

PLAINTIFF(S)

Fernando X Castro et al

DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- ☐ JURY VERDICT. This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☒ DECISION BY THE COURT. This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ☐ ACTION DISMISSED (CHECK REASON): ☐ Rule 12(b), SCRPC; ☐ Rule 12(a), SCRPC (Vol. Nonsuit); ☐ Rule 12(k), SCRPC (Settled); ☐ Other
- ☐ ACTION STRICKEN (CHECK REASON): ☐ Rule 12(j), SCRPC; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other
- ☐ STAYED DUE TO BANKRUPTCY
- ☐ DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):
☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT.
ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

TRIBUNAL: OR

IT IS ORDERED AND ADJUDGED: ☒ See attached order (formal order to follow) ☐ Statement of Judgment by the Court:

Defendant Lexington Rheumatology's Motion to Dismiss was heard in-person on September 3, 2025. After careful consideration of all arguments presented by counsel, Defendant's motion is DENIED. The court finds Plaintiff has alleged facts sufficient to constitute a cause of action, and Defendant is not entitled to judgment as a matter of law.
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ORDER INFORMATION

This order ☐ ends ☒ does not end the case.

☒ See Page 1 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 09/03/2025

NAMES OF TRADITIONAL FILERS SERVED BY MAIL

Court Reporter:

E-Filing Note: The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 44(d), SCRCP.

Defendant Castro's Motion to Dismiss was heard in-person on September 3, 2025. After careful consideration of all arguments presented by counsel, Defendant's motion is DENIED. The court finds Plaintiff has alleged facts sufficient to constitute a cause of action, and Defendant is not entitled to judgment as a matter of law. Specifically, a motion for summary judgment is likely more proper for the statute of limitations argument after further discovery. See *Moriarty v. Garden Sanctuary Church of God*, 341 S.C. 320, (2000).



Richland Common Pleas

Case Caption: [REDACTED] vs Fernando X Castro, defendant, et al

Case Number: [REDACTED]

Type: Order /Electronic Form 8

So Ordered

s/ Daniel Coble, 2222