

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

ADVANCE SHEET NO. 45 November 29, 2017 Daniel E. Shearouse, Clerk Columbia, South Carolina www.sccourts.org

CONTENTS

THE SUPREME COURT OF SOUTH CAROLINA

PUBLISHED OPINIONS AND ORDERS

Order - Expansion of Electronic Filing Pilot Program - Court of Common Pleas 11

UNPUBLISHED OPINIONS

None

PETITIONS - UNITED STATES SUPREME COURT

27706 - The State v. Alphonso Thompson

EXTENSION OF TIME TO FILE PETITION FOR WRIT OF CERTIORARI IN THE UNITED STATES SUPREME COURT

27723 - City of Columbia v. Marie-Therese Assa'ad Faltas Granted until 1/12/18

Order - The State v. John Garvin

Granted until 1/19/18

PETITIONS FOR REHEARING

27728 - Jane Doe v. The State	Granted 11/17/17
27734 - In the Matter of William Ashley Jordan	Pending
27744 - The State v. Raheem D. King	Pending

Pending

The South Carolina Court of Appeals

PUBLISHED OPINIONS

None

UNPUBLISHED OPINIONS

2017-UP-442-State v. Brad Bernard Dawkins	
2017-UP-443-Lettie Spencer v. NHC Parklane	
2017-UP-444-State v. Robert Wilson	
2017-UP-445-State v. Marquis D. Evans	
2017-UP-446-SCDSS v. Fredrena S. Cheley and Chrondric M. Ford (Filed November 27, 2017)	
PETITIONS FOR REHEARING	
5498-State v. Sandy Lynn Westmoreland	Pending
5500-Willliam Huck v. Avtex Commercial	Pending
5506-State v. Marvin R. Brown	Pending
5510-State v. Stanley L. Wrapp	Pending
5513-DIRECTV, Inc. v. S.C. Dep't of Revenue	Pending
5514-State v. Robert Jared Prather	Pending
5517-Kiawah Resort v. Kiawah Island	Pending
5518-State v. Derek V. Collier	Pending
5519-Robert J. Burke v. Republic Parking Systems, Inc.	Pending
5520-State v. Earmest S. Daise	Pending

2017-UP-342-State v. Bryant Christopher Gurley	Denied 11/22/17
2017-UP-355-George Hood v. Jasper County	Pending
2017-UP-358-Jeffrey D. Allen v. SCBCB	Pending
2017-UP-359-Emily Carlson v. John Dockery	Pending
2017-UP-362-Edward Spears v. SCDEW	Pending
2017-UP-378-Ronald Coulter v. State	Pending
2017-UP-379-Johnny Tucker v. SCDOT	Pending
2017-UP-383-State v. Vincent Missouri	Pending
2017-UP-385-Antonio Gordon v. State	Pending
2017-UP-387-In the matter of the care and treatment of Kenneth Burris	Pending
2017-UP-391-State v. Sean Robert Kelly	Pending
2017-UP-403-Preservation Society of Charleston v. SCDHEC	Pending
2017-UP-406-State v. Jerry McKnight, Sr.	Pending
2017-UP-412-United Auto Insurance v. Willie Freeman	Pending
2017-UP-422-Estate of Edward Mims v. S. C. Dep't of Disabilities	Pending
PETITIONS-SOUTH CAROLINA SUPREME COURT	
5382-State v. Marc A. Palmer	Pending
5387-Richard Wilson v. Laura B. Willis	Pending
5391-Paggy D. Conits v. Spiro E. Conits	Pending
5419-Arkay, LLC v. City of Charleston	Pending
5431-Lori Stoney v. Richard Stoney	Pending

5432-Daniel Dorn v. Paul Cohen	Pending
5438-The Gates at Williams-Brice v. DDC Construction Inc.	Pending
5441-State v. David A. Land	Pending
5442-Otha Delaney v. First Financial	Pending
5447-Rent-A-Center v. SCDOR	Pending
5449-A. Marion Stone III v. Susan B. Thompson	Pending
5450-Tzvetelina Miteva v. Nicholas Robinson	Pending
5451-Pee Dee Health v. Estate of Hugh Thompson, III (3)	Pending
5452-Frank Gordon, Jr. v. Donald W. Lancaster	Pending
5453-Karen Forman v. SCDLLLR (3)	Denied 11/15/17
5460-Frank Mead, III, v. Beaufort Cty. Assessor	Pending
5462-In the matter of the Estate of Eris Singletary Smith	Pending
5467-Belle Hall Plantation v. John Murray (David Keys)	Pending
5469-First Citizens Bank v. Park at Durbin Creek	Pending
5471-Joshua Fay v. Total Quality Logistics	Pending
5473-State v. Alexander Carmichael Huckabee, III	Pending
5475-Sara Y. Wilson v. Charleston Co. School District	Pending
5476-State v. Clyde B. Davis	Pending
5477-Otis Nero v. SCDOT	Pending
5479-Mark M. Sweeny v. Irene M. Sweeney	Pending
5483-State v. Shannon Scott	Pending
5485-State v. Courtney S. Thompson and Robert Antonio Guinyard	Pending

5486-SC Public Interest v. John Courson	Pending
5487-State v. Toaby Alexander Trapp	Pending
5488-Linda Gibson v. Ameris Bank	Pending
5489-State v. Eric T. Spears	Pending
5490-Anderson County v. Joey Preston	Pending
5492-State v. Demario Monte Thompson	Pending
5496-State v. John W. Dobbins, Jr.	Pending
5499-State v. Jo Pradubsri	Pending
5501-State v. Lorenzo B. Young	Pending
5502-State v. Preston Ryan Oates	Pending
5503-State v. Wallace Steve Perry	Pending
5504-John Doe 2 v. The Citadel	Pending
5511-State v. Lance L. Miles	Pending
5515-Lisa McKaughan v. Upstate Lung and Critical Care	Pending
5516-Charleston County v. University Ventures	Pending
2015-UP-330-Bigford Enterprises v. D. C. Development	Pending
2015-UP-466-State v. Harold Cartwright, III	Pending
2016-UP-348-Basil W. Akbar v. S.C. Dep't of Corrections	Denied 11/15/17
2016-UP-395-Darrell Efird v. The State	Denied 11/15/17
2016-UP-402-Coves Darden v. Francisco Ibanez	Pending
2016-UP-408-Rebecca Jackson v. OSI Restaurant Partners	Pending

2016-UP-424-State v. Daniel Martinez Herrera	Pending
2016-UP-473-State v. James K. Bethel, Jr.	Granted 11/15/17
2016-UP-485-Johnson Koola v. Cambridge Two (2)	Pending
2016-UP-486-State v. Kathy Revan	Pending
2016-UP-515-Tommy S. Adams v. The State	Granted 11/15/17
2016-UP-519-Live Oak Village HOA v. Thomas Morris	Pending
2016-UP-528-Betty Fisher v. Bessie Huckabee and Lisa Fisher v. Betty Huckabee	Pending
2016-UP-529-Kimberly Walker v. Sunbelt	Pending
2017-UP-002-Woodruff Road v. SC Greenville Hwy. 146	Pending
2017-UP-009-In the matter of Daryl Snow	Pending
2017-UP-013-Amisub of South Carolina, Inc. v. SCDHEC	Pending
2017-UP-015-State v. Jalann Williams	Pending
2017-UP-017-State v. Quartis Hemingway	Denied 11/15/17
2017-UP-025-State v. David Glover	Pending
2017-UP-029-State v. Robert D. Hughes	Pending
2017-UP-031-FV-I, Inc. v. Bryon J. Dolan	Pending
2017-UP-037-State v. Curtis Brent Gorny	Pending
2017-UP-040-Jeffrey Kennedy v. Richland Sch. Dist. Two	Pending
2017-UP-043-Ex parte: Mickey Ray Carter, Jr. and Nila Collean Carter	Pending
2017-UP-046-Wells Fargo v. Delores Prescott	Pending
2017-UP-054-Bernard McFadden v. SCDC	Pending

2017-UP-059-Gernaris Hamilton v. Henry Scott	Pending
2017-UP-065-State v. Stephon Robinson	Pending
2017-UP-067-William McFarland v. Mansour Rashtchian	Pending
2017-UP-068-Rick Still v. SCDHEC	Pending
2017-UP-070-State v. Calvert Myers	Pending
2017-UP-071-State v. Ralph Martin	Pending
2017-UP-082-Kenneth Green v. SCDPPPS	Pending
2017-UP-096-Robert Wilkes v. Town of Pawleys Island	Pending
2017-UP-103-State v. Jujuan A. Habersham	Pending
2017-UP-108-State v. Michael Gentile	Pending
2017-UP-118-Skydive Myrtle Beach, Inc. v. Horry County	Pending
2017-UP-124-Rudy Almazan v. Henson & Associates	Pending
2017-UP-137-In the matter of Calvin J. Miller	Pending
2017-UP-139-State v. Jeffrey Lynn Chronister	Pending
2017-UP-145-Cory McMillan v. UCI Medical Affiliates	Pending
2017-UP-158-State v. Rion M. Rutledge	Pending
2017-UP-169-State v. David Lee Walker	Pending
2017-UP-209-Jose Maldonado v. SCDC (2)	Pending
2017-UP-217-Clarence B. Jenkins v. SCDEW	Pending
2017-UP-228-Arrowpoint Capital v. SC Second Injury Fund	Pending
2017-UP-229-Arrowpoint Capital v. SC Second Injury Fund	Pending

2017-UP-233-Martha Perez v. Alice Manufacturing	Pending
2017-UP-236-State v. Dennis E. Hoover	Pending
2017-UP-237-State v. Shane Adam Burdette	Pending
2017-UP-241-Robert Lester, Jr. v. Marco and Timea Sanchez	Pending
2017-UP-245-State v. Dameon L. Thompson	Pending
2017-UP-249-Charles Taylor v. Stop 'N' Save	Pending
2017-UP-258-State v. Dennis Cervantes-Pavon	Pending
2017-UP-262-In the matter of Carl M. Asquith	Pending
2017-UP-263-State v. Dean Nelson Seagers	Pending
2017-UP-264-Jerry Hogan v. Corder and Sons, Inc.	Pending
2017-UP-265-Genesie Fulton v. L. William Goldstein	Pending
2017-UP-272-State v. Wayland Purnell	Pending
2017-UP-279-Jose Jimenez v. Kohler Company	Pending
2017-UP-282-Mother Doe A v. The Citadel	Pending
2017-UP-289-Marion Stone v. Susan Thompson	Pending
2017-UP-293-SCDSS v. Janet Bright	Pending
2017-UP-296-Rivergate Homeowners' v. WW & LB	Pending
2017-UP-300-TD Bank v. David H. Jacobs	Pending
2017-UP-324-State v. Mario Valerio Gonzalez Hernandez	Pending
2017-UP-331-SCDSS v. Nina Ward	Pending
2017-UP-336-Clarence Winfrey v. Archway Services, Inc.	Pending
2017-UP-338-Clarence Winfrey v. Archway Services, Inc. (3)	Pending

2017-UP-339-State v. John H. Dial, Jr.	Pending
2017-UP-340-Jimmy Boykin v. Zady Burton	Pending
2017-UP-354-Adrian Duclos v. Karen Duclos	Pending

The Supreme Court of South Carolina

Re: Expansion of Electronic Filing Pilot Program - Court of Common Pleas

Appellate Case No. 2015-002439

AMENDED ORDER

Pursuant to the provisions of Article V, Section 4 of the South Carolina Constitution,

IT IS ORDERED that the Pilot Program for the Electronic Filing (E-Filing) of documents in the Court of Common Pleas, which was established by Order dated December 1, 2015, is expanded to include Kershaw County. Effective December 5, 2017, all filings in all common pleas cases commenced or pending in Kershaw County must be E-Filed if the party is represented by an attorney, unless the type of case or the type of filing is excluded from the Pilot Program. The counties currently designated for mandatory E-Filing are as follows:

Aiken	Allendale	Anderson	Bamberg
Barnwell	Beaufort	Cherokee	Clarendon
Colleton	Edgefield	Georgetown	Greenville
Hampton	Horry	Jasper	Lee
Lexington	McCormick	Oconee	Pickens
Saluda	Spartanburg	Sumter	Williamsburg
Kershaw—Effective December 5, 2017			

Attorneys should refer to the South Carolina Electronic Filing Policies and Guidelines, which were adopted by the Supreme Court on October 28, 2015, and the training materials available on the E-Filing Portal page at http://www.sccourts.org/efiling/ to determine whether any specific filings are exempted from the requirement that they be E-Filed. Attorneys who have cases pending in Pilot Counties are strongly encouraged to review, and to instruct their staff to review, the training materials available on the E-Filing Portal page.

s/Donald W. Beatty Donald W. Beatty Chief Justice of South Carolina

Columbia, South Carolina November 28, 2017