

STATE OF SOUTH CAROLINA)

COUNTY OF CHARLESTON)

BEATRICE YOUNGBLOOD)

Plaintiff(s))

vs.)

RANDY WILLIAMS EDWARDS AND RWE)
TRUCKING COMPANY)

Defendant(s))

IN THE COURT OF COMMON PLEAS

2019-CP-10-0347

CIVIL ACTION COVERSHEET

2019-CP - 10-0347

FILED
JAN 22 PM 2:34
CLERK OF COURT
ARMSTRONG

Submitted By: SHERYL A. MOORE
Address: 775 St. Andrews Blvd.
Charleston, SC 29407

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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 cases that are NOT E-Filed. 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. **This form is NOT required to be filed in E-Filed Cases.**

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> <ul style="list-style-type: none"> <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> <ul style="list-style-type: none"> <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> <ul style="list-style-type: none"> <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> <ul style="list-style-type: none"> <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> <ul style="list-style-type: none"> <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> <ul style="list-style-type: none"> <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> <ul style="list-style-type: none"> <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"/> Incapacitated Adult Settlement (790) <input type="checkbox"/> Other (799) _____ | <p>Appeals</p> <ul style="list-style-type: none"> <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> <ul style="list-style-type: none"> <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"/> Interpleader (690) | | <ul style="list-style-type: none"> <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: _____

1/16/19

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.

IN THE STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

BEATRICE YOUNGBLOOD

Plaintiff,

v.

Randy Williams Edwards and RWE
Trucking Company,

Defendants.

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT

CASE NO: ~~2018-CP-10-~~
2019-CP-10-0347

SUMMONS
(Jury Trial Demanded)

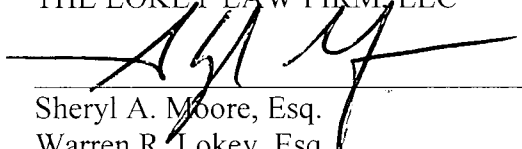
FILED
2019 JAN 22 PM 2:34
JULIE J. ARMSTRONG
CLERK OF COURT
BY _____

TO THE DEFENDANT ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, a copy of which is hereby served upon you, and to serve a copy of your Answer to the said Complaint on the undersigned attorneys at their office, 775 Saint Andrews Blvd., Charleston, South Carolina 29407 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, judgment by default will be rendered against you for the relief demanded in the Complaint.

Respectfully submitted,

THE LOKEY LAW FIRM, LLC



Sheryl A. Moore, Esq.
Warren R. Lokey, Esq.

Attorneys for Plaintiff

775 Saint Andrews Blvd.

Charleston, SC 29407

P. (843) 202-0675

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Email: samoore@lokeylawfirm.com

JANUARY 2, 2019
Charleston, South Carolina

IN THE STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

Beatrice Youngblood

Plaintiff,

v.

Randy Williams Edwards and RWE
Trucking Company,

Defendants.

IN THE COURT OF COMMON PLEAS
FOR THE NINTH JUDICIAL CIRCUIT

CASE NO: ~~2018-CP-10-~~
2019-CP-10-0347

COMPLAINT
(Jury Trial Demanded)

JULIE J. ARMSTRONG
CLERK OF COURT

2019 JAN 22 PM 2:34

FILED

Plaintiff Beatrice Youngblood (hereinafter referred to as "Plaintiff") complaining of Defendant Randy Williams Edwards and RWE Trucking Company (hereinafter referred to as "Defendants"), respectfully alleges and states:

1. That Plaintiff is a citizen and resident of Charleston County, State of South Carolina.
2. That upon information and belief, Defendant Edwards is a resident of Effingham County, State of Georgia.
3. That upon information and belief, Defendant RWE Trucking is a domestic company registered in the State of Georgia and is vicariously liable for the acts and/or omissions of its employees, agents' contractors, subcontractors, and /or servants.
4. That the automobile collision, which is the subject of this action, occurred on U.S. Highway 17, in Charleston County, State of South Carolina.
5. That upon information and belief, this Court has jurisdiction over the parties and the subject matter of this action.
6. That on or about February 2, 2018, Defendant Edwards was, operating a truck owned by the Defendant RWE Trucking, when he collided with the rear of the Plaintiff's vehicle.

7. That on or about February 2, 2018, Plaintiff was a properly restrained passenger in a 2010 Ford SUV sitting stationary in traffic on U.S. Hwy 17 in Charleston County, State of South Carolina.
8. That Defendants' and or its employee had a duty to operate his vehicle in a safe and prudent manner in order to avoid injuring fellow motorists.
9. That the collision and resulting injuries and damages to the Plaintiff were caused directly and proximately by one or more of the following negligent, negligent *per se*, grossly negligent, careless, reckless, willful, wanton and unlawful acts, and/or omissions of the Defendant in any one or more of the following respects:
 - a. In failing to keep a proper lookout while operating a motor vehicle;
 - b. In failing to use proper care in the operation of a motor vehicle;
 - c. In failing to keep the vehicle under proper control;
 - d. In failing to keep a safe distance from fellow motorist;
 - e. In failing to apply or timely apply brakes;
 - f. In failing to use or timely use the vehicle's steering mechanism to avoid the collision;
 - g. In failing to exercise due care;
 - h. In failing to take advantage of any last clear chance to avoid colliding into fellow motorists;
 - i. In failing to take any evasive action, by any means, to keep from colliding into fellow motorists;
 - j. In failing to obey traffic laws of the State of South Carolina in violation of S.C. Code Ann. § 56-5-730, a violation of which is negligence *per se*;


- k. In operating a vehicle in such a manner as to indicate either a willful or wanton disregard for the safety of persons or property in violation of S.C. Code Ann. § 56-5-2920, a violation of which is negligence per se;
 - l. In failing to exercise the degree of care and caution that a reasonable and prudent person would have exercised under the circumstances then and there prevailing;
 - m. In any other acts that constitute a breach of the statutory or common laws of the State of South Carolina; and/or
 - n. In any other such manner that the Plaintiff may become aware of through discovery and/or trial.
10. That as a direct and proximate result of the negligence, gross negligence, carelessness, recklessness, willfulness and wantonness of the Defendants' and or its employees, as is set forth more fully above, the Plaintiff was injured, has endured shoulder pain, knee pain and back pain and she has suffered mentally and emotionally, and has incurred, and will incur, various medical expenses, and has otherwise been damaged and injured.
11. That Defendants' and or its employees acts and omissions, as is set forth more fully above, show willful misconduct, malice, wantonness and an entire want of care, raising a presumption of the Defendants conscious indifference to the consequences of such acts and omissions.
12. That as a result of Defendants' employees acts and omissions and the proximate harm resulting to Plaintiff, Plaintiff should be awarded punitive damages in an amount to be determined by the trier of fact, in order to punish and penalize Defendants and to deter Defendants and others from similar behavior.

13. That as a direct and proximate result of Defendants and or its employee's actions and/or inactions, Plaintiff is informed and believes that he is entitled to judgment against Defendants in an appropriate amount of actual damages together with punitive damages in an appropriate amount, the costs of this action, interest, and such other and further relief as this Court deems just and proper.

WHEREFORE, Plaintiff prays for judgment against Defendants for an amount to be ascertained by the jury at the trial of this action, for all damages, punitive and actual, for the cost and disbursements of this action, and both prejudgment and post judgment interest, and for such other and further relief, in law or in equity, as this court may deem just and proper.

Respectfully submitted,

THE LOKEY LAW FIRM, LLC



Sheryl A. Moore, Esq.

Warren R. Lokey, Esq.

Attorneys for Plaintiff

775 Saint Andrew's Blvd.

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Email: wrokey@lokeylawfirm.com

January 2, 2019
Charleston, South Carolina

THE LOKEY LAW FIRM

A LIMITED LIABILITY COMPANY

January 16, 2019

SENT VIA U.S. MAIL

Charleston County Clerk of Court
100 Broad St.
Charleston, SC 29401


Re: *Beatrice Youngblood v. Randy Williams Edwards and RWE Trucking Company*

Dear Clerk of Court:

Enclosed please find the following: (1) Civil Action Coversheet; (2) Summons; (3) Complaint; and (4) our firm's check in the amount of (\$150.00) One Hundred and Fifty dollars and 00/100 for the filing fees associated with this matter. Please file stamp the original and return the filed copy to our office in the enclosed self-addressed stamped envelope. Please do not hesitate to contact our office if you have any questions or concerns.

With kindest regards, I am

Sincerely,



Johdie S. Lee
Litigation Paralegal

Enclosures