

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS

COUNTY OF CHARLESTON)

Michaela A. Caddin,)

Plaintiff(s))

CIVIL ACTION COVERSHEET

2017-CP - 10- 5835

vs.)

Paul G. Campbell, Jr.)

Defendant(s))

Submitted By: D. Scott Drescher
Address: 60 Folly Road
Charleston, South Carolina 29401

SC Bar #: 7440
Telephone #: 843.574.8822
Fax #: 843.574.8824
Other:
E-mail: sdrescher@yelvertonlawfirm.com

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)

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

Submitting Party Signature: 

Date: 11/10/17

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.

Effective January 1, 2016, Alternative Dispute Resolution (ADR) is mandatory in all counties, pursuant to Supreme Court Order dated November 12, 2015.

SUPREME COURT RULES REQUIRE THE SUBMISSION OF ALL CIVIL CASES TO AN ALTERNATIVE DISPUTE RESOLUTION PROCESS, UNLESS OTHERWISE EXEMPT.

Pursuant to the ADR Rules, you are required to take the following action(s):

1. The parties shall select a neutral and file a “Proof of ADR” form on or by the 210th day of the filing of this action. If the parties have not selected a neutral within 210 days, the Clerk of Court shall then appoint a primary and secondary mediator from the current roster on a rotating basis from among those mediators agreeing to accept cases in the county in which the action has been filed.
2. The initial ADR conference must be held within 300 days after the filing of the action.
3. Pre-suit medical malpractice mediations required by S.C. Code §15-79-125 shall be held not later than 120 days after all defendants are served with the “Notice of Intent to File Suit” or as the court directs.
4. Cases are exempt from ADR only upon the following grounds:
 - a. Special proceeding, or actions seeking extraordinary relief such as mandamus, habeas corpus, or prohibition;
 - b. Requests for temporary relief;
 - c. Appeals
 - d. Post Conviction relief matters;
 - e. Contempt of Court proceedings;
 - f. Forfeiture proceedings brought by governmental entities;
 - g. Mortgage foreclosures; and
 - h. Cases that have been previously subjected to an ADR conference, unless otherwise required by Rule 3 or by statute.
5. In cases not subject to ADR, the Chief Judge for Administrative Purposes, upon the motion of the court or of any party, may order a case to mediation.
6. Motion of a party to be exempt from payment of neutral fees due to indigency should be filed with the Court within ten (10) days after the ADR conference has been concluded.

Please Note: You must comply with the Supreme Court Rules regarding ADR. Failure to do so may affect your case or may result in sanctions.

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)
)
MICHAELA A. CADDIN)
)
Plaintiff,)
)
v.)
)
PAUL G. CAMPBELL, JR.,)
)
Defendant.)
_____)

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT
CASE NO.: 2017-CP- 10-5835

SUMMONS

FILED
2017 NOV 13 PM 10:03
JULIE L. ANGLIS/PROCL
CLERK OF COURT
BY _____

TO: THE DEFENDANT ABOVE-NAMED

YOU ARE HEREBY SUMMOND 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 said complaint upon the subscribers, Matthew Yelverton, Esquire, and D. Scott Drescher, Esquire, at their office of Yelverton Law Firm, LLC located at the 60 Folly Road, Charleston, South Carolina 29407, within thirty (30) days of the service hereof, exclusive of the day of such service.

YOU ARE HEREBY GIVEN FURTHER NOTICE, that if you fail to appear and defend and fail to answer the complaint as required by this summons, within thirty (30) days after service hereof, judgment by default will be rendered against you for the relief demanded in the complaint.

[SINGATURE TO FOLLOW]

Yelverton Law Firm, LLC

A handwritten signature in black ink, appearing to read 'Matthew Yelverton', is written over a horizontal line.

Matthew Yelverton
myelverton@yelvertonlawfirm.com
D. Scott Drescher
sdrescher@yelvertonlawfirm.com
60 Folly Road
Charleston, SC 29407
(843) 574-8822
Attorneys for Plaintiff

Charleston, South Carolina

November 10, 2017

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)
)
MICHAELA A. CADDIN)
)
Plaintiff,)
)
v.)
)
PAUL G. CAMPBELL, JR.,)
)
Defendant.)
_____)

IN THE COURT OF COMMON PLEAS
NINTH JUDICIAL CIRCUIT
CASE NO.: 2017-CP- 10-5835

**COMPLAINT
MOTOR VEHICLE NEGLIGENCE
(JURY TRIAL REQUESTED)**

FILED
2017 NOV 13 AM 10:03
JULIE J. ARMSTRONG
CLERK OF COURT

COMES NOW Plaintiff Michaela A. Caddin, complaining of the acts and omissions of the Defendant above named, says as follows:

1. The Plaintiff is a citizen and resident of the County of Dorchester, State of South Carolina.
2. The Defendant is a citizen and resident of the County of Berkeley, State of South Carolina.
3. That on November 4, 2017, at approximately 9:00 p.m., Defendant was traveling on Interstate 26 in North Charleston, South Carolina.
4. At the time of this occurrence herein mentioned, Defendant was the operator of a 2017 Mercedes vehicle.
5. Plaintiff was also traveling on Interstate 26 in North Charleston and had slowed down for traffic.
6. At the time of this occurrence herein mentioned, Plaintiff was the operator of a 2014 Jeep vehicle.
7. Defendant was traveling behind Plaintiff on Interstate 26, failed to slow down, and struck the rear of Plaintiff's vehicle.

8. Defendant was driving while intoxicated.
9. Upon information and belief, Defendant had been drinking alcohol at the Charleston City Marina prior to the collision.
10. After the collision, Plaintiff pulled her vehicle onto the shoulder.
11. After the collision, Defendant drove his vehicle onto the shoulder and parked his vehicle in front of Plaintiff's vehicle.
12. Defendant exited the driver's seat, went to the back of his vehicle, and then switched places with his wife, who had been the front passenger.
13. The Defendant's wife then got into the driver's seat of Defendant's vehicle.
14. The impact caused injury to Plaintiff and damage to Plaintiff's vehicle.
15. That the Defendant, by his acts and omissions was negligent, grossly negligent, careless, reckless, willful and wanton in one or more of the following particulars, to wit:
 - a) In then and there failing to keep a proper lookout;
 - b) In then and there failing to properly utilize his vehicle's brakes;
 - c) In then and there failing to maintain control over his vehicle;
 - d) In then and there driving his vehicle too fast for conditions
 - e) In then and there failing to properly observe the road conditions;
 - f) In then and there driving while under the influence;
 - g) In then and there driving under the influence in violation of South Carolina Code § 56-5-2930, which constitutes negligence per se.
 - h) In then and there failing to exercise the degree of care which a reasonable and prudent person would have exercised under the same or similar circumstances.

All of which were the direct and proximate cause of the injuries and damages that Plaintiff suffered, as are more fully set fourth below, said acts being in violation of the laws of the State of South Carolina.

16. That as the direct and proximate result of the aforesaid negligent, grossly negligent, careless, reckless, willful, and wanton acts or omissions of the Defendant, Plaintiff:

- a) Incurred damage to her vehicle;
- b) Suffered injuries about various parts of her body;
- c) Experienced pain, suffering, and discomfort associated with these injuries;
- d) Incurred medical and doctor bills;

17. The Plaintiff is informed and believes that she is entitled to a judgment against the Defendant in the sum of such actual and punitive damages as a jury may find, together with the costs of this action.

WHEREFORE, the Plaintiff demands a judgment against the Defendant for such sum of actual and punitive damages as a jury may find, the costs of this action, and for other and further relief as this Court may deem just and proper.

[SIGNATURE TO FOLLOW]

YELVERTON LAW FIRM



Matthew Yelverton
myelverton@yelvertonlawfirm.com
D. Scott Drescher
sdrescher@yelvertonlawfirm.com
Attorneys for Plaintiff
60 Folly Road
Charleston, SC 29407
843-574-8822

Charleston, South Carolina

November 10, 2017