ NO		EXPLAIN		COMPLAINANT OF ANY NON-VISIBLE INJURIES: ☐ YES ☒ NO							
VICTIM (NO. 1) USING: ALCOHOL ☐ YES ☒ NO		UNIK ☐ DRUGS: ☐ YES ☒ NO		UNIK ☐ TYPE:							
TWO-MAN VEH. ☐ ONE-MAN VEH. ☐ DETECTIVE/PLASMT. ☐ OTHER ☐ ALONE ☐ ASSISTED ☐		*J—This Jurisdiction. S—State. O—Out of State. U—Unknown									
SUSPECT		NAME (LAST, FIRST, MIDDLE)		RACE		SEX		AGE		ETH.	
☒ SUSPECT		MERCER, RANDY, H.		W		M		57		N	
☐ FUGITIVE		FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.									
☐ WARRANT		ADDRESS		CITY		STATE		ZIP CODE		LOCATION NO.	
☐ ARREST				AUGUSTA		GA					
☐ JAIL		SUBJECT (NO. 1) USING: ALCOHOL ☐ YES ☒ NO		UNIK ☐ DRUGS: ☐ YES ☒ NO		UNIK ☐ TYPE:		ARRESTED NEAR OFFENSE SCENE ☐ YES ☒ NO		DATE/TIME OF OFFENSE	
☐ SUSPENSE		DRUGS: ☐ YES ☒ NO		UNIK ☐ TYPE:				TOTAL # ARRESTED		12/05/14 00:00	
NARRATIVE		ON 12-4-2014, LOCATED IN THE COUNTY OF MCCORMICK AT THE ABOVE LOCATION, THE COMPLAINANT CAME HOME FROM BEING AT WORK FOR SEVERAL DAYS AND FOUND THAT SOME ONE HAD ENTERED HIS HOUSE WITHOUT HIS PERMISSION AND HIS BED HAD BEEN TAMPERED WITH AND HE DID NOTICE A USED CONDOM LYING ON TOP OF HIS BIBLE ON A TABLE BESIDE THE BED. THERE WAS ALSO A PARTIALLY USED JAR OF VASELINE PETROLEUM JELLY IN THE TRASH CAN IN THE BATH ROOM AND THERE WAS EVIDENCE OF THE VASELINE ON THE BED COVERS WHERE IT LOOKED LIKE SOME ONE HAD BEEN LYING. HIS BEDROOM BLINDS HAD ALSO BEEN CLOSED. THE COMPLAINANT WENT OUT TO A GAME CAMERA IN HIS YARD AND DID FIND THAT SOME ONE IN A WHITE FOUR DOOR CAR HAD CAME TO HIS HOUSE AT AROUND 0139 ON 12-3-2014 AND DID LEAVE AT AROUND 0220 ON THE SAME MORNING OF 12-3-2014. PICTURES WERE PRINTED AND GIVEN TO DEPUTY LEWIS FOR EVIDENCE. DEPUTY LEWIS DID CALL SLED AND FIND OUT ABOUT THE WAY TO PRESERVE THIS EVIDENCE AND									
PROPERTY EST.		TYPE (GROUP)		TOTAL VALUE							
☐ STOLEN											
☐ DAMAGED											
☐ BURNED											
☐ RECOVERED											
☐ SEIZED											
ADMINISTRATIVE		SUBJECT IDENTIFIED		SUBJECT LOCATED		ACTIVE ☐ ADJ. CLOSED ☐		ARRESTED UNDER 18 ☐		EX-CLEAR UNDER 18 ☐	
☐ YES ☒ NO		☐ YES ☒ NO		☐ YES ☒ NO		☐ UNFOLLOWED		☐ ARRESTED 18 AND OVER		☐ EX-CLEAR 18 AND OVER	
REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRADITION DENIED. 4. ☐ VICTIM DECLINED COOPERATION. 5. ☐ JUVENILE - NO CUSTODY		REPORTING OFFICER(S)		DATE		UNIT NUMBER		APPROVING OFFICER		DATE	
LEWIS, MIKE		12/04/14						CPL. ROMINES, J.R.		02/11/15	
WILLIAMS, MARVIN		12/04/14						FOLLOW-UP INVESTIGATION ☐ YES ☒ NO		OFFICER	

Opt-Out: Not Defined

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REPORT

CASE NUMBER

2014-1999

NCIC

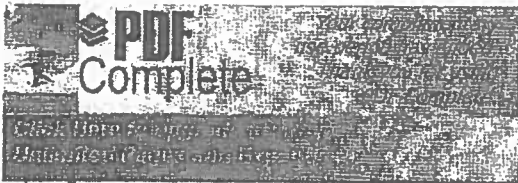
INQ. N
ENTD. N☐ ADDITIONAL
VICTIMS
☐ ADDITIONAL
OFFENDERS☐ ADDITIONAL
STOLEN PROPERTY
☐ ADDITIONAL
RECOVERED PROPERTY

PAGE 2 of 2 PAGES

ORIGINAL	CHANGE	☐ COMPLAINT		NAME (LAST, FIRST, MIDDLE)			VICTIM RELATIONSHIP TO SUBJECT			RESIDENT	RACE	SEX	AGE	D.O.B.	ETH.
		☐ VICTIM #	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.	#1	#2	#3	* J S O U			
		☐ RUNAWAY	☐ WANTED	☐ WARRANT	ADDRESS			CITY	STATE	ZIP CODE	LOCATION NO.	DAY PHONE	EVENING PHONE		
		☐ ARREST	☐ VICTIM NO. _____ VISIBLE INJURY: ☐ NO ☐ YES			☐ COMPLAINT OF NON-VISIBLE INJURY: ☐ NO ☐ YES			☐ VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK.			☐ TWO-MAN VEHICLE ☐ DETECTIVE/PLASMT. ☐ ALONE			
		☐ JAIL	EXPLAIN:			☐ NO ☐ YES			☐ DRUGS: ☐ NO ☐ YES TYPE:			☐ UNK. ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED			
		☐ SUMMONS	☐ SUBJECT NO. _____ USING ALCOHOL: ☐ NO ☐ YES			☐ NO ☐ YES ☐ TYPE:			☐ UNK.						
VICT./SUBJ. I.D. OVERFLOW	VICT./SUBJ. I.D. OVERFLOW	☐ COMPLAINT		NAME (LAST, FIRST, MIDDLE)			VICTIM RELATIONSHIP TO SUBJECT			RESIDENT	RACE	SEX	AGE	D.O.B.	ETH.
		☐ VICTIM #	☐ SUBJECT #	HEIGHT	WEIGHT	HAIR	EYES	FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.	#1	#2	#3	* J S O U			
		☐ RUNAWAY	☐ WANTED	☐ WARRANT	ADDRESS			CITY	STATE	ZIP CODE	LOCATION NO.	DAY PHONE	EVENING PHONE		
		☐ ARREST	☐ VICTIM NO. _____ VISIBLE INJURY: ☐ NO ☐ YES			☐ COMPLAINT OF NON-VISIBLE INJURY: ☐ NO ☐ YES			☐ VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK.			☐ TWO-MAN VEHICLE ☐ DETECTIVE/PLASMT. ☐ ALONE			
		☐ JAIL	EXPLAIN:			☐ NO ☐ YES			☐ DRUGS: ☐ NO ☐ YES TYPE:			☐ UNK. ☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED			
		☐ SUMMONS	☐ SUBJECT NO. _____ USING ALCOHOL: ☐ NO ☐ YES			☐ NO ☐ YES ☐ TYPE:			☐ UNK.						
NARRATIVE	WILL TRY TO GET SLED TO TEST THE EVIDENCE FOR DNA. DEPUTIES LEWIS AND WILLIAMS DID SEE THE														
	EVIDENCE IN IT'S ORIGINAL PLACE AND DID PHOTOGRAPH THE ROOM.														
	DURING THE COURSE OF THE INVESTIGATION AND THROUGH OMISSION OF THE ABOVE LISTED VICTIM (WHO'S														
	MOTHER DATES THE COMPLAINANT) IT WAS HE AND THE ABOVE SUBJECT THAT WENT INTO THE COMPLAINANT'S														
	RESIDENCE, SINCE THE COMPLAINANT IS FAMILIAR WITH THE VICTIM, THE COMPLAINANT HAS ADVISED THAT HE														
	DOESN'T WISH TO PURSUE CHARGES ON THE ALLEGED VICTIM FOR BURGLARY OF THE RESIDENCE. LATER ON														
THE SAME DATE, REBECCA LAGROON CALLED THE SHERIFF'S OFFICE AND SPOKE WITH DEPUTY LEWIS AND															
STATED THAT SHE HAD FOUND AN APPLE I-PHONE IN HER SON DANIEL'S (VICTIM) BOOT. HE IS PROHIBITED FROM															
JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY															
JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY															
VEH. / GUN / ETC. 1	STATUS		TYPE		VIN AND/OR LICENSE NO.				BOAT HULL NO. AND/OR REG. NO.						
	☐ STOLEN	☐ VEHICLE	SERIAL AND/OR OWNER APPLIED NO.				STATE								
	☐ RECOVERED	☐ GUN	YEAR OF REGISTRATION		YEAR OF EXPIRATION		YEAR		MAKE		TYPE				
	☐ TOWED	☐ BOAT	MODEL		STYLE		COLOR		BRAND NAME		CALIBER				
	☐ TOWED	☐ LICENSE PLATE	HIG NO.		DEMOMINATION		ISSUER		SECURITY DATE						
	☐ SUSPECT	☐ SECURITIES/BONDS, STOCKS	MISCELLANEOUS												
	☐ VICTIM	☐ ARTICLE													
	TOTAL VALUE														
	TYPE (GROUP)														
	STOLEN														
DAMAGED															
BURNED															
RECOVERED															
SEIZED															
ADMINISTRATIVE PROPERTY EST.	SUBJECT IDENTIFIED		SUBJECT LOCATED		☐ ACTIVE ☐ ADM. CLOSED		☐ ARRESTED UNDER 16		☐ EX-CLEAR UNDER 11						
	☐ YES ☐ NO		☐ YES ☐ NO		☐ UNFOUNDED		☐ ARRESTED BRAND OVER		☐ EX-CLEAR 16 AND OVER						
	REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH. 2. ☐ NO PROSECUTION. 3. ☐ EXTRACTION ORDER. 4. ☐ VICTIM DECLINES COOPERATION. 5. ☐ JUVENILE - NO CUSTODY														
	REPORTING OFFICER(S)		DATE		UNIT NUMBER		APPROVING OFFICER		DATE		UNIT NUMBER				
	LEWIS, MIKE		12/04/14				CPL. ROMINES, J.R.		02/11/15		104				
WILLIAMS, MARVIN		12/04/14				FOLLOW-UP INVESTIGATION ☐ YES ☐ NO		OFFICER							

Opt-Out: Not Defined

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REPORT

CASE NUMBER

2014-1999

NCIC

INQ. N
ENTD. N☐ ADDITIONAL
VICTIMS
☐ ADDITIONAL
OFFENDERS☐ ADDITIONAL
STOLEN PROPERTY
☐ ADDITIONAL
RECOVERED PROPERTY

PAGE 3 of 3 PAGES

ORIGINAL		CHANGE	
VICTIM #	☐ COMPLAINT	NAME (LAST, FIRST, MIDDLE)	
	☐ VICTIM #	VICTIM RELATIONSHIP TO SUBJECT	
	☐ SUBJECT #	RESIDENT	
	☐ RUMOR	RACE	
	☐ WANTED	SEX	
	☐ WARRANT	AGE	
	☐ ARREST	D.O.B.	
	☐ JAIL	ETH.	
	☐ SUMMONS		
	HEIGHT		WEIGHT
HAIR		EYES	
FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.			
ADDRESS		CITY	
STATE		ZIP CODE	
LOCATION NO.		DAY PHONE	
EVENING PHONE			
☐ VICTIM NO. VISIBLE INJURY: ☐ NO ☐ YES		☐ COMPLAINT OF NON-VISIBLE INJURY: ☐ NO ☐ YES	
EXPLAIN:		VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK	
☐ SUBJECT NO. USING ALCOHOL: ☐ NO ☐ YES		DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK	
USING DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK		☐ TWO-MAN VEHICLE ☐ DETECTIVE/PLASMIT ☐ ALONE	
		☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED	
NAME (LAST, FIRST, MIDDLE)		VICTIM RELATIONSHIP TO SUBJECT	
RESIDENT		RACE	
SEX		AGE	
D.O.B.		ETH.	
HEIGHT		WEIGHT	
HAIR		EYES	
FACIAL HAIR, SCARS, TATTOOS, GLASSES, CLOTHING, PHYSICAL PECULIARITIES, ETC.			
ADDRESS		CITY	
STATE		ZIP CODE	
LOCATION NO.		DAY PHONE	
EVENING PHONE			
☐ VICTIM NO. VISIBLE INJURY: ☐ NO ☐ YES		☐ COMPLAINT OF NON-VISIBLE INJURY: ☐ NO ☐ YES	
EXPLAIN:		VICTIM USING ALCOHOL: ☐ NO ☐ YES ☐ UNK	
☐ SUBJECT NO. USING ALCOHOL: ☐ NO ☐ YES		DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK	
USING DRUGS: ☐ NO ☐ YES TYPE: ☐ UNK		☐ TWO-MAN VEHICLE ☐ DETECTIVE/PLASMIT ☐ ALONE	
		☐ ONE-MAN VEHICLE ☐ OTHER ☐ ASSISTED	
HAVING ANY ELECTRONIC DEVICES IN HIS POSSESSION. THE PHONE WAS CONFISCATED BY HIS MOTHER AND GIVEN TO DEPUTY LEWIS. IT WAS INVESTIGATED AND FOUND THAT ONE OF DANIEL'S FRIENDS, RANDY MERCER (SUBJECT), HAD BOUGHT THE PHONE AND GIVEN IT TO DANIEL SO THEY COULD HAVE CONTACT WITH EACH OTHER. WHEN ASKED ABOUT THE RELATIONSHIP, DANIEL STATED THAT THEY HAVE HAD SEX SEVERAL TIMES. DURING AN INTERVIEW WITH DANIEL AND HIS MOTHER, DANIEL WAS ASKED BY DEPUTY LEWIS TO OPEN UP THE PHONE AND PUT THE LOCK CODE OF 1-2-3-4 IN IT WHERE LAW ENFORCEMENT COULD ACCESS IT. THE CODE DID NOT WORK. IT WILL BE GIVE TO SLED AGENT MIKE LYNCH FOR INSPECTION TO SEE IF THERE IS ANY EVIDENCE IN IT.			
JURISDICTION OF THEFT LAW ENFORCEMENT AGENCY		JURISDICTION OF RECOVERY LAW ENFORCEMENT AGENCY	
STATUS		TYPE	
☐ STOLEN		☐ VEHICLE	
☐ RECOVERED		☐ GUN	
☐ FOUND		☐ BOAT	
☐ TOWED		☐ LICENSE PLATE	
☐ SUSPECT		☐ SECURITIES/BONDS, STOCKS	
☐ VICTIM		☐ ARTICLE	
VIN AND/OR LICENSE NO.		BOAT HULL NO. AND/OR REG. NO.	
SERIAL AND/OR OWNER APPLIED NO.		STATE	
YEAR OF REGISTRATION		YEAR OF EXPIRATION	
MODEL		STYLE	
COLOR		BRAND NAME	
CALIBER		SECURITIES DATE	
MISCELLANEOUS			
TYPE (GROUP)		TOTAL VALUE	
STOLEN			
DAMAGED			
BURNED			
RECOVERED			
SOLD			
SUBJECT IDENTIFIED		SUBJECT LOCATED	
☐ YES ☐ NO		☐ YES ☐ NO	
REASON FOR EXCEPTIONAL CLEARANCE: 1. ☐ OFFENDER DEATH		2. ☐ NO PROSECUTION	
3. ☐ EXTRADITION DEFERRED		4. ☐ VICTIM DECLINES COOPERATION	
5. ☐ JUVENILE - NO CUSTODY			
REPORTING OFFICER(S)		DATE	
LEWIS, MIKE		12/04/14	
WILLIAMS, MARVIN		12/04/14	
APPROVING OFFICER		DATE	
CPL. ROMINES, J.R.		02/11/15	
FOLLOW-UP INVESTIGATION ☐ YES ☐ NO		UNIT NUMBER	
		104	

Opt-Out: Not Defined

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Home

Search



Man enters guilty plea for producing child pornography

By: Staff

Posted: Mon 1:33 PM, Dec 21, 2015

[Home](#) / [Headlines List](#) / [Article](#)



Monday, Dec. 21, 2015

AUGUSTA, Ga. (WRDW) -- A U.S. District Court Judge sentenced an Augusta man who plead guilty to producing child pornography.

Randy Houston Mercer, 57, of Augusta, Ga. was sentenced Friday to 30 years in prison, followed by 25 years of supervised release and he must register as a sex offender. Mercer pleaded guilty to one county of sexual exploitation of a minor in August.

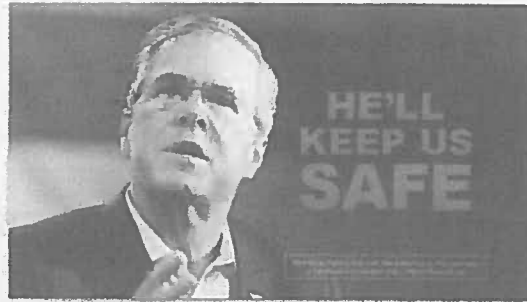
Thursday, August 13, 2015

YOU MIGHT LIKE

<http://www.wrdw.com/home/headlines/Man-enters-guilty-ple...cing-child-pornography-321830352.html?device=phone&c=y>

1/10/16, 9:44 AM
Page 1 of 5

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AUGUSTA, Ga. (WRDW) -- After federal grand jury charges Randy Mercer with production of child pornography and distribution of child pornography, Mercer entered a guilty plea, according to court documents. The plea agreement states Mercer pleaded guilty to the first count, production of child pornography. As part of the plea agreement, Mercer faces a maximum sentence of 15 to 30 years in prison, at least five years of supervised release, up to a \$250, 000 fine, and a \$100 special assessment.

In the plea agreement it says Mercer will also be required to register as a sex offender upon his release from prison, will have to identify all victims involved in this case to the FBI, and will be submitted to a polygraph test.

Randy Mercer was accused of persuading a minor to engage in sexually explicit behavior in order to produce and distribute child pornography.

Related Links**Share**

Man accused of leaving package full of sex toys for teenage boy

Have information or an opinion about this story? Click here to contact the newsroom.

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<http://www.wrdw.com/home/headlines/Man-enters-guilty-ple...cing-child-pornography-321830352.html?device=phone&c=y>

1/10/16, 9:44 AM
Page 2 of 5

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Attachment G

DANIEL JAY LAGROON

D.O.B

266 Lilly Way

Tel 706-550-7342-04-1998

Lincolnton, GA 30817

SS. 7655-05-6101

This whole thing started when my mother gave me a cell phone that my father didn't know about. She gave me the phone and told me that it was for me and her to communicate without my father knowing. From the time that I got this phone, my mother had been telling me that she couldn't handle living without me and my sister, and she might die if she didn't. After a while, they (being Momma, Crystal, Scott, Scott, and Stern Heard) trying to give me plans to get out of my father's care and into my mother's care. At first, I said no, because I knew this was wrong. After a few months, they kept telling me that I could go to mom's and not have to follow my dad's rules. Then I met Masterson on the internet during this time, and I told my mother about it. She said that I could see him, and she'd help me see him, and it would be okay. ~~Then~~ ~~once we got~~ After some more planning, we ~~started~~ started talking to Crystal & Scott. ~~My~~ Dad's dog got sick, and I told momma. She said this was the right time to leave. So, over the next few days, momma, Stern, Crystal, & Scott came and got some of our clothes and on the 18th of June, 2014, we left in the middle of

Daniel Lagoon

p 2 of 2

the night. Once we got to mommas, that night we just went to bed. ~~The next day, when~~ Then, I found out that Momma had gotten Rita Smith, and Dep Mike Lewis to help us get out. So, the next morning, Dep Lewis & Dept Willis came over to the house to question us. While they were there, they really didn't talk to me and Berea, they asked questions, but momma answered the questions. When this was over, he told us that we had to go down to OSS for a few hours we'd be back at home with mom. Well we go down to OSS, and end up in Foster care in Aiken, SC. Before all this, Dept Lewis says I don't have to worry about dad, that he was leaving, and that they wouldn't have anything to do with dad. ~~Now~~ While in Foster care, Mrs. Rita Smith came to interview me. While there, ~~she~~ she basically told us what happened. There wasn't really any questions asked. Then we got out of Foster care. Before all this, momma told us we had to lie about daddy beating us, and say all this mess about daddy in order to get into mommas care and so I can see Master. I felt pressured by mom & Master to see Master, because this was something mother thought I wanted.

The first time I saw Master was at mom's house. When I went to see her overnight. Her and my sister left so me and Master could be alone for a few hours. Second time was in Greenwood, when mom took me to the mall, and we went off to some apartments. After all this, we had a party at Anne Bacon's house with Rita Smith to celebrate what mom thought was a victory. Daniel Lagoon

From: **Brian C. Jones** Brian.Jones5@ic.fbi.gov
Subject: **Randy Houston Mercer**
Date: May 27, 2015 at 2:12 PM
To: **Jay rlagroon63@aol.com**
Cc: **Nancy Uveges** Nancy.Uveges@ic.fbi.gov, **Brian A. Ozden** Brian.Ozden@ic.fbi.gov

Attachment 7

On Friday, 05/22/2015, Randy Houston Mercer was present in US District Court in Augusta, Georgia for an initial appearance and arraignment hearing in front of US Magistrate Judge Brian Epps following his indictment by Federal Grand Jury. During this hearing, pursuant to questions by Judge Epps regarding his competency, Mercer admitted on record that he currently takes medication and the medication is for treatment of HIV.

Also, please contact FBI Victim Specialist Nancy Uveges (912-944-0728) for further assistance in this matter.

Brian C. Jones, TFO

**FBI Atlanta Division/Augusta RA
MATCH-Cyber Crimes/Child Exploitation Task Force
706-722-3702 Ext 212 (Office)**

150

NOTICE: This message (including any attachments) is intended only for the use of the individual or entity to which it is addressed and may contain information that is non-public, proprietary, privileged, confidential, and exempt from disclosure under applicable law or may constitute as attorney work product. If you are not the intended recipient, you are hereby notified that any use, dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, notify us immediately by telephone and (i) destroy this message if a facsimile or (ii) delete this message immediately if this is an electric communication.

Attachment 8



152

From: **Marlow Craig** marlow@durhamlawfirm.net
Subject: RE: LaGroon/Hartley
Date: October 16, 2017 at 9:26 AM
To: Danny Durham danny@durhamlawfirm.net, R Jay Lagroon DMD rlagroon63@aol.com

2017 OCT 16 AM 9:59
CLERK OF COURT
MCCORMICK COUNTY, SC

Jay,

See attached.

Thanks,

Marlow Craig, CP

Durham Law Firm, P.C.
2350 Washington Road
Augusta, Georgia 30904
P: (706) 738-7111
F: (706) 738-8010

**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

2017 OCT 16 AM 9:59

CLERK OF COURT
McCOMB COUNTY, SC

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

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2017 OCT 16 AM 9:59

CLERK OF COURT
MCCORMICK COUNTY, SC

IN THE COURT OF COMMON PLEAS
FOR THE ELEVENTH JUDICIAL CIRCUIT

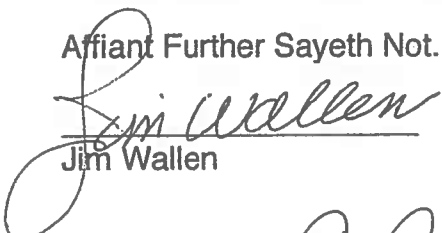
STATE OF SOUTH CAROLINA	)	Civil Action No 2017-CP-35-45
COUNTY OF MCCORMICK	)	
ROBERT JAY LAGROON	)	
Plaintiff,	)	Affidavit of Jim Wallen
vs.	)	
CRYSTAL SUGGS AND	)	
SCOTT SUGGS	)	
Defendant.	)	

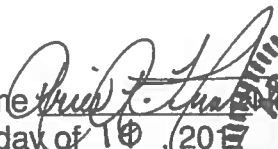
I am, Jim Wallen Chief Investigator for Lincoln County Sheriffs Department in Lincoln County ,Georgia. I am over 18 years of age and competent to make this affidavit of my own personal knowledge.

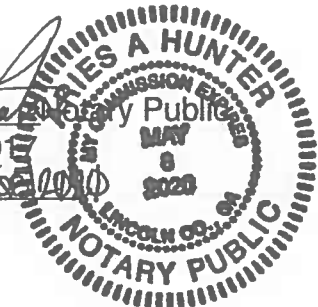
I am in jury trials on Monday October 16, 2017 and unable to attend this Motion Hearing. In McCormick County October the 16, 2017 at 10:00 a.m.

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

Sworn before me 
On this 13 day of 10, 2017
My commission expires on 05/08/2020



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 DOLY D. CHILES
2017 OCT 16 A 10:41
CLERK OF COURT
LINCOLN COUNTY, SC

TRESPASS NOTICE

May 26, 2014

Notice Hand Delivered To:
Scott Suggs
Crystal Suggs
223 Willington Academy Dr
McCormick SC 29835

BECAUSE OF YOUR REPEATED EGREGIOUS BEHAVIOR WHILE INEBRIATED AND TOTAL DISREGARD OF REPEATED VERBAL REQUEST AND WARNINGS TO LEAVE AND NOT RETURN TO OUR HOME, THIS LETTER IS BEING GIVEN TO YOU INFORMING YOU THAT YOU ARE NOT ALLOWED ON THE PROPERTY OF R. JAY LAGROON AT 791 SC HWY 7 IN THE COUNTY OF McCORMICK.

IF YOU DO COME ON THIS PROPERTY, YOU WILL BE TRESPASSING ON THIS PROPERTY AND WILL BE SUBJECT TO BEING ARRESTED BY OUR LOCAL LAW ENFORCEMENT AGENCY. YOU ARE ALSO BEING NOTIFIED BY THIS LETTER THAT YOU ARE NOT TO HAVE ANY CONTACT WITH R. JAY LAGROON, KELLI BARNETT, DANIEL LAGROON, BECCA LAGROON ON OUR PROPERTY BY ANY MEANS. IF YOU DO HAVE CONTACT WITH US, WE WILL HAVE TO CONTACT OUR LOCAL LAW ENFORCEMENT AGENCY ABOUT THIS SITUATION.

**THIS LETTER IS YOUR TRESPASS NOTICE AS WELL AS YOUR NOTICE TO HAVE NO
CONTACT WITH US UNDER ANY CIRCUMSTANCES.**

R. Jay Lagroon

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	)	Certificate of Service
Plaintiff,	)	
vs.	)	
CRYSTAL SUGGS AND	)	
SCOTT SUGGS	)	
Defendant.	)	

This is to certify that the undersigned, Kelli Sue Barnett, did cause the answers to defendants interrogatories and request to produce to be served in regard to the above reference matter by first class mail on this 6th day of August, 2019 along with a copy of the Certificate of Service to:

Kelli Sue Barnett
129 Springdale Rd.
Elberton Ga. 30635

R. Jamison Tinley Jr.
212 Oak Ave.
Greenwood S.C. 29835

Billy Garrett Jr.
109 Oak Ave.
Greenwood S.C. 29835

August 6, 2019

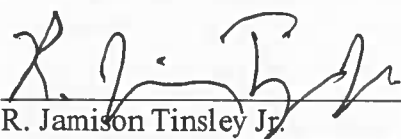
STATE OF SOUTH CAROLINA)
)
COUNTY OF MCCORMICK)
)
Robert Jay Lagroon,)
)
Plaintiff,)
)
vs.)
)
Crystal Suggs and Scott Suggs,)
)
Defendants.)
_____)

IN THE COURT OF COMMON PLEAS
ELEVENTH JUDICIAL CIRCUIT
Case No. 2017-CP-35-45
**NOTICE OF DEPOSITION OF
PLAINTIFF**

TO: THE PLAINTIFF NAMED ABOVE

YOU WILL PLEASE TAKE NOTICE that Defendant Scott Suggs' counsel, R. Jamison Tinsley, Jr., will take the Deposition of Plaintiff **Robert Jay Lagroon**, before a Notary Public for South Carolina, or before some other officer authorized by law to take Depositions, at the **McCormick County Courthouse**, located at **133 S. Mine St, McCormick, South Carolina 29835**, or at such other place as may be designated by the parties on **August 27, 2019, at 10:00 a.m.** This Deposition is taken for the purposes of discovery or for use as evidence in such action or both, pursuant to Rule 30 of the South Carolina Rules of Civil Procedure. The witnesses are subject to being questioned about any documents produced by the parties in discovery in this case. You are instructed to bring any documents and photographs supporting your claim that Defendants committed a trespass that caused you damage.

TINSLEY & TINSLEY, P.C.
Attorney for Defendant Scott Suggs



R. Jamison Tinsley Jr.
109 Oak Ave.
Greenwood, SC 29646
(864) 223-0770
Fax: (864) 377-8278
Tinslerj@gmail.com
S.C. Bar No. 79903

Greenwood, South Carolina

June 25, 2019

STATE OF SOUTH CAROLINA
COUNTY OF MCCORMICK
IN THE COURT OF COMMON PLEAS

FORM 4

JUDGMENT IN A CIVIL CASE

CASE NO. 2017-CP-35-00045

R. Jay Lagroon

Crystal Suggs

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for : ☐ Plaintiff ☐ Defendant
or
☐ Self-Represented Litigant

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. ☐ See Page 2 for additional information.
- ☐ **ACTION DISMISSED (CHECK REASON):** ☐ Rule 12(b), SCRCP; ☐ Rule 41(a), SCRCP (Vol. Nonsuit); ☐ Rule 43(k), SCRCP (Settled); ☐ Other
- ☐ **ACTION STRICKEN (CHECK REASON):** ☐ Rule 40(j), SCRCP; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other
- ☐ **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:

ORDER INFORMATION

DEFENDANT'S MOTION TO DISMISS IS CONTINUED

This order ☐ ends ☒ does not end the case.
Additional Information for the Clerk :

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	
COUNTY OF MCCORMICK	)	Case No. 2017-CP-35-00045
	)	
Robert Jay Lagroon,	)	
	)	
PLAINTIFF,	)	ORDER DENYING
	)	DEFENDANTS' JOINT
VS.	)	MOTION TO ALTER OR
	)	AMEND
Crystal Suggs and Scott Suggs,	)	
	)	
DEFENDANTS.	)	
	)	

On September 10, 2020, this Court received notice of Defendants' Joint Motion to Alter or Amend the Form 4 Order issued by this Court on August 26, 2020, which granted motions to compel discovery brought by both Plaintiff and Defendant, and sanctioned both Plaintiff and Defendants (jointly) in the amount of five hundred dollars (\$500.00) as an offsetting sanction against both sides in this litigation. A hearing was originally scheduled for August 24, 2020. Due to outside circumstances, the hearing was rescheduled for the next day, with all parties consenting. On August 25, 2020, the hearing was held, Plaintiff and counsel for Defendant Scott Suggs, representing both Defendants, were present. The Court was scheduled to hear Plaintiff's motion to compel, and with consent of all parties also heard Defendants' outstanding motion to compel. Defendants argue that they were given insufficient notice of the August 24, 2020 hearing, and that this Court should amend its Order to reduce the award to Plaintiff by \$473.06, as Plaintiff did not specifically prove the travel costs contained within his affidavit.

The record shows that Defendants were properly served via certified mail with Plaintiff's motion to compel on August 14, 2020, ten days prior to the originally scheduled date of the hearing pursuant to Rule 6(d), SCRCP. Further, Counsel for Defendant Crystal Suggs was not present at either the original August 24th or the August 25 rescheduled hearing, instead counsel for Defendant Scott Suggs represented both parties by consent, and neither Defendant objected to a lack of notice at the hearing. The Court does not find that either Defendant was prejudiced by any insufficient notice of the hearing. Additionally, the Court declines to reduce the sanctions amount awarded to Plaintiff, as Plaintiff's affidavit constituted sufficient evidence upon which the Court could rely on in ordering sanctions pursuant to Rule 37, SCRCP. The Court similarly relied upon Defendant's affidavit in ordering the sanctions against Plaintiff in favor of Defendants.

Therefore, after all due consideration, Defendants' Joint Motion is hereby DENIED.

IT IS SO ORDERED.

Debra R. McCaslin
Circuit Court Judge

September 10, 2020

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF McCormick
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2017CP3500045

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), SCRCP; ☐ Rule 41(a), SCRCP (Vol. Nonsuit); ☐ Rule 43(k), SCRCP (Settled); ☐ Other
- ☐ **ACTION STRICKEN (CHECK REASON):** ☐ Rule 40(j), SCRCP; ☐ 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

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS
FOR THE ELEVENTH JUDICIAL CIRCUIT

COUNTY OF MCCORMICK)

CASE NO.: 2017-CP-3500045

Robert Jay Lagroon,)

Plaintiff,)

VS.)

Crystal Suggs and Scott Suggs,)

Defendants.)

ORDER

FILED
JUL 20 P 3:12
CLERK OF COURT
MCCORMICK COUNTY, SC

PRESIDING JUDGE:

H. Steven DeBerry, IV

DATE OF HEARING:

7/19/2021

COURT REPORTER:

Steve LeBlanc

ATTORNEY FOR PLAINTIFF:

Pro Se/ Failed to Appear

ATTORNEY FOR DEFENSE:

Jamison Tinsley appeared for both Defendants

This matter came before the court on Plaintiff's motion for a complete transcript emanating from a February 26, 2018 hearing and subsequent order of dismissal. By way of order filed on April 3, 2019, Judge Cordell Maddox allowed the Plaintiff to amend his original complaint and also dismissed pursuant to a Rule 12(b)(6) motion by the defendants, causes of action for Intentional Infliction of Emotional Distress and Civil Conspiracy. Attorney Jamison Tinsley appeared on behalf of both defendants, and the moving party, Mr. Robert Jay Lagroon did not appear after having been in contact with the court and noticed of the hearing by the McCormick County Clerk of Court.

In the interest of judicial economy, the court inquired as to the defense's position on the matter and the defense stated that they had no objection to the relief being sought. Mr. Tinsley did state that the transcript he received from the hearing in question is in accordance with what he believed the record to be.

Handwritten signature/initials

164

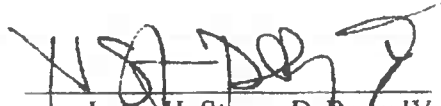
The court finds that the proper way to challenge the accuracy or completeness of the transcript is to first request the transcript and provided to all parties in this matter. Next, the challenger must provide Court Administration with the copy of the written transcript for review, according to the audio recorded hearing that is in question. If Court Administration finds any inaccuracies or differences between the audio recordings and the written transcript, then those will be corrected and the results returned to the parties. In the event that there continues to be a question regarding the accuracy or completeness of the written transcript, then the court will compare the written transcript to the audio recording and make a ruling as to the completeness and accuracy of the written transcript. This process is set forth in the South Carolina Appellate Court Rules.

This court further finds that there is no evidence that proves or shows conformity with the above laid out procedure for challenging the accuracy or completeness of the transcript that is the subject of this motion.

Wherefore, having fully considered the matters before the court it is hereby

ORDERED, ADJUDGED AND DECREED Plaintiff's motion is denied based on the failure to properly challenge the accuracy and completeness of the transcript in accordance with the findings of this court as stated in this order. Nothing in this order or ruling prevents the moving party from undergoing a proper challenge of the transcript in question, and filing any subsequent motions pertaining thereto.

AND IT IS SO ORDERED!


Judge H. Steven DeBerry IV,
Circuit Court Judge

Florence, South Carolina
July 22, 2021

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM MCORMICK COUNTY
IN THE COURT OF COMMON PLEAS
ELEVENTH JUDICIAL CIRCUIT

CORDELL MADDOX JR, Eleventh Circuit Court Judge

RECEIVED
DEC 09 2019
SC Court of Appeals

Case No. 2017-CP-35-00045

Robert Jay Lagroon.....Appellant

V.

Crystal Suggs and Scott Suggs.....Respondent

NOTICE OF APPEAL

TO: , CRYSTAL SUGGS AND SCOTT SUGGS through their counsel R. Jamison Tinsley and Billy J Garrett Esq. You are hereby notified of the appeal by ROBERT JAY LAGROON of the Order issued in the above titled action by the Honorable Cordell Maddox Jr. The Appellant received written notice of the entry of the Order on Motion to Set Aside Order on Friday, November 22, 2019.

Respectfully Submitted,

Robert Jay Lagroon
791 SC Hwy 7
McCormick SC 29835
(706) 401-4893

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM MCORMICK COUNTY
IN THE COURT OF COMMON PLEAS
ELEVENTH JUDICIAL CIRCUIT

CORDELL MADDOX JR, Eleventh Circuit Court Judge

Case No. 2017-CP-35-00045

Robert Jay Lagroon.....Appellant

V.

Crystal Suggs and Scott Suggs.....Respondent

I certify that, December 2, 2019, I served a copy of the Notice of Intent to Appeal in this action, dated December 2, 2019, on counsel of record by mailing the Notice to them to their addresses as so stated below, by depositing it in the U.S. Mail, First Class in an envelope with the sufficient postage affixed.

Respectfully Submitted,

Kelli Sue Barnett,
129 Springdale Rd
Elberton Ga. 30635

Counsel of Record

R. Jamison Tinsley Jr.
212 Oak Avenue
Greenwood, SC 29646

Billy J. Garrett, Jr.
109 Oak Avenue
Greenwood, SC 29

RECEIVED
DEC 09 2019
SC Court of Appeals

168

RECEIVED

Oct 19 2020

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM MCORMICK COUNTY
IN THE COURT OF COMMON PLEAS
ELEVENTH JUDICIAL CIRCUIT

Debra R. McCaslin, Eleventh Circuit Court Judge

Case No. 2017-CP-35-00045

Robert Jay Lagroon.....Appellant

V.

Crystal Suggs and Scott Suggs.....Respondent

NOTICE OF APPEAL

TO: , CRYSTAL SUGGS AND SCOTT SUGGS through their counsel R. Jamison Tinsley and Billy J Garrett Esq. You are hereby notified of the appeal by ROBERT JAY LAGROON of the Order issued in the above titled action by the Honorable Debra R. McCaslin The Appellant received written notice of the entry of the Order of Motion to Alter or Amend on September 21, 2020.

Respectfully Submitted,


Robert Jay Lagroon
791 SC Hwy 7
McCormick SC 29835
(706) 401-4893

Counsel of Record

R. Jamison Tinsley Jr.

212 Oak Avenue

Greenwood, SC 29646

Billy J. Garrett, Jr.

109 Oak Avenue

Greenwood, SC 29646

STATE OF SOUTH CAROLINA
COUNTY OF McCormick
IN THE COURT OF COMMON PLEAS

FORM 4

JUDGMENT IN A CIVIL CASE

CASE NO. 2017CP3500045

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), SCRCP; ☐ Rule 41(a), SCRCP (Vol. Nonsuit); ☐ Rule 43(k), SCRCP (Settled); ☐ Other
- ☐ ACTION STRICKEN (CHECK REASON): ☐ Rule 40(j), SCRCP; ☐ 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

RECEIVED
Oct 19 2020
SC Court of Appeals

171

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM MCORMICK COUNTY
IN THE COURT OF COMMON PLEAS
ELEVENTH JUDICIAL CIRCUIT

CORDELL MADDOX JR, Eleventh Circuit Court Judge

Case No. 2017-CP-35-00045

RECEIVED

Oct 19 2020

SC Court of Appeals

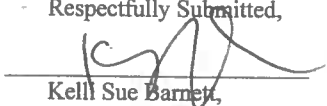
Robert Jay Lagroon.....Appellant

V.

Crystal Suggs and Scott Suggs.....Respondent

I certify that on October 17, 2020, I served a copy of the Notice of Intent to Appeal in this action, dated October 17, 2020, on counsel of record by mailing the Notice to them to their addresses as so stated below, by depositing it in the U.S. Mail, First Class in an envelope with the sufficient postage affixed.

Respectfully Submitted,


Kelli Sue Barnett,
129 Springdale Rd
Elberton Ga. 30635

Counsel of Record

R. Jamison Tinsley Jr.
212 Oak Avenue
Greenwood, SC 29646

Billy J. Garrett, Jr.
109 Oak Avenue
Greenwood, SC 29

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8/27/2019

ROBERT JAY LAGROON

Page 1

1 STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
 2 COUNTY OF McCORMICK) C/A NO.: 2017-CP-35-45
 3
 4 Robert Jay Lagroon,)
 5 Plaintiff,)
 6 v.)
 7 Crystal Suggs and Scott)
 8 Suggs,)
 9 Defendants.)

10
 11
 12 STATEMENT OF NON-APPEARANCE FOR THE
 13 DEPOSITION OF
 14 ROBERT JAY LAGROON
 15 *****

16 Tuesday, August 27, 2019
 17 10:19 a.m. - 10:22 a.m.
 18

19 The Statement of Non-Appearance for the
 20 deposition of ROBERT JAY LAGROON was taken before
 21 Andrea R. Taylor, a notary public in and for the State
 22 of South Carolina, commencing on Tuesday, August 27,
 23 2019, at the McCormick County Courthouse, 133 South
 24 Mine Street, McCormick, South Carolina, pursuant to
 25 Notice of Deposition of Plaintiff.

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APPEARANCES

1 Attorneys for the Defendants:
 2 R. Jamison Tinsley, Jr., Esquire
 3 TINSLEY & TINSLEY, P.C.
 4 109 Oak Avenue
 5 Greenwood, South Carolina 29646
 6 tinslerj@gmail.com
 7 Billy J. Garrett, Jr., Esquire
 8 GARRETT LAW FIRM, PC
 9 109 Oak Avenue
 10 Greenwood, South Carolina 29646
 11 billygarretjr@yahoo.com
 12 Also present:
 13 Crystal Suggs
 14 Major Robert Christie
 15 Ricky Chiles

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16 Mr. Tinsley 3
 17 RICKY CHILES:
 18 Examination by Mr. Tinsley 3
 19 Certificate 6
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 21

EXHIBITS

22 (No exhibits were marked during this statement of non-
 23 appearance.)
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1 MR. TINSLEY: We are here for the deposition of Jay
 2 Lagroon which was scheduled for 10:00. It's
 3 August the 27th, and this is in the case of Robert
 4 J. Lagroon vs. Crystal Suggs and Scott Suggs. And
 5 Mr. Robert Jay Lagroon is not present. I believe
 6 it is right around 10:20 now. The court officer,
 7 Mr. Chiles, just went out and called his name
 8 three times in the hallway at the courthouse, as
 9 well as three times outside the courthouse with no
 10 response.

11 Billy Garrett is also present, as are Crystal
 12 Suggs and Scott Suggs, McCormick sheriff and
 13 McCormick deputy --

14 DEPUTY CHRISTIE: Major Robert Christie.

15 MR. TINSLEY: -- Major Robert Christie is present
 16 and Mr. Lagroon is not present. He was notified
 17 of this -- of this deposition on June the 25th via
 18 mail to both his addresses he had used in this
 19 case, as shown by our certificate of service.

20 RICKY CHILES, being duly sworn and
 21 cautioned to speak the truth, the whole
 22 truth, and nothing but the truth,
 23 testified as follows:

EXAMINATION

24 BY MR. TINSLEY:
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1 Q. Mr. Chiles, are you the court officer here at
 2 the McCormick County Courthouse?
 3 A. Yes.
 4 Q. Okay. And did you go call Mr. Robert Jay
 5 Lagroon's name?
 6 A. I sounded three times in the hallway downstairs
 7 and outside.
 8 Q. Okay.
 9 A. Three times and I got no response.
 10 MR. GARRETT: At what time did you make that call?
 11 THE WITNESS: That was at 10:17.
 12 Q. Okay. And no response, you said?
 13 A. No response.
 14 MR. GARRETT: What time is it right now?
 15 COURT REPORTER: 10:22.
 16 MR. GARRETT: 10:22. As an officer of the court,
 17 should we have to wait any longer than 15
 18 minutes on somebody that's scheduled to be
 19 here?
 20 THE WITNESS: No, sir.
 21 MR. GARRETT: Have you received any notification or
 22 anything from Robert Jay Lagroon that he was
 23 not going to appear here today at this hearing?
 24 THE WITNESS: No, sir. And I also checked with the
 25 clerk of court's office and they hadn't

8/27/2019

ROBERT JAY LAGROON

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1 received anything.
 2 MR. GARRETT: Thank you so much for your patience
 3 and your time.
 4 THE WITNESS: Yes, sir.
 5 MR. GARRETT: Thank you very much.
 6 (There being nothing further, the statement of non-
 7 appearance was concluded at 10:22 a.m.)
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1 CERTIFICATE

2
 3 Be it known that I, Andrea R. Taylor, do hereby
 4 certify that ROBERT JAY LAGROON was scheduled to appear
 5 before me at the time and place aforesaid; that I was
 6 then and there a notary public in and for the State of
 7 South Carolina and that by virtue thereof, I was duly
 8 authorized to administer an oath.

9 I further certify that the foregoing transcript
 10 represents a true, accurate, and complete transcript of
 11 said Statement of Non-Appearance. This transcript may
 12 contain quoted material; said material is transcribed as
 13 read or quoted by the speaker.

14 I further certify that I am neither employed by
 15 nor related to any of the parties in this matter nor
 16 their counsel; nor do I have any interest, financial or
 17 otherwise, in the outcome of this action.

18 Witness my hand and seal this 31st day of
 19 August, 2019.

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Andrea R. Taylor
 Notary Public for South
 Carolina
 My Commission Expires:
 2/18/2024

Cola City Reporting

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Jan 04 2022

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM MCORMICK COUNTY
J. Cordell Maddox, Jr., Eleventh Circuit Court Judge
Debra R. McCaslin, Eleventh Circuit Court Judge

Appellate Case No. 2019-002018

Robert Jay Lagroon.....Appellant

V.

Crystal Suggs and Scott Suggs.....Respondents

CERTIFICATE OF COUNSEL

Counsel for Appellant certifies that the Record on Appeal contains all material proposed to be Included by any of the parties and not any other material.

Robert Jay Lagroon
Pro Se Appellant
791 SC Hwy 7
McCormick SC