

Apr 22 2024

SC Court of Appeals

Request for a Motion of Expedition**CASE # 2023-001830**

Plaintiff, Carolyn Dorn Roberts verse Defendant, James (Jimmy) Dorn Roberts

Home Eviction Case currently being delayed**Address of the eviction ruling:** 618 Pershing Drive, North Augusta, SC 29841

I am the owner of the property at 618 Pershing Drive, North Augusta, SC 29841. My name is Carolyn Roberts. This is a plea and request for a Motion of Expedition in case # 2023-00183.

I have won 2 consecutive court cases in South Carolina of the eviction of my son James Roberts for the purposes of his eviction from the above stated property.

- The first was with the Magistrate Court in North Augusta, SC (Case# 2023CV0211000427) in September, 2023. James appealed this ruling to the Circuit Court, we had a 2nd court case that also ruled in my favor and against James Roberts.
- The 2nd court case for appeal (Case# 2023CP0201996) was on November 6, 2023 with Honorable Judge Jocelyn Newman presiding. Judge Newman ruled in my favor, the plaintiff, Carolyn Roberts. After this 2nd ruling, an official "set out" and physical eviction was scheduled with Ryan Hall, the North Augusta Court Constable for 11/22/2023. I hired an eviction company to be onsite on this date and remove James Roberts's personal property from the house I own.
- On 11/22/2023 the physical "set out" eviction was halted minutes before it was to activate by the North Augusta Court Constable, Ryan Hall (phone #803-202-3580) when the current appeal was filed by James Roberts to your court.
- This delay is causing me financial hardship as I am a retired, 79 years old single woman on a fixed income. My Son James Roberts has not made a single rent payment since February of 2022. His unpaid rent debt owed to me now exceeds \$10,000.00
- The water and sewer utilities have also been off since March 24, 2022. My understanding is it is illegal for someone to reside in a home without active water and sewer service. In spite of the court ruling against James Roberts and in my favor to move forward with removing him from the property. The physical eviction is currently being delayed due to his appeal with your court at the South Carolina court of appeals.
- James Roberts is my 54 year old son, he has a long history of mental illness, alcoholism, and struggles with addiction. He has been off his mental medication for several years now and is sadly not a mentally healthy or rational person at this stage of his life. He has neglected and destroyed my property at 618 Pershing Drive, North Augusta, SC 29841. I beg the court for a Motion of Expedition so I can proceed with this eviction.
- My son James Roberts also stopped paying for the garage service for more than a year and has been literally throwing all his garbage in a large pile in the backyard. There is literally a small mountain of rotting garbage in the overgrown backyard of my house. I imagine this could pose a health risk to the neighbors in the community.
- I am personally trying to transition into an Assisted Living Facility due to my age and failing health. I cannot financially make this step in my life due to the burden of the

expense of paying for the home's monthly mortgage payment, homeowners insurance, and taxes. I originally bought this home in hopes my son, James Roberts could pay the annual expenses so he would have a roof over his head. I paid the down payment and leveraged my credit to secure the loan so he could live in this home. He has failed to make rent payments of any kind for more than 2 years. I can no longer afford the expense of the mortgage payments and operating expenses at 618 Pershing Drive, North Augusta, SC 29841 given that I am not receiving any rent payments from James Roberts. I intend to sell the home once my son is evicted so I can then have the financial means to pay for an assisted living facility. This matter is now becoming urgent for my health and well being. My other Son, Clifford Lake Roberts and my Sister Caren Dorn Bricker are having to care for me until I am able to transition into an Assisted Living Home.

I have included multiple documents showing evidence of what I have written in this motion and plead for your consideration in this matter.

Exhibit A: *Eviction Late Letter Notice & Letter from Utility Company stating Water is OFF in the home*

Exhibit B: *Tax Records for the home showing I Carolyn Roberts am the owner*

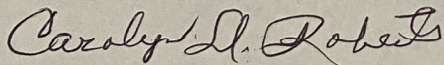
Exhibit C: Letter from the North Augusta Court about Case#2023CV0211000427

Exhibit D: Photos of the home showing the neglect.

Exhibit E: Motion Document_Case2023CP0201996

Thank you so much.

Respectfully,



Carolyn Dorn Roberts

cell phone: 706-373-2980

3133 Switzer Dr, Augusta, GA 30909

4/21/24

Please contact my youngest Son, Clifford Lake Roberts about this matter too please as I often don't hear my phone at (404) 271-9036. I will be 80 years of age in November and hard of hearing. Thank you

NOTICE OF FAILURE TO PAY RENT

Final 5 Day Notice

To:

James Dorn Roberts
618 Pershing Drive
North Augusta, SC 29841

Date: July 31, 2023

Dear Tenant:

This letter is to remind you that your rent is due and payable on the 1st day of each month, and late if paid after the 5th day of the month. To date, we have not received your full monthly rent Payment since February 2022. Please understand that failure to pay rent is the most frequent cause for tenants to lose their housing, and we are requiring the balance due from you immediately to remain a tenant at this address.

Presently, you have an amount due of \$ 6,528.00. After many attempts to collect the due rent from you by calling, stopping by and knocking on the door you have failed to communicate in any way and failed to make any rent payments. Please pay this amount immediately. If the payment is not received in 5 days from this notice you will need to vacate the property, if you do not vacate this address a formal eviction will be filed with the city of North Augusta in South Carolina.

Sincerely,



Owner
Carolyn Roberts
706-432-9300



100 Georgia Avenue
North Augusta, SC
29841-3843

Post Office Box 6400
North Augusta, SC
29861-6400

City of North Augusta

August 25, 2023

To whom it may concern:

This letter is to state that utility services provided by the City of North Augusta, as of March 24, 2022, are inactive for the service address of 618 Pershing Dr. North Augusta, SC 29841.

Thank you,

Rachel Bussey

City of North Augusta – Finance Department

Customer Service Representative II

803-441-4219

Aiken County, SC

Parcel Summary

Parcel ID 007-09-18-002
Location Address 618 PERSHING DR
NORTH AUGUSTA 29841
Legal Description LOT 8 BLK J CRYSTAL LAKE
(Note: Not to be used on legal documents)
Property Type NON-OWNER OCCUPIED RESIDENTIAL
Neighborhood W BUENA VISTA AREA
Districts 04_C - COUNCIL DISTRICT FOUR
Millage Rate 6% RATIO = 235.20 (NON-OWNER OCCUPIED)
4% RATIO = 101.00 (OWNER OCCUPIED)
Exemptions



Owner Information

ROBERTS CAROLYN DORN
827 MILLEDGE RD #D-2
AUGUSTA, GA 30904

Land Information

Land Use	Units	Unit Type	Land Type	AgUse Value	Market Land Value
NON-OWNER OCCUPIED RESIDENTIAL (NRN)	1.00	LOT	Residential 6%	\$0	\$24,000

Buildings

Type Single Family Residence
Stories 1 Story
Total Area Sq Ft 847
Exterior Walls Frame Siding Vinyl
ActualYearBuilt 1952
Flooring Automatic Floor Cover Allowance
Roof Cover Composition Shingle
Number Fireplaces 1
Heating Type Warmed and Cooled Air
Bedrooms 0
Bathrooms 1
Garage Area 0
Basement
Market Value \$47398

Miscellaneous Improvement Information

Description	Size	Units	Market Value
Carport, Flat Roof (SF)	200 x 0	200	\$730.00

Sales

Sale Date	Buyer	Seller	Sale Price	Book/Page
2/16/2018	CAROLYN ROBERTS	LUZ CULL	\$51,000	4706-1090
6/4/2004			\$45,900	2424-315
9/10/1998	TRUMPLER EDNA	TRUMPLER EDNA	\$5	01809-00112

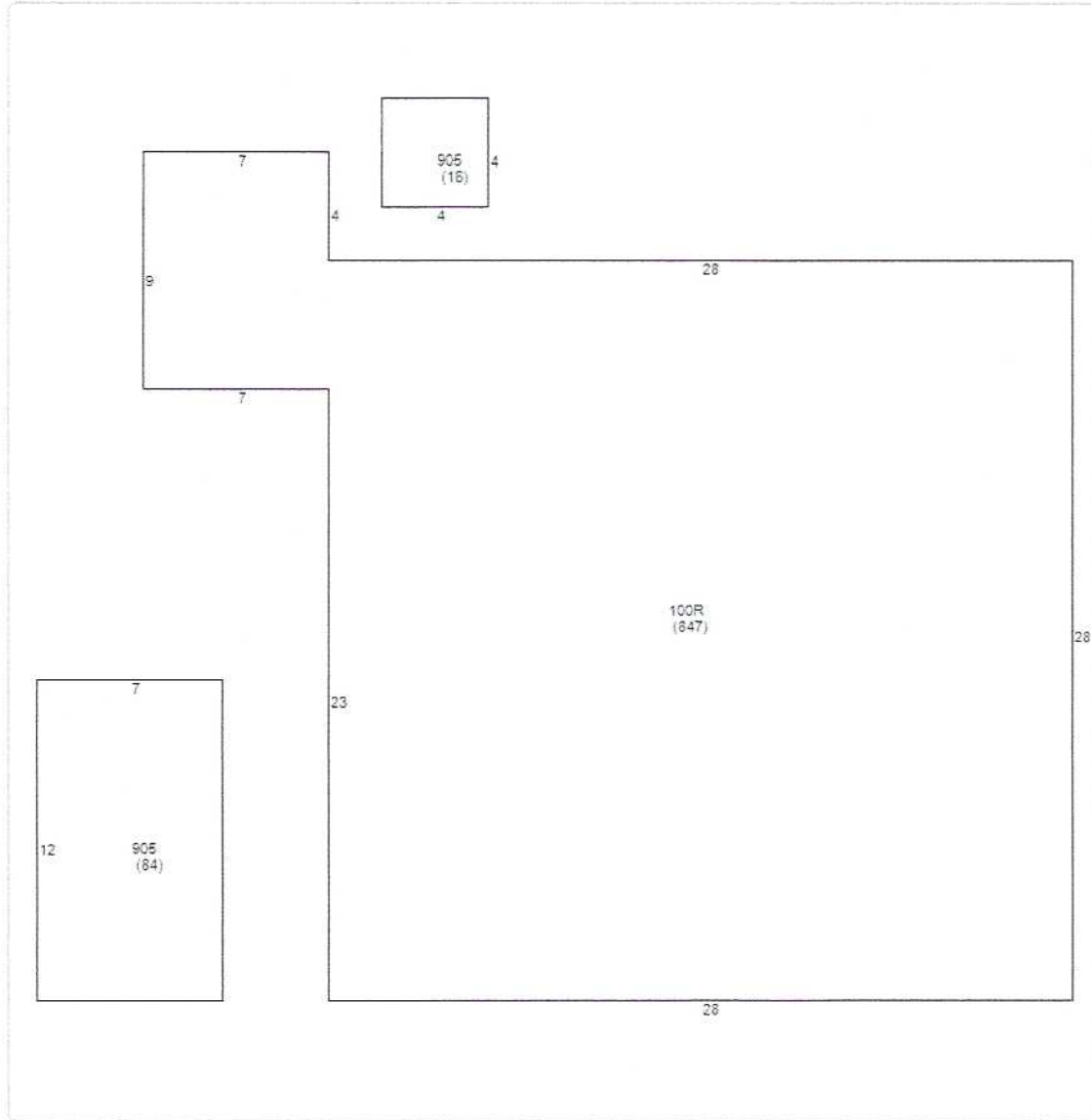
Valuation Disclaimer

The data may not reflect the most current records. Values are based on a 2020 Countywide Reassessment, implemented in 2021. Parcels transferred post-January 1, 2023, are subject to value changes and may not be valid, or displayed at this time. Sales made in the current year may not reflect correctly until the following year.

Property Valuation History

Year	2023	2022	2021	2020
Market Land Value	\$24,000	\$24,000	\$24,000	\$15,000
+ Market Improvement Value	\$47,400	\$48,130	\$48,130	\$35,960
+ Market Misc Value	\$730	\$0	\$0	\$0
= Total Market/Exemption Value	\$72,130	\$72,130	\$72,130	\$50,960
Assessed Land Value	\$1,170	\$1,040	\$1,040	\$900
+ Assessed Improvement Value	\$2,311	\$2,480	\$2,480	\$2,160
= Total Assessed Value	\$3,520	\$3,520	\$3,520	\$3,060

Sketches



Photos



No data available for the following modules: Mobile Home Information, Mobile Homes on Parcel.

The Alken County Assessor's Office and IT/GeoServices Division strive to produce the most accurate information possible. No express or implied warranties of any kind are provided for, or applicable to, the data herein, its use, or its interpretation. All assessment information is subject to change.

[User Privacy Policy](#) | [GDPR Privacy Notice](#)
Last Data Upload: 8/29/2023, 9:30:28 PM

[Contact Us](#)

Developed by
 **Schneider**
GEOSPATIAL

The State of South Carolina



Sheridan L. Lynn Jr.
Summary Court Judge
Aiken County, South Carolina

North Augusta Summary Court
537 Edgefield Road
Belvedere, South Carolina
P.O. Box 6493
North Augusta, South Carolina 29861

Phone : (803) 202-3580
(803) 202-3581
Fax: (803) 202-3583
Email: slynn@aikencountysc.gov

Attention Landlord:

Carolyn Roberts vs. James Roberts

Case # 2023CV0211000427

It is your responsibility to physically check the property before you request a set out and it is your responsibility to contact the Court's Constable, Ryan Hall, at (803) 202-3580 or 202-3581 (Ext. 0), on 9/15/23 at 9am to let him know that you need to **schedule** a physical set out of your tenant, or if your tenant has paid or moved from your property.

Remember, if you need a physical set out, it is your responsibility to have your own help to set the property out of the residence, due to the fact the Constable **cannot** touch the property, he is just there to keep the peace or to confiscate any weapons found on the property.

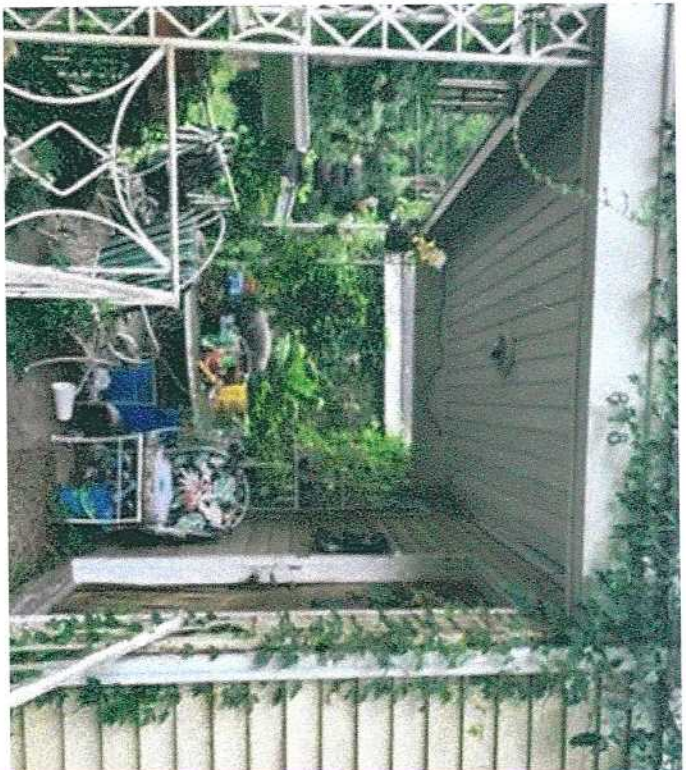
If you fail to notify the court by the above date and time, your case will be closed and will be disposed of as "No Contact with Landlord" and you will have to re-file if the eviction is needed.

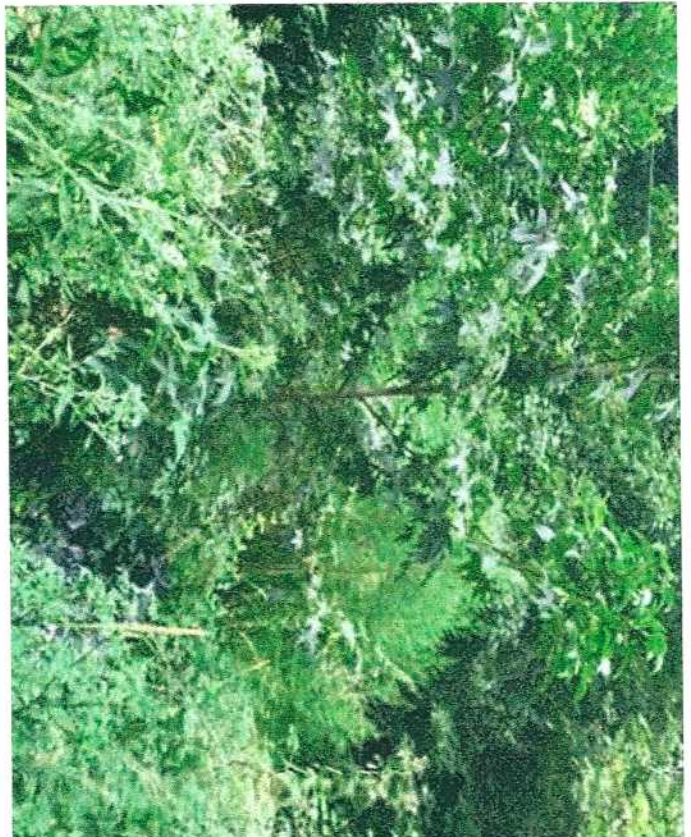
Landlord Initials _____

ATTENTION LANDLORD / PROPERTY OWNER

- Read instruction sheet COMPLETELY
- On your instruction sheet it states you must physically check the property in question BEFORE calling for a set out. “Physically” refers to you traveling to the property, and entering the residence and visually seeing if the tenant is still present or there is property inside. Failing to do so will result in a possible delay on scheduling.
- It is the responsibility of the Landlord to obtain a group of individuals to move the said property on the day the set out is scheduled.
- In most cases a TWO hour time is allotted for the property to be cleared by your crew. Also it is recommended given this fact that a minimum of THREE crew members be ready on the day the set out is scheduled.
- If you the Landlord do not obtain proper crew numbers on the day of the set out, you risk being rescheduled to a later date until a proper sized crew is obtained.
- On the day of the set out, if YOU the Landlord value all property left at the unit as LESS than 500 dollars, you may move the property to the right of way without Constable being present.







NOTICE OF MOTION SCHEDULING

STATE OF
SOUTH CAROLINA

October 06, 2023



Motion "MOTAPP - Motion/Appeal" for Case: 2023CP0201996 - James Roberts VS Carolyn Roberts has been added to the following Motions Roster:

211 - Motion Roster Monday, November 6, 2023 @ 9:30am, Courtroom

⁴This hearing of this motion has been scheduled for 11/6/2023 at 9:30 AM.

This case has been scheduled for a motion hearing on MONDAY, NOVEMBER 6, 2023 @ 9:30AM with the Honorable Jocelyn Newman presiding. The hearing will take place at 109 Park Ave SE Aiken, SC 29801 in Courtroom 4.

If your motion has been resolved/withdrawn, please notify Charla Plouffe at cplouffe@aikencountysc.gov ASAP so that it can be removed from the roster.

Mail Notice To:

Carolyn Roberts
3133 Switzer Drive

Augusta, GA 30909

Court Info:

Common Pleas
P O Box 583
109 Park Avenue
Aiken, SC 29802-9802

If you have any questions regarding the scheduling of this motion, please contact the courts at:

(803)642-1715

Respectfully,

Robert J Harte by Charla Plouffe, DC

Robert J Harte
Clerk of Court