

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FIFTEENTH JUDICIAL CIRCUIT
COUNTY OF HORRY	)	
	)	
JENNIFER SPIVEY FOLEY, as	)	
Person Representative of the	)	
Estate of SCOTT RYAN	)	Case No. 2024-CP-26-03798
SPIVEY,	)	
	)	
Plaintiff,	)	ORDER DENYING POST-TRIAL MOTIONS
	)	
v.	)	
	)	
CHARLES WELDON BOYD	)	
and KENNETH WILLIAMS	)	
	)	
Defendants.	)	

This matter was before the Court on Motions by Defendant Charles Weldon Boyd pursuant to Rule 54(b), SCRPC and Defendant Kenneth Williams pursuant to Rules 52, 59, and 60, SCRPC, for the Court to reconsider and/or revise two orders this Court issued denying immunity to these Defendants pursuant to the Protection of Persons and Property Act, S.C. Code Ann. § 16-11-410 (2015), *et seq.* (the “Act”). The Court has reviewed all written filings by each party and conducted a brief hearing on July 28, 2026. After considering the Defendants’ arguments the Court DENIES all post-trial motions.

The Court rules further that these rulings are independent of the defenses each Defendant has raised in their Answers in the underlying litigation and do not result in the striking of any claim or defense pled therein. *See, e.g., State v. McCarty*, 437 S.C. 355, 878 S.E.2d 902 (2022) (noting that in *State v. Duncan*, 392 S.C. 404, 410, 709 S.E.2d 662, 665 (2011), the Court found the Act requires a pretrial ruling by the circuit court and did not simply create a new affirmative

defense). The orders are, therefore, not immediately appealable. *See State v. Isaac*, 405 S.C. 177, 185, 747 S.E.2d 677, 681 (2013) (the denial of a motion for immunity under the Act is not a final order ending the case and, consequently, is not immediately appealable); S.C. Code Ann. § 14-3-330 (2017) (to be immediately appealable an intermediate judgment, order or decree in a law case must involve the merits or affect a substantial right and either prevent a judgment from which an appeal might be taken or strike out any portion of an answer or other pleading).

SO ORDERED.

Eugene C. Griffith, Jr.
Circuit Court Judge

August _____, 2026.



Horry Common Pleas

Case Caption: Jennifer Spivey Foley , plaintiff, et al VS Charles Weldon Boyd ,
defendant, et al
Case Number: 2024CP2603798
Type: Order/Other

It is so ordered

Eugene C. Griffith, Jr. 2154

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