

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF GREENVILLE )

IN THE COURT OF COMMON PLEAS

Oriole Properties, LLC, )  
 )  
Petitioner. )  
 )  
IN RE: )  
 )  
Castlebrook Homeowner’s Association, Inc., )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
Ardie C. Gary and Primary Residential )  
Mortgage, Inc., )  
 )  
Defendants. )  
\_\_\_\_\_ )

Case No. 2023-CP-23-05810

**ORDER**  
**RECEIVED**  
**Feb 05 2025**  
**SC Court of Appeals**

On December 27, 2024, Defendant Ardie C. Gary and proposed Intervenor Brandon Nedwards filed a joint motion to reconsider (“Motion to Reconsider”) this Court’s December 23, 2024 order denying their requests for relief. This Court entered a Form 4 Order (“Form 4 Order”) on January 2, 2025, denying the Motion to Reconsider as it related to Petitioner Brandon Nedwards’ Motion to Intervene. The Form 4 Order further stated that this Court would schedule a hearing to address Ms. Gary’s arguments out of an abundance of caution.

In accordance with the Form 4 Order, a hearing was held on January 24, 2025, at 10:00 A.M. to address the portion of the Motion to Reconsider related to Ms. Gary. Ms. Gary was present in the courtroom and appeared *pro se*. Jason D. Wyman, Esq., appeared on behalf of Petitioner Oriole Properties, LLC. Lyon Bixler, Esq. appeared on behalf of Plaintiff Castlebrook Homeowner’s Association, Inc.

At the hearing, the Court received testimony from Brandon Nedwards in support of Defendant Gary's request for relief. After carefully reviewing the pleadings, all materials submitted by the parties, the arguments, and the applicable law, the Court denies the Motion to Reconsider relative to Ms. Gary. As explained in this Court's prior orders, Defendant Gary was properly served with the Summons and Complaint, and the proceedings leading to the foreclosure sale were sufficient.

**In light of the Court's ruling, Defendant, Ardie C. Gary, and any tenants or occupants, must vacate the property commonly known as 323 Skipton Street, Greenville, SC 29605 on or before February 14, 2025, together with all of their possessions.**

**IT IS ORDERED** that the Sheriff shall be authorized to enter upon the aforescribed premises, by force if necessary, and seize the said premises and to remove therefrom any and all such persons who may be occupying the same **after February 14, 2025**, together with all of their possessions, and to put the Petitioner in full, peaceful and quiet possession of the premises without delay, and thereafter, within ten (10) days, make due Return to the Clerk of Court for Greenville, South Carolina, showing how this Order has been executed.

A copy of this Order shall be served by First Class Mail addressed to the Defendant Ardie C. Gary, Brandon Nedwards, and any Occupant of 323 Skipton Street, Greenville, SC 29605. No additional service or notice is needed prior to the Sheriff effectuating a set out on or after February 15, 2025, should it be necessary.

**AND IT IS SO ORDERED.**

JUDGE'S SIGNATURE PAGE TO FOLLOW



Greenville Common Pleas

**Case Caption:** Castlebrook Homeowners Association Inc vs. Ardie C Gary ,  
defendant, et al  
**Case Number:** 2023CP2305810  
**Type:** Master/Order/Other

And It Is So Ordered!

s/ Judge Charles B. Simmons, Jr. (3023)