

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS
C/A No.: 2019-CP-40-05539

Sterling Hills Homeowners Association,
Plaintiff,

v.

Vickey Coleman and Oliver Coleman, III.
Defendant(s).

**ORDER DENYING DEFENDANT'S
MOTION TO SET ASIDE JUDGEMENT
OF FORECLOSURE AND SALE**

RECEIVED

Oct 18 2022

SC Court of Appeals

On August 22, 2022, a hearing was held before me on Defendant's Motion to set Aside the Judgement of Foreclosure and Sale in this matter. Present at the hearing were Ashley Green, attorney for the Plaintiff, Sterling Hill Homeowners Association, Leonard Jordan, Attorney for the successful purchaser, and Dwight Moore, Attorney for Defendant Vickey Coleman. After hearing this matter, I find, conclude and order as set forth below.

The case before this Court is a foreclosure action for unpaid homeowners' association dues. This Court issued a Judgment of Foreclosure and Sale and a judicial foreclosure sale was scheduled for June 6, 2022. At the sale, the subject property was purchased by third-party bidder Lacey Thompson. Lacey Thompson later assigned the bid to Loyal Cliff, LLC. After the sale, Defendant Vickey Coleman filed a Motion seeking to set aside the judgment of foreclosure and sale based on the allegation that Defendant Vickey Coleman was held in default despite serving a responsive pleading on Plaintiff's Counsel.

At the hearing, Plaintiff's Counsel asserted that only Oliver Coleman was held in default as evidenced by the Affidavit of Default filed on February 21, 2020. Defendant's Counsel argued that although Defendant Vickey Coleman was not held in default, Defendant Vickey

Coleman alleges that she did not receive notice of the foreclosure hearing held on March 25, 2022. At the motion hearing, Plaintiff's Counsel provided Defendant's Counsel with a copy of the Notice of Hearing mailed to Vickey Coleman along with the certificate of mailing electronically filed on February 22, 2022.

Based on the aforementioned, I conclude that Defendant Vickey Coleman's Motion to Set Aside the Judgment of Foreclosure and Sale is hereby DENIED.

IT IS SO ORDERED!

JUDGE'S SIGNATURE PAGE TO FOLLOW



Richland Common Pleas

Case Caption: Sterling Hills Homeowners Association Inc vs Vickey Coleman ,
defendant, et al
Case Number: 2019CP4005539
Type: Order/Other

It is so Ordered

s/Joseph M. Strickland, 3055