

RECEIVED

SEP 12 2022

SC Court of Appeals

STATE OF SOUTH CAROLINA

COUNTY OF Spartanburg

Shaneka Flournoy  
APPELLANT(S)

VS.

Windsor Palms (Nicole Betancourt)  
1000 Pinegate Dr. RESPONDENT(S)  
Spartanburg SC 29303

The plaintiff/defendant (circle one), Shaneka Flournoy hereby gives notice of appeal from the judgment of the magistrate's court in the above action, to the Circuit Court of Common Pleas, in the county of Spartanburg.

This notice of appeal is made subsequent to personal notice of the judgment which was received on the 17 day of August, 2022.

The appellant's exceptions to the judgment of the magistrate are set forth as follows:

I Shaneka S. Flournoy am appealing my landlord's ejection because I paid my rent. The ejection should have been dropped from July. I paid July rents and they are ejecting based off of an old ejection that should have ended once I paid. Windsor Palms was suppose to file another ejection for August. They lied and said I didn't pay my rent when I did and I have copies of my receipts and I'll submit them to the court. They also didn't give me a thirty day notices

Dated: 8-17-2022

Shaneka S. Flournoy  
Appellant (or his attorney)  
1000 Pinegate Dr. Apt A9  
Spartanburg SC 29303  
864-706-3617  
cruella1229@gmail.com

2022CP4203059  
COMMON PLEAS CASE NUMBER

2022CV4210301122  
MAGISTRATE CIVIL CASE NUMBER

IN THE COURT OF COMMON PLEAS

NOTICE OF CIVIL APPEAL

FILED  
SEP 17 AM 10:24  
CLERK OF COURT  
SPARTANBURG COUNTY  
SOUTH CAROLINA  
JANAY W. CDX

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

2022CV4210301122  
CIVIL CASE NUMBER

IN THE MAGISTRATE'S COURT

WRIT OF EJECTMENT

Windsor Palms Apartments  
1000 Pinegate Drive  
Spartanburg, SC 29303  
(864) 509-9415

**RECEIVED**

SEP 12 2022

**SC Court of Appeals**

PLAINTIFF(S)

Vs  
Shaneka Flournoy & All Others  
1000 Pinegate Dr. Apt. A09  
Spartanburg, SC 29303

DEFENDANT(S)

TO THE SHERIFF/MAGISTRATE'S CONSTABLE:

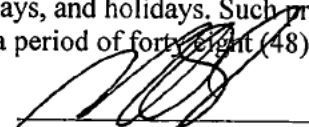
Upon Judgment of this Court, rendered on the \_\_\_\_\_, you are hereby Ordered to proceed to the premises located at  
**1000 Pinegate Dr. Apt. A09**  
**Spartanburg, SC 29303.**

Announce your identity and purpose and serve on the defendant(s) and all occupants a copy of this Writ of Ejectment. Inform them they have **twenty four (24) hours to voluntarily vacate** the premises. **If the premises appear unoccupied and no one responds** to your announced identity and purpose, the Writ of Ejectment shall be served by securely attaching a copy of the Writ in a conspicuous place on the premises.

If after 24 hours following the service or posting of the Writ, the occupants have not voluntarily vacated the premises, a deputy sheriff may enter the premises using only as much force as is necessary to effectuate the Ejectment.

Upon gaining access, you shall remove from the premises any occupants and all items of personal property found on the premises. Such property may be deposited beside the public street or roadway. All personal property removed from the premises and placed on a public street or roadway may be removed by the proper local government agency after forty eight (48) hours, excluding Saturdays, Sundays, and holidays. Such property may also be removed in the normal course of debris or trash collection before or after a period of forty eight (48) hours.

August 12, 2022

  
Spartanburg Magistrate Court Region #2

Philip S. Easter, being duly sworn state that:

I personally served a copy of this Writ on \_\_\_\_\_, an occupant of the rental unit

On 8-23 2022 at 1:35 the rental unit appeared unoccupied and no one responded when I announced my identity and intentions. I attached a copy of this Writ to a conspicuous part of the premise.

On \_\_\_\_\_ 20\_\_\_\_, at \_\_\_\_\_, which was not less than 24 hours from the posting date and time, I returned to the rental unit for the purpose of ejectment.

Under my supervision, I had all persons and personal property removed and evicted from the rental unit placing all personal property beside the roadside.

The rental unit was unoccupied. The Tenant and all occupants had vacated the unit.

Informed by Plaintiff that case is settled.

Date: \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Sheriff/Deputy Sheriff/Constable

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

2022CV4210301122  
CIVIL CASE NUMBER

**RECEIVED**  
IN THE MAGISTRATE'S COURT

SEP 12 2022  
WRIT OF EJECTMENT

**SC Court of Appeals**

Windsor Palms Apartments  
1000 Pinegate Drive  
Spartanburg, SC 29303  
(864) 509-9415

**PLAINTIFF(S)**

Vs  
Shaneka Flournoy & All Others  
1000 Pinegate Dr. Apt. A09  
Spartanburg, SC 29303

**DEFENDANT(S)**

**TO THE SHERIFF/MAGISTRATE'S CONSTABLE:**

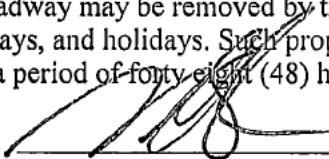
Upon Judgment of this Court, rendered on the , you are hereby Ordered to proceed to the premises located at **1000 Pinegate Dr. Apt. A09 Spartanburg, SC 29303.**

Announce your identity and purpose and serve on the defendant(s) and all occupants a copy of this Writ of Ejectment. Inform them they have **twenty four (24) hours to voluntarily vacate** the premises. **If the premises appear unoccupied and no one responds** to your announced identity and purpose, the Writ of Ejectment shall be served by securely attaching a copy of the Writ in a conspicuous place on the premises.

**If after 24 hours** following the service or posting of the Writ, the occupants have not voluntarily vacated the premises, **a deputy sheriff may enter the premises** using only as much force as is necessary to effectuate the Ejectment.

Upon gaining access, you shall **remove from the premises any occupants and all items of personal property found on the premises. Such property may be deposited beside the public street or roadway.** All personal property removed from the premises and placed on a public street or roadway may be removed by the proper local government agency after forty eight (48) hours, excluding Saturdays, Sundays, and holidays. Such property may also be removed in the normal course of debris or trash collection before or after a period of forty eight (48) hours.

August 12, 2022

  
Spartanburg Magistrate Court Region #2

-----  
T. EDGENS, being duly sworn state that:

- I personally served a copy of this Writ on \_\_\_\_\_, an occupant of the rental unit
- On 8/16 2022 at 11:00 the rental unit appeared unoccupied and no one responded when I announced my identity and intentions. I attached a copy of this Writ to a conspicuous part of the premise.
- On \_\_\_\_\_ 20\_\_\_\_, at \_\_\_\_\_, which was not less than 24 hours from the posting date and time, I returned to the rental unit for the purpose of ejectment.
- Under my supervision, I had all persons and personal property removed and evicted from the rental unit placing all personal property beside the roadside.
- The rental unit was unoccupied. The Tenant and all occupants had vacated the unit.
- Informed by Plaintiff that case is settled.

Date: \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Sheriff/Deputy Sheriff/Constable

STATE OF SOUTH CAROLINA

COUNTY OF SPARTANBURG

2022CV4210301122

CIVIL CASE NUMBER

MAGISTRATE'S COURT

RULE TO VACATE OR SHOW CAUSE (EVICTION)

Windsor Palms Apartments
1000 Pinegate Drive
Spartanburg, SC 29303

Phone: (864) 509-9415

PLAINTIFF(S)

Vs
Shaneka Flournoy & All Others
1000 Pinegate Dr. Apt. A09
Spartanburg, SC 29303

RECEIVED

SEP 12 2022

DEFENDANT(S)

TO Shaneka Flournoy & All Others : Windsor Palms Apartments is asking this Court to remove you from the property located at 1000 Pinegate Dr. Apt. A09, Spartanburg, SC 29303 because they claim that:

- ☑ You have failed to pay rent when due or demanded.
☐ The terms of your tenancy or occupancy have ended.
☐ You have violated the terms or conditions of your lease by:

You the defendant(s) and lessee(s) of the premises listed at the address listed above, and all others, are ordered to vacate the premises immediately pursuant to S.C. Code Ann. §27-37-10 OR contact the:

Spartanburg Magistrate Court Region #2
4224 Hwy 9
Boiling Springs, SC 29316
(864) 578-2885; FAX 8648145848

within ten (10) days of receiving this notice, for the purpose of scheduling a hearing to show why you should not be evicted from these premises.

FAILURE TO VACATE THE PREMISES OR RESPOND WITHIN TEN (10) DAYS MAY RESULT IN THE ISSUANCE OF A WRIT OF EJECTMENT.

07/19/2022

Judge, Spartanburg Magistrate Court Region #2

Personally appeared before me, the undersigned deponent, being duly sworn, says s/he is a person over 18 years of age, not a party or attorney in this action and s/he to serve the Rule to Vacate or Show Cause on Shaneka Flournoy & All Others on the following dates/times:

Table with columns: DATE, TIME, INITIALS, DATE OF SERVICE, TIME OF SERVICE, SETTLED/DATE, VACANT/DATE. Includes handwritten entries for 7/19/22 and 3:40pm.

Sworn to and subscribed before me
This \_\_\_ day of \_\_\_, 20\_\_.

NOTARY PUBLIC OR JUDGE

T. EDWARDS
SIGNATURE OF SERVER

ON \_\_\_ I DEPOSITED IN THE UNITED STATES MAIL IN AN ENVELOPE ADDRESSED TO THE DEFENDANT(S) ABOVE WITH FIRST CLASS POSTAGE AFFIXED THERETO, A COPY OF THIS DOCUMENT.

MAGISTRATE'S CLERK

July 29, 2022

Payable To: Windsor Palms

Amount: \$1,000.00  
 Fee: \$5.00  
 Total: \$1,005.00

Money Order

5400117206

July 29, 2022

Payable To: Windsor Palms

Amount: \$100.00  
 Fee: \$5.00  
 Total: \$105.00

**RECEIPT** No. 031790

DATE: 7/26/22

FROM: 5400117205 \$1000.00

one thousand 00/100 DOLLARS

FOR RENT  
 FOR: A09 - Windsor Palms

ACCT. FROM TO

PAID 1000.00 BY: Nicole

DUE

CASH  
 CHECK  
 MONEY ORDER  
 CREDIT CARD

A-1152  
T-4161

**RECEIPT** No. 031789

DATE: 7/26/22

FROM: 5400117206 \$100.00

one hundred 00/100 DOLLARS

FOR RENT  
 FOR: A09 - Windsor Palms APTS

ACCT. FROM TO

PAID 100.00 BY: Nicole

DUE

CASH  
 CHECK  
 MONEY ORDER  
 CREDIT CARD

A-1152  
T-4161

## Housing Discrimination Complaint

**Case Number:**

**1. Complainants:**

Shaneka Flournoy  
Windsor Palms Apartments  
1000 Pinegate Drive A-9  
Spartanburg, SC 29303

**2. Complainant Representatives:**

**3. Other Aggrieved Parties:**

None

**4. The following is alleged to have occurred or is about to occur:**

- Discriminatory terms, conditions, privileges, or services and facilities

**5. The alleged violation occurred because of:**

- Race

**6. Address and location of the property in question (or if no property is involved, the city and state where the discrimination occurred):**

Windsor Palms Apartments  
1000 Pinegate Drive A-9  
Spartanburg, SC 29303

**7. Respondents:**

Artesia Capital Management, LLC  
c/o Julie Zacharias Devassy  
1000 Pinegate Drive  
Spartanburg, SC 29303

Crestmont Capital Spartanburg LLC  
c/o V Corp Services LLC  
2 Office Park Court Suite 103  
Columbia, SC 29233

Betty Wright  
Windsor Palms Apartment  
1000 Pinegate Drive  
Spartanburg, SC 29303

**8. The following is a brief and concise statement of the facts regarding the alleged violation:**

The complainant identifies as African American and therefore belong(s) to a class of person(s) whom the South Carolina Human Affairs Law protects from unlawful discrimination because of her race. The subject property is located at 1000 Pinegate Drive. The respondents are Artesia Capital Management LLC, Crestmont Capital Spartanburg LLC, owner and Betty Wright, Manager.

The complainant alleges that she placed a maintenance order on April 26, 2022, relative to having her kitchen light fixed and having her air filter changed. The complainant alleges the respondent never addressed her maintenance issues even though the maintenance issues of white tenants are addressed. The complainant alleges that she was given a forty-eight-hour notice to vacate the premises even though she should have been given a thirty (30) day notice. The complainant alleges that she

sought assistance from a governmental agency to pay her rent, but when the agency informed the respondents that they were assisting, the respondent told the agency that if the money was not received by 9:00 a.m. the eviction would go forward. The complainant said she sought the assistance because she contracted covid-19. The complainant alleges that her white neighbors, who failed to pay their rent were not given "red" letter threatening to evict them. The complainant stated when she was late with her rent, she was given "red" notice letters. The complainant further alleged the respondent has failed to make renovations to her apartment while the while her white neighbors, who ultimately abandoned their apartment, did have renovations made to their apartment.

**9. The most recent date on which the alleged discrimination occurred:**

April 26, 2022, and is continuing.

**10. Types of Federal Funding Identified:**

None

**11. The acts alleged in this complaint, if proven, may constitute a violation of the following sections:**

804(b) of Title VIII of the Civil Rights Act of 1968 as amended by the Fair Housing Act of 1988 and 31-21-40(2) of the South Carolina Human Affairs Law, as amended.

**Please sign and date this form:**

**I declare under penalty of perjury that I have read this complaint (including any attachments) and that it is true and correct.**

Shaneka Flournoy 8-16-2022  
Shaneka Flournoy Date

**NOTE: HUD WILL FURNISH A COPY OF THIS COMPLAINT TO THE PERSON OR ORGANIZATION AGAINST WHOM IT IS FILED.**