

STATE OF SOUTH CAROLINA)	COURT OF COMMON PLEAS
)	
HORRY COUNTY)	FIFTEENTH JUDICIAL CIRCUIT
)	
Jane Doe # 1,)	Civil Action No.: 2025-CP-26-01517
)	
Plaintiff,)	
)	
v.)	PLAINTIFF’S MEMORANDUM
)	OF LAW IN SUPPORT OF
John-Paul Miller, Reginald Wayne Miller)	MOTION TO DISMISS
a/k/a Regina Wayne Miller, All Nations)	THE COUNTERCLAIMS
Cathedral Church f/k/a Cathedral Baptist)	OF DEFENDANT JOHN-
Church of the Grand Strand, Inc., Solid)	PAUL MILLER
Rock Ministries, Inc.,)	
)	
Defendants.)	
)	

Plaintiff Jane Doe # 1 respectfully submits this memorandum of law in support of her motion to dismiss Defendant John-Paul Miller’s counterclaims.

BACKGROUND

Jane Doe # 1 has been sexually assaulted twice by John-Paul Miller. The first—when she was just a teenager—began in the halls of a church building. (Compl. ¶¶ 230-41). The second was a brazen, public attack as Jane Doe # 1 was talking with a friend. (Compl. ¶¶ 196-201). John-Paul’s predatory conduct caused Jane Doe # 1 considerable physical and emotional harm—marring her childhood and continuing to plague her as an adult. (Compl. ¶¶ 202, 245-46). This lawsuit alleges claims against John-Paul Miller arising directly out of each attack and against the individuals and entities who facilitated them. His father, Defendant Reginald Wayne Miller, a minister and John-Paul’s father, gave his son free reign at Defendant All Nations Cathedral Church f/k/a Cathedral Baptist Church of the Grand Strand, Inc. (“Cathedral”) despite John-Paul’s checkered history. (Compl. ¶¶ 220-26).

The trouble began in 1998 when 15-year-old Jane Doe # 1 was spending her summer in Myrtle Beach with her grandparents. (Compl. ¶ 230). On July 19, 1998, the family attended Sunday morning services at Cathedral where the grandparents were members. During the Sunday school hour, Jane Doe # 1 was walking out of the restroom when John-Paul Miller called out to her from across the hallway. (Compl. ¶ 236). John-Paul was four years older than Jane Doe # 1 and had been working at Cathedral as a youth leader and musician. (Compl. ¶ 216). Despite his relative youth, John-Paul had already racked up quite a record of conduct at odds with his church leader public image. He had legal troubles and had fathered a child out of wedlock. (Compl. ¶ 217).

Once he had Jane Doe # 1's attention, John-Paul quickly escalated the encounter. (Compl. ¶ 238). He rushed at Jane Doe # 1, forced her into an empty office, and pushed her against a wall. (Compl. ¶¶ 238-39). John-Paul continued the attack over Jane Doe # 1 efforts to fight him off, eventually pushing her out of the office, down a hallway, and out of the building. (Compl. ¶ 240). In the Cathedral parking lot, John-Paul dragged Jane Doe # 1 over to the cab of his truck and raped her. (Compl. ¶ 241). This brutal attack was Jane Doe # 1's first sexual experience and it was emotionally devastating. (Compl. ¶¶ 242-43). Her self-image, relationships, and even her schoolwork all suffered as she worked to suppress the memory of what John-Paul Miller had done to her. (Compl. ¶¶ 245-46).

Twenty-five years later, Jane Doe # 1 had the misfortune of encountering John-Paul a second time. Jane Doe # 1 was accompanied by a friend and in a public place when John-Paul approached her. (Compl. ¶ 197). He leaned over as if to initiate a hug but instead shoved his hand into her pants and touched her genitals. (Compl. ¶ 198). The memories of the previous attack that Jane Doe # 1 suppressed as a girl now came rushing back. (Compl. ¶ 203). After pushing his hand away, Jane Doe # 1 confronted John-Paul, asking how he could behave this way while also

representing himself to the world as a spiritual leader. (Compl. ¶ 200). Misquoting scripture, John-Paul could only say that all men face temptation and that “God understands.” (Compl. ¶ 201).

On February 25, 2025, Jane Doe # 1 filed her current suit alleging negligence, intentional infliction of emotional distress, and civil conspiracy claims against all Defendants and an assault/battery claim against John-Paul Miller. In his March 19, 2025 answer, John-Paul Miller denied Jane Doe # 1’s allegations and asserted two counterclaims. The counterclaims’ opening paragraph alleges unspecified statements Jane Doe # 1 has made on “social media platforms” are false. Using vague language, John-Paul Miller then alleged claims for (1) slander/libel and (2) slander/libel *per se*. These purported claims offered no specifics on the statements in question or how they have damaged John-Paul Miller’s reputation.

Jane Doe # 1 answered the counterclaim on May 12, 2025, and made multiple Rule 12(b), SCRCF, motions. She seeks dismissal of the counterclaims in their entirety and, alternatively, a more definite statement of both what John-Paul Miller is complaining about and how he was supposedly harmed. As discussed below, these claims should be dismissed because John-Paul’s fails to plead the required elements of any defamation claim.

LEGAL STANDARD

A defending party may assert in its answer or in a pre-answer motion a defense alleging the complaint against it fails to state facts sufficient to constitute a cause of action. Rule 12(b)(6), SCRCF. A 12(b)(6) motion tests a complaint’s factual and legal sufficiency. Woodell v. Marion Sch. Dist. One, 307 S.C. 297, 298, 414 S.E.2d 794, 794 (Ct. App. 1992). A court must dismiss a claim pursuant to Rule 12(b)(6) when “the facts alleged in the complaint do not support relief under any theory of law.” Fleateau v. Harrelson, 355 S.C. 197, 584 S.E.2d 413 (Ct. App. 2003).

ARGUMENT

1. John-Paul Miller has not pled the required elements to support any defamation-based claim.

Miller could only state a viable defamation claim by alleging Jane Doe # 1 (1) made a false and defamatory statement; (2) published the unprivileged statement to a third party; (3) was at fault; and (4) the statement was either per se actionable or Miller suffered special harm. Stokes v. Oconee Cnty., 441 S.C. 566, 895 S.E.2d 689 (Ct. App. 2023) (citing McBride v. Sch. Dist. of Greenville Cnty., 389 S.C. 546, 559-60, 698 S.E.2d 845, 852 (Ct. App. 2010)). Miller’s pleading does not meet the requirements of these elements.

For example, South Carolina law demands a complaint allege with at least some specificity the allegedly false and defamatory statements. McNeil v. S.C. Dep’t of Corrs., 404 S.C. 186, 195, 743 S.E.2d 843, 848 (Ct. App. 2013) (affirming dismissal of defamation claim where complaint “did not set forth with any specificity what the allegedly false statements were”). Vague references to unspecified social media posts do not meet that standard. Jane Doe # 1 is left with no idea which specific posts she must defend, what they supposedly say, or what portions of them John-Paul Miller considers to be false. As many other courts have ruled, a complaint that simply references in passing an opponent’s unspecified social media activity cannot be sufficient to allege a defamation claim. See e.g., Nofal v. Yousef, 228 A.D.3d 772, 774 (N.Y. 2d Div. 2024) (affirming dismissal of defamation claim related to social media posts where complaint “did not set forth the persons to whom the statements were allegedly published,” “the actual words complained of or the time when, place where and manner in which the statements were made”); Mastercraft Decorators, Inc. v. Orlando, 356 F. Supp. 3d 259, 274 (W.D.N.Y. 2018) (dismissing attempted defamation claim that vaguely alleged defendant made “untrue statements . . . on social media” because it “d[id] not allege any particular words that were published, and d[id] not allege the time,

place, or manner of any statements”); Ghanam v. Does, 845 N.W.2d 128, 142 (Mich. App. 2014) (finding defamation claim insufficiently pled where it failed to identify the specific words on internet message board to which the plaintiff objected); Moore v. People for the Ethical Treatment of Animals, Inc., 932 N.E.2d 448 (Ill. App. 2010) (finding “lack of sufficient precision” in defamation claim regarding internet posting because complaint allegations “d[id] not allege where these postings were made or at what time they were made”).

The counterclaims’ allegations on the publication element are equally lacking. The South Carolina Supreme Court has long held that pleading publication requires a plaintiff to allege “the name or names of the persons to whom the defamatory words concerning the plaintiff were spoken.” Tucker v. Pure Oil Co. of Carolinas, 191 S.C. 60, 3 S.E.2d 547, 549 (1939). The law requires these specifics in a complaining party’s pleading to “limit the issues” to which the defending party is required to respond. Id. It is not enough for a party in John-Paul Miller’s position to simply allege the statements in question became “publicly known.” Campbell v. Int’l Paper Co., C/A No. 3:12-cv-03042-JFA, 2013 WL 1874850, at * 4 (D.S.C. May 3, 2013); see also Odom v. CVS Caremark Corp., C/A No. 3:14-456-MGL-SVH, 2014 WL 7733823 (D.S.C. Dec. 12, 2014) (recommending dismissal of defamation claim alleging publication of disputed statements to “public at large”). Here, John-Paul Miller does not directly allege publication at all. He repeatedly (and vaguely) references social media posts but says nothing about publication. To the extent the counterclaims are meant to imply publication simply because of the nature of the medium on which they were supposedly expressed, that is insufficient to meet the specificity requirement recognized in South Carolina since Tucker.

In sum, since John-Paul Miller has failed to allege the specifics required to identify the allegedly defamatory statements to show the required publication of those statements, both counterclaims should be dismissed for failure to state facts sufficient to constitute a cause of action.

2. The counterclaims' allegations are stated in terms too vague for Jane Doe # 1 to effectively respond to them.

If any portion of either counterclaim survive the absolute privilege extended to Jane Doe # 1's complaint allegations, the Court should order John-Paul Miller to provide a more definite statement on the essential components of the claims. Rule 12(e), SCRCp, allows Jane Doe # 1 to move for an order requiring John-Paul Miller to make a more definite statement. That motion is proper if Miller's counterclaim is "so vague or ambiguous" that Jane Doe # 1 cannot reasonably be expected to craft a responsive pleading. *Id.* Here, the purported counterclaims lack specifics on the core components of any defamation cause of action including (1) the specific statements alleged to be defamatory; (2) the time/manner of publication; (3) the identity of the third party to whom the statements were published; and (4) the particular reputational injury Miller allegedly suffered.

It is not reasonable to expect Jane Doe # 1 to answer the counterclaims without these essential details. *McNeil*, 404 S.C. at 195, 743 S.E.2d at 848 (affirming dismissal of purported defamation claim where complaint "did not set forth with any specificity what the allegedly false statements were"). Jane Doe # 1 cannot be expected to guess which Complaint allegations Miller's purported counterclaims apply. She also cannot be expected to address a purported defamation claim that skimps on the essential element of publication. *Tucker v. Pure Oil Co. of Carolinas*, 3 S.E.2d at 549. Miller's failure to properly allege the allegedly false statements and when/how/to whom they were published are additional reasons why the counterclaims fail to state the facts sufficient to constitute any defamation-based cause of action. At the very least, Miller should be

required to provide a more definite statement on these essential elements of his claims so that Jane Doe # 1 knows the specifics of what she is accused of before she is required to answer.

CONCLUSION

Based on the arguments state above, Jane Doe # 1 respectfully requests an order dismissing John-Paul Miller's counterclaims. The counterclaims should be dismissed because they fail to include essential information on the allegedly false statements in question as well as details on publication and damages. Alternatively, Miller should be required to replead any portion of the purported counterclaims that is not dismissed to include a more definite statement on these essential details.

Respectfully submitted,

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