

# The South Carolina Jury Verdict Reporter

The Most Current and Complete Summary of South Carolina Jury Verdicts

June 2026

Statewide Jury Verdict Coverage

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### Civil Jury Verdicts

Timely coverage of civil jury verdicts in South Carolina including court, presiding judge, parties, attorneys and results.

**Workplace Negligence - A shipping clerk at a paper container company was unloading a truck trailer when the trailer's landing gear collapsed and the trailer rolled over – a roll of paper fell on the plaintiff and he was pinned for some 15 minutes before being freed – the plaintiff sustained assorted disabling injuries including an L3-5 disc injury that was surgically repaired – he prevailed against the trailer company at trial and took compensatory damages of \$7.48 million, the jury adding \$2.8 million more at a second punitive damage phase**

*Avery v. MG Logistics*, 0:23-222

Plaintiff: Andrew W. Creech and Harold C. Staley, Jr., *Elrod Pope Law Firm*, Rock Hill and Ashley W.

Creech, *McGowan Hood Felder & Phillips*, Rock Hill

Defense: Ronald B. Diegel, *Murphy & Grantland*, Columbia and Jeremy S.

Foster, *Clawson & Staubes*, Charlotte, NC

Verdict: \$10,280,000 for plaintiff (including \$2.8 million in punitive damages)

Federal: **Columbia**

Judge: Joseph F. Anderson, Jr.

Date: 5-8-2026

Anthony Avery, then age 58,

worked as a shipping clerk on 3-27-21 for New Indy Container Board. Its facility is located in Catawba, SC in York County. On this day he was unloading a truck trailer that had parked at a loading dock. The trailer was maintained and operated by MG Logistics.

Avery entered the trailer to unload it. He was on a so-called "grab truck" which is a small motorized sort of forklift. As Avery was just beginning to operate in the truck, the trailer suddenly rolled over on its side. A roll of paper (weighing 8,000 pounds) in the truck (this was what he was unloading) fell on him and he was pinned for some 15 minutes. When Avery was freed, he was taken to a local hospital where he was treated for assorted injuries.

Why had the trailer rolled over? Avery looked to the trailer's landing gear having suddenly collapsed. He alleged negligence by MG Logistics in that the trailer lacked diagonal cross-bracing to support it. His transportation and truck safety

expert was Michael O'Dell of Robson Forensic, who described that the lack of bracing made the trailer unstable. Avery also relied on Jay Zembower, Truck Maintenance, Altamonte Springs, FL. The trailer had been damaged in 2020 and the repairs were negligently made. The defendant motor carrier failed to inspect the trailer and identify the missing cross-diagonal bracing that made it unsafe.

In this lawsuit Avery sought damages from several defendants involved in the maintenance of the trailer, but advanced to trial only against the owner, MG Logistics. The theory as developed above was that the trailer was negligently maintained and repairing in that it lacked sufficient bracing to prevent a roll-over. The trucker who parked the trailer was also blamed for failing to properly inspect it. The plaintiff additionally alleged the defendant's conduct was reckless and sought the imposition of punitive damages.

Following the incident Avery treated for several injuries. The first

Photo A (right) shows the subject trailer was missing cross bracing supports to prevent the landing gear legs from moving left or right:



Photo A

*The trailer involved in this incident*

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## Historic South Carolina Verdict

A look back at older South Carolina jury verdicts (sometimes more than 100 years old) both historical and occasionally historic.

### **Medical Negligence - The plaintiff was left a permanent quadriplegic after his neck collar was removed in the ER for an x-ray – he blamed the ER doctor for doing so and causing the permanent injury – a Walhalla jury awarded the plaintiff \$5,000,000 in damages following a two-week trial in 1992**

*Conyers v. Nimmons*

Plaintiff: Larry Brandt and Lindsey Graham, Walhalla

Defense: Dewey Oxner, Jr., Greenville and Carey Doyle, Anderson

Verdict: \$5,000,000 for plaintiff

Court: **Oconee**

Judge: Tom Ervin

Date: August 7, 1982

Cecil Conyers, age 21 and of Seneca, was involved in a serious automobile accident on 10-9-87. He was thrown some 20 feet from his car. Conyers was taken to the ER at Oconee Memorial Hospital. He'd been placed in a secure neck collar. There was proof that at the scene of the crash and also at the hospital, he could move his fingers and toes.

Conyers came under the care of an ER physician, Dr. R.K. Nimmons. Nimmons was concerned about circulation and bleeding complications. He removed the neck collar in advance of an x-ray. Nimmons would later testify he never even considered a spinal cord injury. In fact that's what happened to Conyers. The neck brace was

removed and he was manually placed on the x-ray table. His head was also lifted for photographs.

The combination of these events left Conyers a permanent quadriplegic. He sued Nimmons and alleged negligence by the doctor in moving him and causing a spinal cord injury. Conyers sought \$26,000,000 in damages which included sums for a life care plan. He also sought to impose punitives citing proof Nimmons was hostile to Conyers at the ER because Conyers was admittedly intoxicated. Nimmons denied fault and blamed the injury and underlying serious motor vehicle accident.

The case was tried for two weeks in Walhalla. Dr. Donald Gregg, a trauma surgeon from Greenville, testified Nimmons violated the standard of care. Nimmons for his part told the jury, "I took good care of that boy." In closing arguments, Attorney Doyle for Nimmons told the jury that maybe Conyers shouldn't have been moved before the x-ray, but that medicine is more art than science. The attorney explained there is no "cookbook" to treat patients. Brandt for Conyers told the jury that there was a standard of care and Nimmons violated it.

The jury deliberated three hours and told the court it was hung. Judge Ervin consulted the jury and they deliberated another hour. They reached a verdict. Conyers was awarded \$5,000,000 in compensatory damages. The jury rejected the imposition of punitive damages. A consistent judgment was entered and Judge Ervin denied the defense motion for a new trial. Nimmons took an appeal but two months later the parties entered a confidential

settlement that fully resolved the case. The \$5,000,000 verdict in 2026 dollars would be nearly \$12,000,000.

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