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SC Court of Appeals

ELECTRONICALLY FILED - 2023 Aug 01 12:06 PM - GREENVILLE - COMMON PLEAS - CASE#2023CP2302709
ELECTRONICALLY FILED - 2024 Apr 01 9:51 AM - GREENVILLE - COMMON PLEAS - CASE#2023CP2302709

**EXHIBIT
B**

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF GREENVILLE)	THIRTEENTH JUDICIAL CIRCUIT
)	
Everett Homes, LLC)	C.A. No. 2023-CP-23-02709
Plaintiff,)	
)	
vs.)	ORDER OF DEFAULT JUDGMENT
)	
Jermaine Leclerc)	
)	
Defendants.)	
_____)	

THIS MATTER COMES BEFORE THE COURT upon Motion of the Plaintiff, Everett Homes, LLC for an Order of Default against the Defendant, Jermain Leclerc (“Leclerc”). After a review of the record, the Court finds as follows:

1. The Amended Summons and Complaint were filed in this matter on May 30, 2023.
2. The Court finds that according the Affidavit of Service filed with the Court on June 20, 2023, Leclerc was properly served on June 7th, 2023 as evidenced by the record.
3. The Plaintiff has further filed an Affidavit of Non-Military service issued by the Servicemembers Civil Relief Act Centralized Verification Service on June 22, 2023 which is also a matter of the record.
4. The Defendant, Leclerc, has failed to file any motion, answer or otherwise plead in this matter and Plaintiff is entitled to an Order of Default Judgment pursuant to SCRCP, Rule 55.
5. As a result of the default, the Plaintiff is entitled to an Order of the Court that the subject Property was erroneously conveyed to the Defendant and the filing of this Order

upon the indexes of the Register of Deeds of Greenville County, South Carolina shall act as the means of conveyance to divest Defendant of any interest in the Property whatsoever and conclusively vest fee simple title in the name of the Plaintiff. This Order is issued pursuant to Plaintiff's causes of action for Declaratory Judgement, Quiet Title and Unjust Enrichment. The Register of Deeds shall index the Grantor as Jermaine Leclerc and the Grantee as Everett Homes, LLC. The subject Property is as follows:

All that certain piece, parcel or lot of land, together with all improvements thereon, situate, lying and being in the County of Greenville, State of South Carolina being shown and designated as Tract B, on a plat entitled "John Asher," prepared by Stie Design, Inc. dated February 4, 2019 and being recorded in Plat Book 1336, Page 2 in the register of Deeds Office of Greenville County, South Carolina, reference being made to said plat being hereby made for a more complete property description.

This being a portion of the same property erroneously conveyed to Jermaine Leclerc by deed of Everett Homes, LLC dated July 29, 2022 and recorded on August 8, 2022 in the Register of Deeds Office for Greenville County, South Carolina in Deed Book 2665 at Page 224.

TMS# 0177.00-04-003.01

6. As to Plaintiff's remaining cause of action for Slander of Title, a hearing will be scheduled to determine damages under that cause of action.

IT IS SO ORDERED

JUDGE'S SIGNATURE PAGE TO FOLLOW

FORM 4

**STATE OF SOUTH CAROLINA
 COUNTY OF GREENVILLE
 IN THE COURT OF COMMON PLEAS**

JUDGMENT IN A CIVIL CASE

CASE NO. 2023 CP-23-02709

EVERETT HOMES, LLC
 PLAINTIFF(S)

JERMAINE LECLERC
 DEFENDANT(S)

Submitted by: Wendell L. Hawkins	Attorney for : <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant or <input type="checkbox"/> Self-Represented Litigant
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DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk : _____

INFORMATION FOR THE JUDGMENT INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
Everett Homes, LLC	Jermaine Leclerc	\$ N/A
		\$
		\$
If applicable, describe the property, including tax map information and address, referenced in the order: All that certain piece, parcel or lot of land, together with all improvements thereon, situate, lying and being in the County of Greenville, State of South Carolina being shown and		

designated as Tract B, on a plat entitled “John Asher,” prepared by Stie Design, Inc. dated February 4, 2019 and being recorded in Plat Book 1336, Page 2 in the register of Deeds Office of Greenville County, South Carolina, reference being made to said plat being hereby made for a more complete property description.

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TMS# 0177.00-04-003.01

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.

Note: Title abstractors and researchers should refer to the official court order for judgment details.

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

Circuit Court Judge

Judge Code

Date

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney’s box on this _____ day of _____, 20____ to attorneys of record or to parties (when appearing pro se) as follows:

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRPC.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.



Greenville Common Pleas

Case Caption: Everett Homes LLC vs. Jermaine Leclerc

Case Number: 2023CP2302709

Type: Order/Judgment by Default and Form 4

So Ordered

G.D. Morgan Jr.

Electronically signed on 2023-07-28 14:56:31 page 6 of 6