

STATE OF SOUTH CAROLINA)

IN THE COURT OF COMMON PLEAS

COUNTY OF GREENWOOD)

EIGHTH JUDICIAL CIRCUIT

Amanda Seymour,)

CASE NO: 2025-CP-24-00277

Plaintiff,)

vs.)

**DEFENDANTS' MOTION TO
DISMISS THE PLAINTIFF'S
FOURTH CLAIM AGAINST
DEFENDANT JIMMIE BROWN**

Town of Ninety Six, Mayor Gregg)

Brown in his personal capacity;)

and Jimmie Brown in her personal)

capacity,)

Defendants.)

.....)

COMES NOW the Defendant Jimmie Brown, by and through her undersigned counsel,
to ask for a motion hearing on _____ day of _____, 2026 to dismiss the claims against
Defendant Jimmie Brown for defamation.

1. Pursuant to SCRCPP 12(b)(6), Defendant moves to dismiss Plaintiff's claim for defamation for failure to state a claim or show damages.
2. Specifically, the element of defamation under South Carolina law are as follows:
 - (1) a false and defamatory statement
 - (2) unprivileged publication to a third party
 - (3) publisher was at fault; and
 - (4) either the statement was actionable irrespective of harm or the publication of the statement caused special harm.
3. In the responses to Interrogatories and Request for Production, Plaintiff failed to

show any damages occurring on the date of the alleged incident, or any damages since the date, and therefore no reputational harm or special harm was caused by the alleged defamation.

4. The Plaintiff in her responses to discovery admitted that she did not take lunch breaks but she was at a restaurant during “work hours” without allowing for coverage of the office.
5. The Plaintiff did herself, by publicly advertising the alleged defamation through an article published by Fox Carolina create her own situation of which she now complains. Defendant is not responsible for Plaintiff’s own publications.

PRAYER

1. For these reasons, Defendant Jimmie Brown asks the Court to dismiss the Fourth Cause of Action.

Respectfully Submitted,

/s/ Edward S. McCallum, III
Edward S. McCallum, III SC Bar # 1249
P.O. Box 148
Greenwood, SC 29648
864-223-8546
mccallum@esmlegal.com

Greenwood, SC

July 31, 2026