



To: The Honorable Chief Justice Jean Hofer Toal

From: Don Earl Phillips, owner of unsold properties in Crystal Pines subdivision
Lake Murray

Re: Case Number 4803

Date: May 13, 2013

RECEIVED

MAY 29 2013

S.C. SUPREME COURT

I noted with personal interest and approval your concern for the backlog of DUI/DUAC cases in South Carolina in recent years and your successful efforts in resolving the backlog. Because of your proven leadership in such matters I request your assistance in resolving case number 4803; Crystal Pines HOA vs Don Phillips, and bringing it before the court for resolution.

The case was first heard in 2009 and the resulting judgment has prevented any further development of my properties creating financial hardships and personal duress. In 2011, the delay of the case and its resolution resulted in a \$600,000 loss as recorded on my personal income tax return (see attached copy). This money would be reinvested in South Carolina both on a state and local level and allow for continued improvements, work in Crystal Pines and elsewhere.

The lower Court of Appeals found the case to have no merit. The HOA then filed another appeal to the Supreme Court. Resolution of that appeal has prevented me from selling my properties in Crystal Pines in accordance with plans on file in Lexington County for the master plan for section five (5).

I was born in South Carolina (Spartanburg County), educated in South Carolina (Furman University), married and have children who reside in South Carolina. I wish to place before you my appeal for a "speedy" settlement to the case. Thanking you for your judicial service to South Carolinians. I remain...

Respectfully Yours,

Don Earl Phillips

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FILE NO: 13 SP 1
FILM NO: _____

NORTH CAROLINA
AVERY COUNTY

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION
BEFORE THE CLERK

IN THE MATTER OF:

The Foreclosure of a Real Estate
Deed of Trust Executed by
**DON E. PHILLIPS AND
JOSEPHINE G. PHILLIPS**
To **ROBERT E. GOODSON**, Trustee
Recorded in Book 443, at Page 472,
Avery County Registry

ORDER OF CONTINUANCE

Substitute Trustee: Rufus F. Walker, Jr.

In accordance with the request from the Debtor/Respondent in this proceeding and combined with the consent of Rufus F. Walker, Jr., Substitute Trustee, the hearing scheduled in this matter for April 17, 2013 at 11:00 a.m. pursuant to N.C.G.S. 45-21.16 is continued to June 20, 2013 at 10:00 a.m.

It is further ordered that no further continuances of the hearing will be granted unless agreed to/consented to in writing by the Bank of Granite.

This, the ____ day of April 2013.

LISA DANIELS
Clerk of Superior Court, Avery County

By: _____
Assistant/Deputy

DON E PHILLIPS
PO BOX 294
NEWLAND NC 28657

CERTIFIED MAIL™



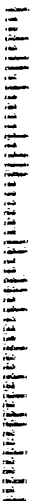
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THE HONORABLE CHIEF JUSTICE JEAN HOEFER TOAL
1015 SUMTER STR
COLUMBIA SC 29201


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