

STATE OF SOUTH CAROLINA)
)
COUNTY OF HORRY)
)
JENNIFER SPIVEY FOLEY, as Personal)
Representative of the Estate of SCOTT)
RYAN SPIVEY,)
)
Plaintiff,)
)
vs.)
)
CHARLES WELDON BOYD and)
KENNETH WILLIAMS,)
)
Defendants.)
_____)

IN THE FIFTEENTH JUDICIAL CIRCUIT
IN THE COURT OF COMMON PLEAS
CIVIL ACTION NO. 2024-CP-26-03798

**MOTION TO QUASH SUBPOENAS
AND FOR PROTECTIVE ORDER**

**TO: MARK B. TINSLEY, ESQ., AND NATASHA M. HANNA, ESQ. AS ATTORNEYS
FOR PLAINTIFF:**

PLEASE TAKE NOTICE that the undersigned attorneys for the Defendant, Charles Weldon Boyd (“Defendant Boyd”), will move before the Presiding Judge at the Horry County Courthouse, in Conway South Carolina, on the tenth (10th) day after service hereof, or at such other place and time as may be determined by the Court, and there and then move, pursuant to South Carolina Rules of Civil Procedure (“SCRCP”) Rule 45(C)(3)(A)(iii) and (iv), for a protective Order quashing or limiting the Subpoenas forwarded to Defendant’s counsel by Plaintiff’s counsel, Natasha M. Hanna, in letter dated May 15, 2025, that seek the medical records of Defendant, Charles Weldon Boyd.

The grounds for this motion are that (1) certain records sought are protected from disclosure without the consent of Weldon Boyd, who has not given his consent to the production of the records and documents sought, and (2) the production of these records could subject Defendant, Charles Weldon Boyd to publication of his confidential medical records. Further, it is

a HIPAA violation for a provider to disclose these records without consent of the Defendant, Charles Weldon Boyd or the Order of this Court.

This Motion will be based upon federal and state statutes, the South Carolina Rules of Civil Procedure, applicable appellate decisions, and such other material as may be acceptable to the Court.

Respectfully submitted,

**WRIGHT, WORLEY, POPE,
EKSTER & MOSS, PLLC**
Attorneys for the Plaintiff

/s Kenneth R. Moss

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Dated: May 29, 2025