

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

APPEAL FROM HORRY COUNTY
Court of Common Pleas

DEC 03 2024
SC Court of Appeals

Honorable William H Seals, Circuit Court Judge

Case No. 2023-CP-26-04043

Rhonda Merritt.....Appellate,

V.

Riverbend Community HomeOwners Association and Litus to
Let.....Respondants.

Did The Honorable Judge Seals Err in his judgment denying the plaintiff's motion for default judgment:

On June 27, 2023 the plaintiff served the defendant(s) with a summons and complaint to P.O. Box 9000 Myrtle Beach, SC 29578-9000 and to P.O. Box 2850 Murrells Inlet SC, 29576 attorney for the defendant(s) proof of service is hereby attached.

On January 31, 2024 the lower court sent notice to the plaintiff non service of complaint dormant file notice.

On February 14, 2024 plaintiff filed motion for reinstatement and included proof of service of original filing and proof of service of the reinstatement motion and summons and complaint to the above referenced addresses proof of service is hereby attached.

On June 5, 2024 plaintiff filed a motion for default judgment in accordance with R 55 (a). Proof of service is hereby attached.

On June 5, 2024 Defendants filed an answer and counterclaim more than 90 days after their receipt of the second notice of summons and complaint.

On October 31, 2024 a hearing was held on the plaintiff's motion for default judgment whereby the defendant's attorney admitted to receiving the first summons and complaint making the statement that it was just the cover page and a hand written complaint, the law allows for a party to submit hand written complaints.

On November 9, 2024 plaintiff received notice of judgment whereby the Judge denied the plaintiff's motion for default judgment.

The plaintiff is entitled to a default judgment in accordance with law pursuant to R 55 (a), as the defendant failed to plead or otherwise defend as provided by the South Carolina Rules of Civil Procedure.

Respectfully submitted to the appellate court on this 27 day of November 2024 a copy of the same has been delivered to the lower court P.O. Box 677 Conway, SC 29528-0677 and to the attorney of record for the defendant(s) P.O. Box 2850 Murrells Inlet, SC 29576-2850

Rhonda Merritt
11/27/24

Total page 10 + Form 4

STATE OF SOUTH CAROLINA,)

COUNTY OF Horry)

Rhonda Merritt)
Plaintiff,)

vs. Letus to Let and)
Riverbend Comm. home owners)
Assoc. Defendant.)

IN THE COURT OF COMMON PLEAS

SUMMONS

FILE NO. 2023-CP-26-04043

TO THE DEFENDANT ABOVE-NAMED:

YOU ARE HEREBY SUMMONED and required to answer the complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to this complaint upon the subscriber, at the address shown below, within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the complaint, judgment by default will be rendered against you for the relief demanded in the complaint.

Conway, South Carolina

Rhonda Merritt
Plaintiff/Attorney for Plaintiff

Dated: 02/09/2024

Address: 3832 SH 50 B
Mooreland, OK 73852

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<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> C. Date of Delivery</p> <p>RILEY</p>
<p>1. Article Addressed to:</p> <p>Mr. Dyverson Grandstrand A.H. PO Box 2850 Murrells Inlet SC 29576</p>  <p>9590 9402 7815 2152 6470 42</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p> <p>3. Service Type <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Adult Signature <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Adult Signature Restricted Delivery <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Signature Confirmation Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery</p>
<p>2. Article Number (Transfer from service label)</p> <p>7019 0700 0001 3155 1822</p>	<p>Restricted Delivery</p>



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