

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

Deborah J. Clegg, as Personal Representative of the
Estate of Allison T. Clegg, Appellant,

v.

Elliott M. Lambrecht and Rhett Barker, Defendants,

Of whom Rhett Barker is Respondent.

Appellate Case No. 2009-133509

Appeal From Beaufort County
Clifton Newman, Circuit Court Judge

Unpublished Opinion No. 2013-UP-083
Heard February 4, 2013 – Filed February 20, 2013

AFFIRMED

H. Fred Kuhn, Jr., of Moss, Kuhn & Fleming, P.A., of
Beaufort, for Appellant.

Edward K. Pritchard, III, of Pritchard & Elliott, LLC, of
Charleston, for Respondent.

PER CURIAM: Affirmed pursuant to Rule 220(b), SCACR, and the following
authorities: Rule 56(c), SCRCP (providing that summary judgment shall be

granted when "the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to a judgment as a matter of law"); *Hansson v. Scalise Builders of S.C.*, 374 S.C. 352, 357, 650 S.E.2d 68, 71 (2007) (holding that the plain language of Rule 56(c) mandates the entry of summary judgment against a party who fails to establish the existence of an element essential to the party's case and on which that party will bear the burden of proof); *Jackson v. Bermuda Sands, Inc.*, 383 S.C. 11, 14 n.2, 677 S.E.2d 612, 614 n.2 (Ct. App. 2009) (stating that this court reviews the grant of a summary judgment motion under the same standard applied by the trial court pursuant to Rule 56(c)); *Peoples Fed. Sav. & Loan Ass'n v. Myrtle Beach Golf & Yacht Club*, 310 S.C. 132, 147, 425 S.E.2d 764, 774 (Ct. App. 1992) ("A joint enterprise exists where there are two or more persons united in the joint prosecution of a common purpose under such circumstances that each has authority, express or implied, to act for all in respect to the control of the means and the agencies employed to execute such common purpose.").

AFFIRMED.

FEW, C.J., and GEATHERS and LOCKEMY, JJ., concur.