

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

Jane Doe #2

Plaintiff,

vs.

John-Paul Miller, Reginald Wayne Miller
a/k/a Reginal Wayne Miller, All Nations
Cathedral Church f/k/a Cathedral Baptist
Church of the Grand Strand, Inc., Solid
Rock Ministries, Inc., Cathedral Hall
Academy f/k/a Grand Strand Academy,

Defendants.

IN THE COURT OF COMMON PLEAS

FIFTEENTH JUDICIAL CIRCUIT

C/A#: 2025-CP-26-01796

**PLAINTIFF'S ANSWER, AND MOTION TO
DISMISS, MOTION FOR MORE DEFINITE
AND CERTAIN, AFFIRMATIVE DEFENSES
AND COUNTER-CLAIM TO DEFENDANT
JOHN-PAUL MILLER'S COUNTERCLAIM**

The Plaintiff, Jane Doe #2, by and through her undersigned counsel, hereby responds to the Counterclaim of Defendant John-Paul Miller and respectfully alleges and would show unto this Honorable Court as follows:

MOTION TO DISMISS COUNTERCLAIM

Plaintiff, Jane Doe #2 by and through her undersigned counsel, hereby moves this Honorable Court for an order dismissing the Counterclaim filed by Defendant John-Paul Miller pursuant to SCRCP 12(b)(6) for failure to state claim upon which relief can be granted. The allegations in the Counterclaim are vague, ambiguous, and lack the specificity required to form a proper defense. Defendant John-Paul Miller has not provided sufficient factual detail to support the claims of defamation, slander, and libel. The Counterclaim does not specify the exact statements made by Jane Doe #2 that are alleged to be defamatory, libelous or slanderous, nor does it provide the context in which these alleged statements were made. The Counterclaim fails to identify the specific social media posts or appearances that allegedly caused harm to Defendant

John-Paul Miller. The Counterclaim does not provide sufficient evidence to support the claim that Plaintiff Jane Doe #2 acted with actual malice or gross negligence.

Defendant John-Paul Miller's Counterclaim fails to meet the necessary legal standards for a defamation, libel or slander cause of action. To state a claim for defamation, libel or slander, the Defendant must allege with specificity the false statements made, the medium of publication, and how these statements have caused him harm. The Counterclaim lacks these elements.

The Counterclaim contains broad and conclusory allegations without providing factual support. Defendant John-Paul Miller's claims of defamation, slander and libel are not supported by specific facts that would allow the Court to determine the validity of the claims.

Plaintiff respectfully requests that this Court dismiss Defendant John-Paul Miller's Counterclaim in its entirety.

MOTION TO MAKE MORE DEFINITE AND CERTAIN

If this court does not dismiss this claim pursuant to SCRCP 12(b)(6), the Plaintiff would move this court pursuant to Rule 12(e) of the SCRCP for an Order requiring the Defendant John Paul Miller to file a more definite and more certain statement of his Counterclaim

John Paul Miller's counterclaim alleges that Jane Doe #2 made statements that are defamatory, libelous and/or slanderous, but fails to provide any specific facts identifying the exact statements, the context in which they were made, the manner or medium of publication, the time or place, or to whom such statements were allegedly published. The allegations are stated in conclusory fashion without sufficient detail to allow Jane Doe #2 to reasonably formulate a responsive pleading.

A claim for defamation, libel or slander requires a party to plead the alleged defamatory, libelous or slanderous statements with specificity. John Paul Miller's current allegations are so vague and ambiguous that Jane Doe #2 is unable to determine:

- The precise words allegedly spoken or published;
- Whether the alleged statements are oral or written (slander or libel);
- The context or circumstances under which the statements were made;
- The identity of any third parties who allegedly received or heard the defamatory statements.

The failure to plead the alleged defamatory statements with particularity prejudices Jane Doe #2 by denying the opportunity to prepare an adequate defense, including evaluating potential defenses such as truth, opinion, privilege, consent, lack of publication, or whether the statements are even "of and concerning" John Paul Miller.

It is well-established that general, conclusory allegations of defamation are insufficient to state a cause of action. Plaintiff respectfully requests that this Court order Defendant to file a more definite statement of the alleged libelous, slanderous and /or defamatory statements or conduct, specifically:

- The exact language or substance of the alleged defamatory statements;
- Whether each statement is alleged to be libel or slander;
- The date, time, and location of each publication;
- The manner of publication or communication (e.g., social media, verbal conversation, written letter);
- The identity of any third parties to whom the alleged statements were made.

FIRST DEFENSE TO ALL CLAIMS FOR RELIEF

GENERAL RESPONSE TO COUNTERCLAIM

Plaintiff denies each and every allegation contained in Defendant John-Paul Miller's Counterclaim unless expressly admitted herein. Plaintiff denies the allegations of defamation, slander, and libel as set forth in Defendant John-Paul Miller's Counterclaim and demands strict proof thereof. Plaintiff denies that she has made any statements that are false, defamatory, or made

with actual malice. Plaintiff asserts that any statements that have been made were truthful and made in good faith based on Plaintiff's personal experiences and knowledge.

RESPONSE TO FIRST CAUSE OF ACTION-DEFAMATION
(Slander/Libel)

Plaintiff responds to the numbered allegations of the Complaint as follows:

1. Plaintiff denies the allegations contained in paragraph 1 of Defendant John-Paul Miller's Counterclaim and demands strict proof thereof.
2. Plaintiff denies the allegations in paragraph 2 of Defendant John-Paul Miller's Counterclaim and demands strict proof thereof.
3. Plaintiff denies the allegations in paragraph 3 of Defendant John-Paul Miller's Counterclaim and demands strict proof thereof.
4. Plaintiff denies the allegations in paragraph 4 of Defendant John-Paul Miller's Counterclaim and demand strict proof thereof.
5. Plaintiff denies the allegations in paragraph 5 of Defendant John-Paul Miller's Counterclaim and demand strict proof thereof.

Plaintiff asserts that any statements made were truthful and based on Plaintiff's personal experiences and knowledge.

RESPONSE TO SECOND CAUSE OF ACTION-DEFAMATION
(Slander/Libel Per Se)

6. Plaintiff denies the allegations in paragraph 6 of Defendant John-Paul Miller's Counterclaim and demands strict proof thereof.
7. Plaintiff denies the allegations in paragraph 7 of Defendant John-Paul Miller's Counterclaim and demands strict proof thereof.

Plaintiff asserts that any statements made were truthful and based on Plaintiff's personal experiences and knowledge.

SECOND DEFENSE TO ALL CLAIMS FOR RELIEF

Defendant John-Paul Miller's Counterclaim fails to state a claim upon which relief can be granted. The allegations are vague and lack the specificity required to establish a cause of action for defamation, libel or slander or any other cause of action he has filed in his counterclaim.

THIRD DEFENSE TO ALL CLAIMS FOR RELIEF

Any statements made by Plaintiff Jane Doe #2 were true or substantially true, and therefore cannot be considered defamatory, libelous or slanderous.

FOURTH DEFENSE TO ALL CLAIMS FOR RELIEF

Any statements made by Plaintiff Jane Doe #2 were expressions of opinion, which are not actionable as defamation, libel or slanderous.

FIFTH DEFENSE TO ALL CLAIMS FOR RELIEF

Any statements made by Plaintiff Jane Doe #2 were privileged communications, made in good faith, and within the scope of her rights and duties.

SIXTH DEFENSE TO ALL CLAIMS FOR RELIEF

Defendant John-Paul Miller's Counterclaim is barred by applicable statute of limitations for his claimed causes of action.

SEVENTH DEFENSE TO ALL CLAIMS FOR RELIEF

Plaintiff Jane Doe #2 did not act with actual malice in making any statements about Defendant. Any statements made were without knowledge of their falsity or reckless disregard for the truth.

EIGHTH DEFENSE TO ALL CLAIMS FOR RELIEF

Plaintiff Jane Doe #2's statements are protected by the First Amendment to the United States Constitution, which guarantees freedom of speech.

NINTH DEFENSE TO ALL CLAIMS FOR RELIEF

Defendant John Paul Miller is a public figure and must prove that not only did Plaintiff Jane Doe #2 make statements that were false but must also prove that they were made with actual malice, meaning the statements were made:

1. With knowledge that the statements were false, or
2. With reckless disregard for their truth or falsity.

This standard applies because public figures have voluntarily placed themselves into the public spotlight, and society prioritizes free speech and robust public debate, especially involving public issues and individuals.

PLAINTIFFS FIRST CAUSE OF ACTION CREATED BY DEFENDANT'S COUNTERCLAIM**(Plaintiff's Claim for Abuse of Process against John Paul Miller)**

1. Plaintiff realleges and incorporates by reference all prior allegations as if fully restated herein.
2. Defendant John Paul Miller filed counterclaims against Plaintiff Jane Doe #2 in civil action 2025-CP-26-01796 pending in Horry County, South Carolina, alleging defamation, libel and slander.
3. Under South Carolina law, abuse of process requires establishing two essential elements: (1) an ulterior purpose, and (2) a willful act in the use of process that is improper in the regular conduct of the proceeding. *Argoe v. Three Rivers Behavioral Ctr. & Psychiatric Solutions*,

388 S.C. 394, 697 S.E.2d 551 (2010); Hainer v. Am. Med. Int'l, Inc., 328 S.C. 128, 492 S.E.2d 103 (1997); LaMotte v. Punch Line of Columbia, Inc., 296 S.C. 66, 370 S.E.2d 711 (1988).

4. The first element, an "ulterior purpose," exists where the legal process is used primarily to secure an objective not legitimate in its ordinary use. D.R. Horton, Inc. v. Wescott Land Co., 398 S.C. 528, 730 S.E.2d 340 (Ct. App. 2012). It requires more than mere bad motive or incidental spite; the improper objective must be the sole or paramount reason for the action.

5. The second element, a "willful act," involves a definite act or threat that is either unauthorized by the process or aimed at achieving an illegitimate collateral objective. Food Lion, Inc. v. United Food & Commercial Workers Int'l Union, 351 S.C. 65, 567 S.E.2d 251 (Ct. App. 2002).

6. Defendant Miller's filing of counterclaims was done with an ulterior purpose, specifically to intimidate, harass, and coerce Plaintiff Jane Doe into abandoning her legitimate claims of sexual assault, thereby suppressing truthful allegations regarding Defendant Miller's misconduct.

7. Defendant Miller committed willful acts by initiating these counterclaims, knowing them to be groundless, to gain an illegitimate collateral advantage—namely, silencing Plaintiff, preventing her lawful pursuit of remedies, and protecting his financial interests and reputation.

8. Defendant Miller also admitted text messages to a specific person to having sexual relationships with two minor females when he was nineteen years old.

9. Defendant Miller knew the truthfulness of Plaintiff's statements and, consequently, knew his counterclaims for defamation, libel, and slander lacked legal merit, given truth is an absolute defense.

10. Defendant Miller's primary purpose in filing these claims was improper: to threaten and harass Plaintiff into abandoning her suit.

11. Defendant Miller's conduct exemplifies abuse of process by employing legal proceedings as a coercive tool, which constitutes misuse of the process beyond its intended legal scope.

12. As a direct and proximate result of Defendant Miller's abuse of process, Plaintiff Jane Doe has suffered and continues to suffer substantial damages, emotional distress, reputational harm, and other compensable injuries.

13. As a direct and proximate result of the abuse of process by John Paul Miller, the Plaintiff Jane Doe #2 is entitled to judgment against Defendant John Paul Miller for actual, compensatory and punitive damages, and such other relief in law or equity as may be determined by a jury.

PRAYER FOR RELIEF

WHEREFORE, having fully set forth her response including Affirmative Defenses and Motion to Dismiss Defendant John-Paul Miller's Counterclaim, Plaintiff Jane Doe #2 respectfully prays for the following relief:

- a. That Defendant John-Paul Miller's Counterclaim be dismissed in its entirety with prejudice;
- b. That Plaintiff be awarded her costs and reasonable attorney's fees incurred in defending against Defendant John-Paul Miller's Counterclaim;
- c. That Plaintiff be awarded judgment and damages in her abuse of process counterclaim against Defendant John Paul Miller and any other relief the Court deems just and proper.

s/S. Randall Hood

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May 12, 2025

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