

12. Alvin Davenport, who leased a condominium at the Cotton Hope Plantation on Hilton Head Island, South Carolina, complained to Cotton Hope that the floodlights at the bottom of the stairs to his unit were not working. Before Cotton Hope got around to fixing the floodlights, Davenport was injured when he tried to descend the stairs one night. He fell after attempting to place his foot on what appeared to be a step but actually was a shadow caused by the inoperative floodlights. Davenport filed a negligence lawsuit against Cotton Hope in a South Carolina court. The court directed a verdict against him after concluding that he had assumed the risk of injury. Davenport appealed, and that state's intermediate appellate court reversed. The appellate court reasoned that assumption of risk was no longer an independent and total defense, but was instead behavior that should be considered in a determination of the parties' relative fault under South Carolina's comparative negligence rule. Accordingly, the appellate court held that the assumption of risk issue should have gone to the jury. Cotton Hope appealed to the Supreme Court of South Carolina. How did that court rule on the question whether assumption remains a total defense or, instead, is behavior to be evaluated under the state's comparative negligence rule?