

# OPINIONS OF THE SUPREME COURT AND COURT OF APPEALS OF SOUTH CAROLINA

ADVANCE SHEET NO. 11 March 30, 2022 Patricia A. Howard, Clerk Columbia, South Carolina www.sccourts.org

### CONTENTS

# THE SUPREME COURT OF SOUTH CAROLINA

# PUBLISHED OPINIONS AND ORDERS

Order – In the Matter of Elizabeth Anne Perkins

15

#### **UNPUBLISHED OPINIONS**

None

#### **PETITIONS - UNITED STATES SUPREME COURT**

2020-000919 – Sharon Brown v. Cherokee County School District Pending

# **PETITIONS FOR REHEARING**

28052 – Angie Keene v. CNA Holdings	Pending
28085 – State v. Kenneth Taylor	Pending
28086 – In the Matter of H. Bright Lindler	Pending

#### THE SOUTH CAROLINA COURT OF APPEALS

#### **PUBLISHED OPINIONS**

None

#### **UNPUBLISHED OPINIONS**

- 2022-UP-115 Morgan Conley v. April Morganson (Filed March 23, 2022)
- 2022-UP-116 State v. John N. Linen, II (Filed March 23, 2022)
- 2022-UP-117 State v. Curnez Ellerbee (Filed March 23, 2022)
- 2022-UP-118 State v. Donald R. Richburg (Filed March 23, 2022)
- 2022-UP-119 Merilee Landano v. Norman Landano (Filed March 23, 2022)
- 2022-UP-120 State v. Justin G. Hunter (Filed March 23, 2022)
- 2022-UP-121 State v. Levond T. Keitt (Filed March 23, 2022)
- 2022-UP-122 State v. Donald F. Halstead, III (Filed March 23, 2022)
- 2022-UP-123 State v. Jacop R. L. Hazlett (Filed March 23, 2022)
- 2022-UP-124 Wanda Berry v. Scott Richardson (Filed March 23, 2022)
- 2022-UP-125 State v. Treshawn Markese Jenkins (Filed March 23, 2022)

- 2022-UP-126 State v. Pedro A. G. Torresshaw (Filed March 23, 2022)
- 2022-UP-127 Leviticus Donyaski Young v. State (Filed March 23, 2022)
- 2022-UP-128 Melanie Shannon Freeman v. Erica Woodward (Filed March 23, 2022)
- 2022-UP-129 Terry Smith #160785 v. SCDC (Filed March 23, 2022)
- 2022-UP-130 State v. Andre D. Posey (Filed March 23, 2022)
- 2022-UP-131 David Caesar v. The State (Filed March 23, 2022)
- 2022-UP-132 State v. Curtis C. Pearson (Filed March 23, 2022)
- 2022-UP-133 State v. William D. Bennon (Filed March 23, 2022)
- 2022-UP-134 State v. Shaquille B. Dozier (Filed March 23, 2022)
- 2022-UP-135 State v. William B. Clark, Jr. (Filed March 23, 2022)
- 2022-UP-136 State v. Michael J. Smith (Filed March 23, 2022)
- 2022-UP-137 State v. Jason R. Galloway (Filed March 23, 2022)
- 2022-UP-138 Shawn Eubanks v. SCPEBA (Filed March 23, 2022)

- 2022-UP-139 John Alexander #194748 v. Alan Wilson (Filed March 23, 2022)
- 2022-UP-140 State v. Michael G. Strother (Filed March 23, 2022)
- 2022-UP-141 Scott Meyers and Catherine Meyers v. SCDSS (Filed March 17, 2022)
- 2022-UP-142 State v. Alfred T. Walker (Filed March 23, 2022)
- 2022-UP-143 SCDSS v. Rudlen T. Brown (Filed March 18, 2022)
- 2022-UP-144 SCDSS v. Janell Moreau (Filed March 18, 2022)
- 2022-UP-145 SCDSS v. Shannon Williams (Filed March 18, 2022)
- 2022-UP-146 M&T Bank v. Tyrone Davis (Filed March 23, 2022)
- 2022-UP-147 State v. Tony A. Sanders (Filed March 23, 2022)
- 2022-UP-148 Everett Samuel, Jr. v. Schumacher Homes (Filed March 23, 2022)
- 2022-UP-149 Judith Brown v. Chloe Tonney (Filed March 23, 2022)
- 2022-UP-150 State v. Bradford Hester Williams (Filed March 23, 2022)
- 2022-UP-151 SCDSS v. Sincere Bostic (Filed March 24, 2022)

2022-UP-152 – SCDSS v. Tia M'shia Kelley (Filed March 24, 2022)
2022-UP-153 – SCDSS v. Ashley Polk (Filed March 24, 2022)
2022-UP-154 – State v. Dominick A. Thompson
2022-UP-155 – Stancel Kirkland v. Robert Wolfson

# **PETITIONS FOR REHEARING**

5832 – State v. Adam Rowell		Pending
5887 – In the Matter of the Estate of Thomas G. Moore	Denied	03/24/2022
5888 – Covil Corp. v. Pennsylvania Nat. Mut. Insurance Co.		Pending
5889 – Matthew Hayduk v. Emily Hayduk		Pending
5892 – State v. Thomas Acker	Denied	03/25/2022
5898 – Josie Bostick v. Earl Bostick, Sr.		Pending
5899 – Tyrin S. Young v. USAA General Indemnity Co.		Pending
5900 – Donald Simmons v. Benson Hyundai. LLC	Denied	03/25/2022
2021-UP-436 – Winston Shell v. Nathaniel Shell	Denied	03/24/2022
2021-UP-454 – K. A. Diehl and Assoc., Inc. v. James Perkins	Denied	03/23/2022
2022-UP-002 – Timothy Causey v. Horry County		Pending
2022-UP-025 – Nathenia Rossington v. Julio Rossington		Pending
2022-UP-028 – Demetrius Mack v. Leon Lott (2)	Denied	03/25/2022

2022-UP-033 – E. G. and J. J. v. SCDSS		Pending
2022-UP-036 – John Burgess v. Katherine Hunter		Pending
2022-UP-046 – James Primus #252315 v. SCDC (5)	Denied	03/17/2022
2022-UP-048 – James Primus #252315 v. SCDC (3)	Denied	03/17/2022
2022-UP-051 – Ronald I. Paul v. SCDOT (2)	Denied	03/18/2022
2022-UP-059 – James Primus #252315 v. SCDC	Denied	03/16/2022
2022-UP-063 – Rebeca Rowe v. Family Health Centers, Inc.		Pending
2022-UP-071 – Nathaniel Johnson, Jr. #211574 v. SCDC		Pending
2022-UP-072 – Nathaniel Johnson, Jr. #211574 v. SCDC		Pending
2022-UP-081 – Gena Davis v. SCDC		Pending
2022-UP-085 – Richard Ciampanella v. City of Myrtle Beach		Pending
2022-UP-089 – Elizabeth Lofton v. Berkeley Electric Coop.	Denied	03/24/2022
2022-UP-095 – Steven Molloy v. Beaufort County (2)		Pending
2022-UP-096 – Samuel Paulino v. Diversified Coatings, Inc.		Pending
2022-UP-097 – State v. Brandon K. Moore		Pending

# **PETITIONS – SUPREME COURT OF SOUTH CAROLINA**

5588 – Brad Walbeck v. The I'On Company	Granted	03/15/2022
5691 – Eugene Walpole v. Charleston Cty.	Granted	03/15/2022
5731 – Jericho State v. Chicago Title Insurance		Pending

5738 – The Kitchen Planners v. Samuel E. Friedman		Pending
5749 – State v. Steven L. Barnes		Pending
5769 – Fairfield Waverly v. Dorchester County Assessor		Pending
5776 – State v. James Heyward		Pending
5782 – State v. Randy Wright		Pending
5792 – Robert Berry v. Scott Spang		Pending
5794 – Sea Island Food v. Yaschik Development (2)		Pending
5798 – Christopher Lampley v. Major Hulon		Pending
5800 – State v. Tappia Deangelo Green	Granted	03/15/2022
5805 – State v. Charles Tillman	Denied	03/15/2022
5806 – State v. Ontavious D. Plumer		Pending
5816 – State v. John E. Perry, Jr.		Pending
5818 - Opternative v. SC Board of Medical Examiners		Pending
5821 – The Estate of Jane Doe 202 v. City of North Charlestor	1	Pending
5822 – Vickie Rummage v. BGF Industries		Pending
5824 – State v. Robert Lee Miller, III		Pending
5826 – Charleston Development v. Younesse Alami		Pending
5827 – Francisco Ramirez v. May River Roofing, Inc.		Pending
5829 – Thomas Torrence #094651 v. SCDC		Pending
5830 – State v. Jon Smart		Pending

5834 – Vanessa Williams v. Bradford Jeffcoat	Pending
5835 – State v. James Caleb Williams	Pending
5838 – Elizabeth Hope Rainey v. SCDSS	Pending
5839 – In the Matter of Thomas Griffin	Pending
5840 – Daniel Lee Davis v. ISCO Industries, Inc.	Pending
5841 – State v. Richard Passio, Jr.	Pending
5843 – Quincy Allen #6019 v. SCDC	Pending
5844 – Deutsche Bank v. Patricia Owens	Pending
5845 – Daniel O'Shields v. Columbia Automotive	Pending
5846 – State v. Demontay M. Payne	Pending
5849 - SC Property and Casualty Guaranty Fund v. Second Injury Fund	Pending
5850 – State v. Charles Dent	Pending
5851 – State v. Robert X. Geter	Pending
5853 – State v. Shelby Harper Taylor	Pending
5854 – Jeffrey Cruce v. Berkeley Cty. School District	Pending
5855 - SC Department of Consumer Affairs v. Cash Central	Pending
5856 – Town of Sullivan's Island v. Michael Murray	Pending
5859 – Mary P. Smith v. Angus M. Lawton	Pending
5860 – Kelaher, Connell & Conner, PC v. SCWCC	Pending

5861 – State v. Randy Collins	Pending
5863 – State v. Travis L. Lawrence	Pending
5864 – Treva Flowers v. Bang N. Giep, M.D.	Pending
5865 – S.C. Public Interest Foundation v. Richland County	Pending
5867 – Victor M. Weldon v. State	Pending
5868 – State v. Tommy Lee Benton	Pending
5870 – Modesta Brinkman v. Weston & Sampson Engineers, Inc.	Pending
5871 – Encore Technology Group, LLC v. Keone Trask and Clear Touch	Pending
5878 – State v. Gregg Pickrell	Pending
5884 – Frank Rish, Sr. v. Kathy Rish	Pending
5891 – Dale Brooks v. Benore Logistics System, Inc.	Pending
2020-UP-197 – Cheryl DiMarco v. Brian DiMarco (3)	Pending
2020-UP-244 – State v. Javon Dion Gibbs	Pending
2021-UP-009 – Paul Branco v. Hull Storey Retail	Pending
2021-UP-088 – Dr. Marvin Anderson v. Mary Thomas	Pending
2021-UP-105 – Orveletta Alston v. Conway Manor, LLC	Pending
2021-UP-121 – State v. George Cleveland, III	Pending
2021-UP-141 – Evelyn Hemphill v. Kenneth Hemphill	Pending
2021-UP-146 – State v. Santonio T. Williams	Pending
2021-UP-147 – Gavin V. Jones v. State	Pending

2021-UP-151 – Elvia Stoppiello v. William Turner	Pending
2021-UP-156 – Henry Pressley v. Eric Sanders	Pending
2021-UP-158 – Nathan Albertson v. Amanda Byfield Denied 0.	3/15/2022
2021-UP-161 – Wells Fargo Bank, N.A. v. Albert Sanders (2)	Pending
2021-UP-162 – First-Citizens Bank v. Linda Faulkner	Pending
2021-UP-167 – Captain's Harbour v. Jerald Jones (2)	Pending
2021-UP-171 – Anderson Brothers Bank v. Dazarhea Monique Parson(3)	Pending
2021-UP-180 – State v. Roy Gene Sutherland Denied 03	3/15/2022
2021-UP-182 – State v. William Lee Carpenter	Pending
2021-UP-196 – State v. General T. Little	Pending
2021-UP-204 – State v. Allen C. Williams, Jr.	Pending
2021-UP-229 – Peter Rice v. John Doe	Pending
2021-UP-230 – John Tomsic v. Angel Tomsic	Pending
2021-UP-242 – G. Allen Rutter v. City of Columbia	Pending
2021-UP-245 – State v. Joshua C. Reher	Pending
2021-UP-247 – Michael A. Rogers v. State	Pending
2021-UP-249 – State v. William Holmes	Pending
2021-UP-252 – Betty Jean Perkins v. SCDOT	Pending
2021-UP-254 – State v. William C. Sellers	Pending

2021-UP-259 – State v. James Kester	Pending
2021-UP-272 – Angela Bain v. Denise Lawson	Pending
2021-UP-273 – SCDHEC v. Davenport	Pending
2021-UP-275 – State v. Marion C. Wilkes	Pending
2021-UP-277 – State v. Dana L. Morton	Pending
2021-UP-278 – State v. Jason Franklin Carver	Pending
2021-UP-279 – State v. Therron R. Richardson	Pending
2021-UP-280 – Carpenter Braselton, LLC v. Ashley Roberts	Pending
2021-UP-281 – In the Matter of the Estate of Harriet Kathleen Henry Tims	Pending
2021-UP-283 – State v. Jane Katherine Hughes	Pending
2021-UP-288 – Gabriel Barnhill v. J. Floyd Swilley	Pending
2021-UP-289 – Hicks Unlimited v. UniFirst Corporation	Pending
2021-UP-290 – Randal W. Benton v. State	Pending
2021-UP-293 – Elizabeth Holland v. Richard Holland	Pending
2021-UP-298 – State v. Jahru Harold Smith	Pending
2021-UP-302 – State v. Brandon J. Lee	Pending
2021-UP-306 – Kenneth L. Barr v. Darlington Cty. School Dt.	Pending
2021-UP-311 – Charles E. Strickland, III v. Marjorie E. Temple	Pending
2021-UP-312 – Dorchester Cty. Taxpayers Assoc. v. Dorchester Cty.	Pending

2021-UP-330 – State v. Carmie J. Nelson	Pending
2021-UP-336 – Bobby Foster v. Julian Neil Armstrong (2)	Pending
2021-UP-341 – Phillip Francis Luke Hughes v. Bank of America	Pending
2021-UP-351 – State v. Stacardo Grissett	Pending
2021-UP-354 – Phillip Francis Luke Hughes v. Bank of America (2)	Pending
2021-UP-360 – Dewberry v. City of Charleston	Pending
2021-UP-367 – Glenda Couram v. Sherwood Tidwell	Pending
2021-UP-368 – Andrew Waldo v. Michael Cousins	Pending
2021-UP-370 – State v. Jody R. Thompson	Pending
2021-UP-372 – Allen Stone v. State	Pending
2021-UP-373 – Glenda Couram v. Nationwide Mutual	Pending
2021-UP-384 – State v. Roger D. Grate	Pending
2021-UP-385 – David Martin v. Roxanne Allen	Pending
2021-UP-395 – State v. Byron L. Rivers	Pending
2021-UP-399 – Henry Still, V v. Barbara Vaughn	Pending
2021-UP-400 – Rita Brooks v. Velocity Powersports, LLC	Pending
2021-UP-405 – Christopher E. Russell v. State	Pending
2021-UP-408 – State v. Allen A. Fields	Pending
2021-UP-418 – Jami Powell (Encore) v. Clear Touch Interactive	Pending
2021-UP-429 – State v. Jeffery J. Williams	Pending

2021-UP-437 – State v. Malik J. Singleton	Pending
2021-UP-447 – Jakarta Young #276572 v. SCDC	Pending
2022-UP-003 – Kevin Granatino v. Calvin Williams	Pending
2022-UP-022 – H. Hughes Andrews v. Quentin S. Broom, Jr.	Pending

# The Supreme Court of South Carolina

In the Matter of Elizabeth Anne Perkins, Respondent.

Appellate Case No. 2022-000147

#### ORDER

The Office of Disciplinary Counsel asks this Court to place Respondent on interim suspension pursuant to Rule 17 of the Rules for Lawyer Disciplinary Enforcement (RLDE) contained in Rule 413 of the South Carolina Appellate Court Rules (SCACR). Respondent filed a return with exhibits.

IT IS ORDERED that Respondent's license to practice law in this state is suspended until further order of this Court. This decision is made without prejudice to Respondent's ability to file a motion for reconsideration pursuant to Rule 17(d), RLDE, Rule 413, SCACR, should Respondent enter a formal treatment program.

> s\ Donald W. Beatty C.J. FOR THE COURT

Columbia, South Carolina March 10, 2022