

STATE OF SOUTH CAROLINA)
COUNTY OF HAMPTON)

IN THE COURT OF COMMON PLEAS)
FOURTEENTH JUDICIAL CIRCUIT)

Renee S. Beach, Phillip Beach, Robin Beach,)
Savannah Tuten and Seth Tuten)

CASE NO.: 2021CP2500392)

Plaintiffs,)

v.)

ORDER

Gregory M. Parker, Gregory M. Parker, Inc.)
d/b/a Parker's Corporation, Blake Greco,)
Jason D'Cruz, Vicky Ward, Max Fratoddi,)
Henry Rosado and Private Investigations)
Services)

Defendants.)

This matter is before the Court on the Court’s motion regarding Plaintiffs’ request for the Court to recuse itself from this case. The issue arises out of the employment of a law clerk who recently became employed with this Court in August 2024 after graduating from law school. On the clerk’s first day of work, the Court learned that the clerk had worked as a summer intern during the summer of 2023 for an attorney for one of the defendants. Since he was a student in school at the time and just a summer intern and not an attorney or paralegal, he was not involved in the handling of the case. Upon learning of this, that very same day the Court immediately disclosed to all parties in the case about the clerk’s prior employment that summer when he was a student. That night, the Court received a response from plaintiffs’ attorneys requesting the Court’s recusal and then the following day, received a response from defendants’ attorneys that recusal was not necessary. Due to the different opinions, the Court wanted to give all parties a fair opportunity to be heard, so a hearing was scheduled immediately by the Court for the following week. The Court also recused the new clerk from any involvement in the case at that time.

At the hearing the following week, the Court heard the different positions from the parties. Defendants correctly informed the Court that plaintiffs had not filed a motion to recuse, so no ruling could take place without a motion. Although plaintiffs had not filed a motion, the Court on its own, sua sponte, made the motion at the hearing so plaintiffs would not need to file a motion and that the issue could be promptly decided. The Court invited the parties to file a brief as soon as possible in support of their respective positions so the matter could be ruled upon promptly. However, plaintiffs' attorneys informed the Court they had vacation plans and deadlines in other matters coming up and therefore requested an extended time to file their brief. The Court granted plaintiffs' request without hesitation. Likewise, when defendants' brief was due, they too requested an extension of time to file their brief and the Court granted it as well. The Court received the final briefs last week and has thoroughly reviewed the submissions as well as considered the positions put forth at the prior hearing.

Since the Court immediately recused the new clerk from involvement in the case, the only issue is whether the Court can proceed forward presiding over the case. Plaintiffs have not submitted any evidence or even argued that the Court is biased, prejudiced or impartial in any way for or against any of the parties. Plaintiffs' sole argument is that there is an appearance of impropriety by continuing to preside in the case, the impropriety being the new clerk once worked as a summer intern for one of the lawyers for one of the defendants back in the summer of 2023 when he was a student in school and now he is working for the Court. However, as noted above, as a student and not an attorney or paralegal with that attorney's office, he was not involved in the handling of the case. He has not been involved with the Court in this case, there have been no discussions with the clerk about the case, he has performed no work on the case, conducted no research or participated in anything with the case since the Court immediately recused him from

any involvement. Nor would he be involved in any manner going forward or have anything to do with the case as he has been recused. Consequently, there is no impropriety.

The Court is a judge in the 13th Circuit of Greenville and Pickens counties, at the opposite end of the state from Hampton County, and therefore has no connection to this area of the state. The Court does not know and has never met any of the plaintiffs in the case nor has it met or know any of the defendants. The Court has no close personal relationships with any of the plaintiffs' attorneys nor any of the defendants' attorneys other than as acquaintances through either law school or the legal profession. As a judge, the Court is called on daily to make decisions which affect the parties who appear before it, and invariably one side wins and one side loses. Importantly, these decisions must be based solely on the facts and the law and not based on any bias or prejudice and the Court would do that in this case.

As noted above, the Court finds no impropriety in continuing to preside. However, after having thoughtfully and thoroughly considered all of the arguments of the parties, the Court has, in the interest of justice and in order to avoid any appearance of impropriety, decided to recuse itself from this case. Presumably, a new judge will be assigned going forward. For these reasons, the motion is hereby granted.

IT IS SO ORDERED.



Hampton Common Pleas

Case Caption: Renee S. Beach , plaintiff, et al VS Gregory M. Parker , defendant, et al

Case Number: 2021CP2500392

Type: Order/Other

So Ordered

G.D. Morgan Jr.

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COURTESY OF
LUNA SHARK MEDIA