

BROWN, JEFFERIES & BOULWARE

ATTORNEYS AND COUNSELLORS AT LAW

10 JEFFERSON STREET

BARNWELL, SOUTH CAROLINA 29812

EDGAR A. BROWN (1888-1975)
R. M. JEFFERIES, JR. (1919-1985)
THOMAS M. BOULWARE
H. EDWARD SMITH

HERMAN I. MAZURSKY
(1902-1970)

TELEPHONE: 803/259-3532
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POST OFFICE BOX 248

August 9, 2013

Mr. Joe Lewis Thomas
1477 Izlar Street Ext.
Blackville, SC 29812

RE: Enterprise Bank of SC vs. Joe Lewis Thomas, et al.
Case No.: 2012-CP-06-074

Dear Mr. Thomas:

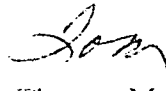
I am enclosing at this time a clocked-in copy of the Deficiency Judgment entered on behalf of Enterprise Bank against you in connection with the above referenced foreclosure, along with a clocked-in copy of the Order for Writ of Assistance. The Deed and final foreclosure documents have been filed with the Clerk of Court.

Richard Creech will be handling your foreclosure file in view of fact that William Gable has taken a position with another lender. Mr. Creech has authorized me to advise you that if the bank does not have possession of your home by September 9, it will proceed with acquiring assistance from the Court and Sheriff's Department in order to secure possession.

I would thank you for giving either me or Richard Creech a call should you have any questions concerning the above.

With best regards, I am

Sincerely,



Thomas M. Boulware

TMB/mbs

Enc

cc: Richard Creech

STATE OF SOUTH CAROLINA)
)
 COUNTY OF BARNWELL)
)
 ENTERPRISE BANK OF)
)
 Plaintiff)
)
 vs.)
)
 JOE LEWIS THOMAS, et.al.,)
)
 Defendants)
)
 _____)

IN THE COURT OF COMMON PLEAS

C/A: 12 CP 06 074

ORDER FOR WRIT OF ASSISTANCE

RHONDA D. McELVEEN
 CLERK OF COURT
 BARNWELL COUNTY, S.C.

2013 AUG - 9 AM 10: 47

FILED FOR RECORD

TO THE SHERIFF OF BARNWELL COUNTY, SOUTH CAROLINA:

Pursuant to Rule 53, South Carolina Rules of Civil Procedure, the above entitled matter was referred to the undersigned to make appropriate finds of fact and conclusions of law with authority to enter a final judgment and issue a Writ of Assistance in the cause, if any need be.

Findings of Fact

By order filed on September 11, 2012 this Court decreed that:

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that in the event the successful bidder is other than the Defendant in possession herein, the Sheriff of Barnwell County is ordered and directed to eject and remove from the premises the occupants of the property sold, together with all personal property located thereon, and put the successful bidder or his assigns in such peaceable possession without delay, . . .

The successful bidder has tendered payment of the bid in full and a deed to the property has been prepared.

There are occupants of 1477 Izlar Street, Blackville, South Carolina 29817, who refuse to vacate the premises.

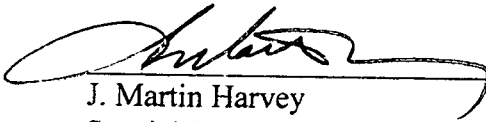
Now, therefore, upon motion of Thomas M. Boulware, Esquire, attorney for the successful bidder in the above entitled action,

IT IS ORDERED, that if the premises are occupied by the Defendant or anyone other than with the expressed written permission of the Plaintiff at 1:00 p.m. on September 9, 2013 that you do eject and remove from the premises the occupant of the



property sold, together with all personal property located thereon, put the successful bidder or his assigns in full, quiet and peaceable possession of said premises without delay, and to keep said successful bidder or his assigns on such peaceable possession.

AND IT IS SO ORDERED.



J. Martin Harvey
Special Referee for Barnwell County

Barnwell, South Carolina
August 9, 2013

Enterprise Bank of South Carolina

Joe Lewis Thomas, Sarah A. Thomas, Lendmark
 Financial Svc., Inc., and Rose's Quality
 Paints, Inc. d/b/a Rose Talbert Paint
 Company

PLAINTIFF(S)

DEFENDANT(S)

<p>Submitted by: Thomas M. Boulware, Esquire Brown, Jefferies & Boulware</p>	<p>Attorney for : <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant or <input type="checkbox"/> Self-Represented Litigant</p>
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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
- 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 :

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 2013 AUG - 9 AM 10:18
 RHONDA D. McNEEL
 CLERK OF COURT
 BARNWELL COUNTY, S.C.

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)
Enterprise Bank of South Carolina	Joe Lewis Thomas	\$55,187.91
		\$
		\$
If applicable, describe the property, including tax map information and address, referenced in the order:		

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.**

FORM 4C INSTRUCTIONS—JUDGMENT IN A CIVIL CASE

(Instructions for Information Only-Not to be filed with Form 4C)

1. Form 4C-Judgment in a Civil Case has been modified to add order information and enrollment instructions for the clerk of court. The purpose of Form 4 has not changed with the exception that judgment information is provided when applicable.
2. Please note that the Form 4C must be attached to all orders that include information to enroll in the judgment index. The clerk will not be responsible for reading the order to determine enrollment information.

The attorney or prevailing party will prepare and attach the Form 4C when submitting the proposed order that includes judgment enrollment information for the judgment index. The judge will review and sign Form 4C when he or she signs an order that includes judgment enrollment information for the judgment index.

3. Form 4C is not required to be submitted to the Court with orders that do not include information to enroll in the judgment index. If the clerk receives such an order without Form 4C attached, the clerk should enter and process the order pursuant to Rule 58 and Rule 77(d), SC Rules of Civil Procedure (i.e., the clerk should serve notice of entry of the judgment by mail or provide the attorneys with copies of the signed order by other means).
4. The “Information for the Judgment Index” section should be completed when the judgment affects title to real or personal property or if any amount should be enrolled. In the “Judgment in Favor of” column, enter the name of the party to whom the judgment is awarded. In the “Judgment Against” column, enter the name of the person to whom the judgment is against. The judgment amount to be enrolled should be noted in the “Judgment Amount” column. As necessary, describe any property referenced in the order if it is to be enrolled in the judgment index. If there is no judgment information to enroll, indicate “N/A” in one of the boxes in this section of the form.
5. To enter information to accommodate multiple parties, additional Form 4Cs may be used as necessary. Additional space may be inserted on the form as necessary.
6. The section “For the Clerk of Court Office Use Only” should be completed by the clerk as it has been with the previous version of Form 4.
7. If the matter is on appeal to the Circuit Court, then the parties on the form should be changed from Plaintiff and Defendant to Appellant and Respondent.
8. If an arbitrator prepares an order after arbitration, the arbitrator should strike through “Circuit Court Judge” and indicate “Arbitrator” in the signature block.

9. If a Special Circuit Court Judge, Master in Equity, or Special Referee prepares an order after hearing a Circuit Court matter, then he or she should strike through the title "Circuit Court Judge" below the signature line and indicate the appropriate title.
10. When an Order of Foreclosure is filed, neither the parties or debt owed should be listed in the Information for the Judgment Index Section, unless the foreclosure order specifically requires entry of the full judgment amount before the foreclosure sale, pursuant to Section 29-3-650 of the SC Code.
11. If the deficiency judgment is waived in a Foreclosure action, indicate N/A in the "Judgment Amount To Be Enrolled" box.
12. Foreclosure actions should be ended by the Clerk of Court upon receipt of the Order of Foreclosure. Subsequent information, including deficiency judgments, can be added to the action after the case is ended. The Master in Equity should end the action in the MIE system upon the receipt of the Order of Foreclosure.
13. When judgment enrollment information is included in the Information for the Judgment Index Section (for example, when there is a deficiency judgment), only the parties who the judgment is for and against should be included in the Section. Subordinate parties and lienholders should not be included in the box if there is not a judgment amount specifically for or against them.
14. Form 4C is not required to be attached to Transcripts of Judgment and Confession of Judgment.

STATE OF SOUTH CAROLINA,)
)
COUNTY OF BARNWELL.)

IN THE COURT OF COMMON PLEAS

Enterprise Bank of South Carolina,)
)
Plaintiff,)

CASE NO. 2012-CP-06-074

vs.)

Joe Lewis Thomas, Sarah A. Thomas,)
Lendmark Financial Svc., Inc., and Rose's)
Quality Paints, Inc. d/b/a Rose Talbert)
Paint Company)

ORDER FOR
DEFICIENCY JUDGMENT

FILED FOR RECORD
2013 AUG -9 AM 10:48
RHONDA D. McELVEEN
CLERK OF COURT
BARNWELL COUNTY, S.C.

Defendants.)
_____)

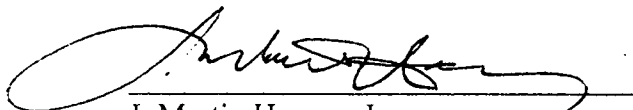
Pursuant to the Special Referee's Order and Judgment of Foreclosure and Sale entered on September 7, 2012, the Plaintiff is entitled to have a judgment against Defendant Joe Lewis Thomas as follows:

a.	Amount of Judgment as of 09/07/12	\$106,677.27
b.	Interest from 09/11/12 to 07/03/13 (296 days x \$24.84 per day)	\$ 7,352.64
c.	Sales Commission	\$ 600.00
d.	Advertising Cost	\$ 558.00
	TOTAL JUDGMENT DEBT AS OF 07/03/13	\$115,187.91
	Less Bid Amount by Plaintiff:	\$ 60,000.00
	TOTAL DEFICIENCY AS OF 07/03/13	\$ 55,187.91

NOW, THEREFORE, IT IS HEREBY ORDERED that the Plaintiff, Enterprise Bank of South Carolina, shall have judgment against Defendant Joe Lewis Thomas in the sum of \$55,187.91 plus post-judgment interest after entry of judgment at the rate provided by law.

[Handwritten signature]

AND IT IS SO ORDERED.



J. Martin Harvey, Jr.
Special Referee for Barnwell County

August 9 2013, 2013

Barnwell, South Carolina

#2

Commercial Real Estate-Installment
1391496
Printed by: William Gable



9/17/2012 9:06:42 AM
Reporting Institution: 0

Note 1391496 - JOE LEWIS THOMAS

	Rel	Birthdate	Phone	Tax Identification
[01] JOE LEWIS THOMAS		*****	*****	*****
1477 IZLAR STREET EXT				
BLACKVILLE SC 29817-3443				

IG#36266
\$5,000 9
855-435-7472

Tax Name: [1] JOE LEWIS THOMAS

Summary

Principal Balance:	\$85,564.05	Interest Method:	[6] 365/360 Payments P&I
Interest Balance:	\$0.00	Current Payment Due Date:	Nov 05, 2010
Net Payoff:	\$103,690.70	Current Payment Due Amount:	\$1,091.21
Current Other Escrow Balance:	\$0.00	Date Last Payment:	Jul 30, 2012
Current Late Charge Balance:	\$1,820.82	Amount Last Payment:	\$30,000.00
Current Other Escrow Interest Balance:	\$0.00	Current Days Past Due:	682
Lost Interest:	\$16,305.83	Total Amount Due:	\$26,918.65
Active Principal:	\$55,000.00	Total Amount Past Due:	\$25,097.83
Charged Off Principal:	\$30,564.05	Payment Frequency:	Monthly
Total Collateral Value:	\$146,900.00	Regular Payment Amount:	\$1,091.21
Loan To Value Ratio:	0.5824	Current Rate Over:	8.5000%
Payments Scheduled:	60	One Day's Interest:	\$20.2026
Payments Billed:	37	Original Note Amount:	\$110,000.00
Payments Made:	14	Original Note Date:	Aug 05, 2009
Times Extended:		Maturity Date:	Aug 05, 2014
Times Renewed:	0	Months To Maturity:	22.7
Times Past Due 1-29 Days:	5	Date Accrued Through:	Sep 16, 2012
Times Past Due 30-59 Days:	6	Date Last Transaction Activity:	Aug 15, 2012
Times Past Due 60-89 Days:	5	Date Principal Paid To:	Oct 05, 2010
Times Past Due 90+ Days:	21	Date Interest Paid To:	Jan 01, 2011
		Date Last Change:	Aug 31, 2012
		Date Last Updated:	Sep 14, 2012

Collateral Addenda 1

Description:	REMs @ 1477 Izlar St. Ext. Blackville SC	Collateral Code:	[0]
Status Change Date:		Responsibility Code:	[223] John W Mchenry III
Collateral Status:		Miscellaneous Code:	[0]
Collateral Identification:		Location Code:	
Collateral Value:	\$146,900.00	Owner Occupied Code:	[0]
Lien Amount 1:	\$0.00	Property Type Code:	[0]
Lien Amount 2:	\$0.00	Loan Reason Code:	[0]
Lien Amount 3:	\$0.00	UCC Original File Date:	
Ineligible Amount:	\$0.00	UCC File Number:	
Purchase Price:	\$0.00	Security Agreement Date:	
Date Last Appraised:		Maximum Credit Percent:	0.0000%

Commercial Real Estate-Installment
1391496

ENTERPRISE BANK OF S.C.

9/17/2012 9:06:42 AM

Printed by: William Gable

Reporting Institution: 0

Number of Units:

Collateral Ceiling:

\$0.00

Underwriting Ratio 1: .0

Underwriting Ratio 2: .0

Disposal Cost Percent: 0.0000%

Market Pricing Code: [0]

Balance Non-Accrual

Non-Accrual Code:	[2] Non-Accrual (Accrual = 0)	Non-Accrual Late Charge Option:	Do Not Allow Non Accrual Late Charges
Date Non-Accrual:	Aug 07, 2012	Non-Accrual Active Principal Balance:	\$53,908.79
Non-Accrual Interest:	\$13,257.95		
Net Payoff If Accrual:	\$103,690.70		
Non-Accrual Paid Interest:	\$1,091.21		
Lost Interest:	\$16,305.83		
Lost Interest 2012:	\$6,747.26		
Lost Interest 2011:	\$9,558.57		
Previous Non-Accrual Date:	Feb 03, 2011		
Beginning Non-Accrual Principal Balance:	\$85,564.05		

Charge Off

Principal Balance:	\$85,564.05	Date First Charged Off:	Feb 18, 2011
Charged Off Amount:	\$30,564.05	Amount First Charged Off:	\$15,000.00
Active Amount:	\$55,000.00	Date Last Charged Off:	May 18, 2012
Non-Accrual Paid Interest:	\$1,091.21	Amount Last Charged Off:	\$5,516.62
Adjusted Principal:	\$53,908.79		