

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LAURENS )  
 )  
 )  
Amy Lowe, individually, and as the Parent )  
and Natural Guardian of the Minor Child, )  
A.A.; )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
Laurens County and the Town of Clinton, )  
 )  
Defendant(s). )  
\_\_\_\_\_ )

IN THE COURT OF COMMON PLEAS  
FOR THE EIGHTH JUDICIAL CIRCUIT

**SUMMONS**

**TO THE DEFENDANT(S) ABOVE NAMED:**

YOU ARE HEREBY SUMMONED and required to answer the Complaint in this action, a copy of which is herewith served upon you, which was filed in the Office of the Clerk of this Court on the below mentioned date; and to serve a copy of your answer to the Complaint upon the subscriber at their office, 514 S. McDuffie Street, Post Office Box 1965, Anderson, South Carolina, within thirty (30) days after the service hereof, exclusive of the day of such service. If you fail to answer the Complaint within that time, judgment by default will be rendered against you for the relief demanded in the Complaint.

*s/Thomas W. Dunaway, IV*  
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Anderson, South Carolina  
Dated: 06-25-2025

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**COMPLAINT**  
**(Jury Trial Requested)**

The Plaintiff complaining of the Defendants named herein, alleges as follows:

**Parties and Jurisdiction**

1. Plaintiff, Amy Lowe, is a resident and citizen of the City of Clinton, located in the County of Laurens, in the State of South Carolina.
2. Plaintiff is the natural mother and guardian of the Minor Child, A.A.
3. That the Defendant Laurens County is a political subdivision of the State of South Carolina as established by Article VIII of the Constitution of the State of South Carolina. The Defendant is joined and made a party to his action pursuant to Section § 15-78-10 *et. seq.* of the Code of Laws of South Carolina 1976, as amended, commonly known as the “South Carolina Tort Claims Act”.
4. That the Defendant, the City of Clinton, is a political subdivision of the State of South Carolina as established by Article VIII of the Constitution of the State of South Carolina. The Defendant is joined and made a party to his action pursuant to Section § 15-78-10 *et. seq.* of

the Code of Laws of South Carolina 1976, as amended, commonly known as the “South Carolina Tort Claims Act”.

5. Upon information and belief, in its capacity as a political subdivision, the County of Laurens, as part of its official duties, operates the Laurens County Animal Control Services Division, on behalf and for the Town of Clinton and its tax paying citizens and residents.

6. That employees of Laurens County were acting within the course and scope of their employment when they committed the tortious acts and omissions that were the direct and proximate cause of the Plaintiff’s injuries.

7. The Court has subject-matter jurisdiction under S.C. Const. art. V, § 11 and S.C. Code Ann. § 14-5-300. Venue is proper in Laurens County because of the tortious conduct and resulting injuries occurred here and at least one Defendant resides or does business here. See S.C. Code Ann. § 15-7-30.

8. That jurisdiction and venue are proper in this Honorable Court pursuant to Section § 15-78-100 of the Code of Laws of South Carolina 1976, as amended, because the acts and omissions described herein all occurred in Laurens County, South Carolina.

### **Factual Allegations**

9. On or about February 24, 2024, at approximately 7:40 a.m., Plaintiff’s eleven-year-old Minor, A.A. was walking to the school bus stop on or near North Livingston Street inside the city limits of Clinton, South Carolina when he was violently rushed and attacked by 4 stray dogs running at large. He had to be airlifted to the trauma unit at Prisma Hospital and underwent multiple surgeries to save his life. His chances of a full medical recovery are highly unlikely.

10. In the months preceding February 14, 2024, residents along North Livingston Street lodged multiple complaints that uncontrolled dogs roamed the area during the morning bus-stop hour.

11. At approximately 7:40 a.m. on February 14, 2024, A.A. was walking the short distance from his home toward the bus stop when a pack of four dogs, two of them large black dogs, charged, knocked him down, and inflicted roughly sixty puncture wounds and lacerations over his legs, arms, and torso.

12. Neighbor Natasha Mims intervened, driving the dogs away long enough for a bystander to call 911. Emergency personnel air-lifted A.A. to Prisma Health Greenville Memorial Hospital for surgery and intensive care.

13. Clinton Police later announced that two dogs were captured and euthanized. Two others escaped; and the owners remain unidentified.

14. A.A. spent weeks hospitalized, has undergone multiple surgeries, continues physical therapy, and suffers persistent pain, flashbacks, and anxiety, requiring medication and psychological counseling.

15. Despite prior complaints, Laurens County and the Town of Clinton failed to impound or restrain the dangerous dogs as their ordinances permit.

16. The South Carolina Legislature set out laws regarding the regulation of dogs, S.C. Code Ann. § 47-3-10 to § 47-3-990, including a section of laws related to the Regulation of Dangerous Animals under S.C. Code Ann. § 47-3-710, et sec.

17. The South Carolina Legislature also authorized counties and municipalities to “enact ordinances and promulgate regulations for the care and control of dogs, cats, and other animals and to prescribe penalties for violations.” S.C. Code Ann. § 47-3-20.

**First Cause of Action**  
**(Negligence and Gross Negligence – Laurens County & Town of Clinton)**

18. Defendants owed statutory and common-law duties to exercise reasonable care in (a) establishing and adequately staffing an animal-control division, (b) responding to dangerous-dog complaints, and (c) protecting foreseeable child victims congregating at school bus stops.

19. Defendants breached those duties by, inter alia:

- a. Failing to budget sufficient personnel, equipment, and training;
- b. Ignoring or unreasonably delaying response to repeated complaints;
- c. Lacking written procedures for classifying and abating dangerous dogs;
- d. Permitting uncertified or untrained officers to handle animal-control calls; and
- e. Failing to coordinate between County and Town jurisdictions, leaving enforcement gaps within Clinton city limits.

20. Each breach was a proximate cause of Minor A.A.'s injuries. Defendants' omissions

constitute gross negligence within the meaning of the South Carolina Tort Claims Act, S.C. Code Ann. § 15-78-10 et seq.

**Second Cause of Action**  
**(Negligence Per Se – Violation of the State Dangerous-Dog Statutes)**

21. South Carolina's Dangerous Dog Act, S.C. Code Ann. § 47-3-710 through § 47-3-770, requires local governments to investigate dangerous-dog reports and, upon verification, seize or confine the animal.

22. Defendants failed to act on multiple verified reports, constituting negligence per se and a proximate cause of Plaintiff's injuries.

**Third Cause of Action**  
**(Declaratory and Injunctive Relief – Prospective Child Protection)**

23. A real and justiciable controversy exists regarding Defendants’ ongoing failure to operate sufficient animal-control services. Plaintiff seeks:
- a. A declaration that Defendants’ current staffing, equipment, and policies do not meet their statutory duties; and
  - b. An injunction requiring Defendants to adopt and fund a plan that brings their animal-control programs into compliance.

**Fourth Cause of Action**  
**(Multiple Occurrences)**

24. As the above-described incidents involve numerous separate acts and/or omissions over different times, pertaining to the failure to properly investigate, follow law, policies and procedures, and failure to properly staff, train and supervise employees, Plaintiff has alleged multiple “occurrences” pursuant to *Chastain v. Anmed Health Found.*, 388 S.C. 170 (2010) and *Boiter v. SCDOT*, 393 S.C. 123 (2011) for the purpose of calculating the applicable damages caps, if any. The Plaintiff asks that the jury determine the number of occurrences at the time of trial.

**Damages**

25. As a direct result of Defendants’ conduct, Plaintiff has incurred and will continue to incur:

- Past medical expenses already exceeding \$639,000.00, to date;
- Future surgical and therapeutic expenses;
- Permanent scarring and disfigurement;
- Physical pain and mental anguish; and
- Loss of enjoyment of life.

26. Plaintiff is entitled to actual damages, costs, prejudgment interest, and, to the extent allowed by the Tort Claims Act, and attorney's fees.

**WHEREFORE**, Plaintiff prays for judgment against Defendants for damages in amounts to be determined by the jury at the trial of this action pursuant to the Seventh Amendment of the United States Constitution and Article 1 Section 14 of the South Carolina Constitution, for the costs and disbursements of this action, and for such other and further relief as this Court may deem just and proper.

*s/Thomas W. Dunaway, IV*  
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