

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

CASE NO. 2024CP2603632

PLAINTIFF(S)

DEFENDANT(S)

Attorney for : ☐ Plaintiff ☐ Defendant
or
☐ Self-Represented Litigant

☐ **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

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

APPELLANT MICHAEL TAFFARO'S APPEAL IS DENIED. THE DECISION OF THE MAGISTRATE COURT IS THEREFORE AFFIRMED.

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)
		\$
		\$
		\$
If applicable, describe the property, including tax map information and address, referenced in the order:		

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

Office
Of
Horry County
Magistrate

Bradley D. Mayers



1201 Third Avenue
Conway, SC
29526

Phone
843-915-5290
Fax
843-915-6290

CIVIL ACTION FORM

ACTION FILED: _____

PLAINTIFF

Name: Michael Taffaro Phone: (201) 686-7673

Mailing Address 52 Moonachie Road
Moonachie, N.J. 07074

Attorney: _____ Phone: _____

DEFENDANT

Name: MAKAYLA Terry Phone: _____

Physical Address: 2923 Fred Road (Magnolia Hwy.)

Mailing Address (if different): Aynor, SC 29511

Attorney: _____ Phone: _____

CIVIL CASE NUMBER

IN THE MAGISTRATE'S COURT

STATE OF SOUTH CAROLINA)

COUNTY OF Horry)Michael Taffaro)

PLAINTIFF)

52 Moonachie Road)

STREET ADDRESS)

Moonachie, N.J. 07074)

CITY, STATE ZIP)

TELEPHONE)

VS.)

MAKAYLA Terry)

DEFENDANT(S))

2923 Fred Road (Magnolia Hwy))

STREET ADDRESS)

Aynor, SC 29511)

CITY, STATE ZIP)

TELEPHONE)

COMPLAINT

I, Michael Taffaro, the plaintiff in this civil action do make the following claims:

1. I believe the defendant, MAKAYLA Terry, is a resident of Horry County, and resides at 2923 Fred Road (Magnolia Hwy) Aynor, SC which is within Judge Bradley Dwyer Mayers's magisterial jurisdiction of this Complaint is properly filed in Horry County.

2. I make this complaint on the following:

MAKAYLA Terry forced me to obtain a "Writ of Ejectment" against her and her daughter on 3/23/21. She took advantage of me by occupying my 2,200 square foot, 4 bedroom house for four months during the Covid Moratorium with no intention of paying rent or utilities. Additionally, she committed other violations as detailed in my two-page Demand letter (Attached with Writ of Ejectment).
(Attached supplement if necessary.)

3. I believe, because of the above information, that I am entitled to and do request a judgment for \$7,500.00 and/or other relief as below requested:

including any costs resulting in this action.

I state under penalty of perjury that the above is correct and truthful, except those based on my information and belief.

Dated: December 6, 2023

Michael Taffaro
Signature of Plaintiff (or his attorney)

3A

STATE OF SOUTH CAROLINA

COUNTY OF

Horry

Michael Taffaro

PLAINTIFF(S)

VS.

MAKAYLA Terry

DEFENDANT(S)

CIVIL CASE NUMBER

IN THE MAGISTRATE'S COURT

AFFIDAVIT AND ITEMIZATION
OF ACCOUNTS

Plaintiff, Michael Taffaro, personally appearing before me, who, being duly sworn, states that he is the plaintiff in this action, and that the itemization of accounts which follows is true and correct.

He further states that no part of the sum included in the itemization below has been paid or satisfied in any fashion, and is today due and owed to him.

ITEMIZATION OF ACCOUNTS

4 mos. of rent (with her daughter) for fully-furnished home	(600 ⁰⁰ per mo.)	\$ 2,400.00
4 mos. of utilities including internet, cable TV and home phone	(50 ⁰⁰ per mo.)	\$ 200.00
Theft of approximately \$4,000 worth household goods		\$ 4,000.00
negligent and intentional infliction of emotional distress		\$?
defecation and littering all over the property		\$?
TOTAL		\$ 7,500.00

(Copies of bills, papers or other proof of any of the above accounts should be attached to this document.)

Sworn to and Subscribed before me

this _____ day of _____, 20____

Magistrate or Notary Public for South Carolina

My Commission expires _____

PLAINTIFF (or his attorney)

Michael Taffaro
52 Moonachie Road
Moonachie, N.J. 07074
(201) 440-5138

November 9, 2023

State of South Carolina
County of Horry
In the Magistrate's Court
Docket #

Michael Taffaro	)	
Plaintiff	)	Civil Action
vs.	)	CERTIFICATION OF SERVICE
Makayla Terry	)	
Defendant	)	

Michael Taffaro, of full age, hereby certifies that:

On November 17, 2023, I served my required Demand Letter on Makayla Terry by regular and certified mail.

I certify the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willingly false, I am subject to punishment.


Michael Taffaro

Michael Taffaro
52 Moonachie Road
Moonachie, N.J. 07074
(201) 440-5138

November 11, 2023

State of South Carolina
County of Horry
In the Magistrate's Court
Docket #

Michael Taffaro	)	
Plaintiff	)	Civil Action
vs.	)	DEMAND LETTER
Makayla Terry	)	
Defendant	)	

Dear Makayla Terry,

I am required by the Court to send you this 10-day Demand Letter. This is to inform you that I am preparing to bring a lawsuit against you (after 10 days) for \$7,500.00 in Small Claims Court due to your numerous criminal actions against me. These misdemeanors and felonies occurred on many separate occasions at 3389 Canine Drive, Conway, South Carolina between the period of December 2020 and March 2021. Among the numerous criminal and civil counts against you are non-payment of rent, theft of movable property valued at over \$4,000.00, property damage, intentional infliction of emotional distress, negligent infliction of emotional distress, littering, trespassing, purposely running up the utility bills, abuse of your own child on the property and abuse of an elder.

Although you knew that I wanted Joey and Tim out of the house, you moved in with your daughter with no intention of paying any rent or utilities. You abused me from the beginning of December 2020 until you were ejected by the Court on March 23, 2021 and beat me out of four months of rent and utilities. And to top it off, you assisted Joey of theft in excess of \$4,000.00 when you helped him rob my belongings and furniture. Tim explained to me and the police how you personally packed up all of the expensive China that Mitch's parents previously owned and loaded it into Joey's truck. Joey stole the security camera prior to this.

You are on camera littering the property with used diapers. I'm curious, did your mother used to throw your dirty, filthy, stinky diapers all over your front lawn for all your neighbors to admire? And smell? Did your parents take the same parenting class as Joey's parents? I also have you on camera spitting in Joey's shoe, giving me the finger for no reason, allowing Joey to abuse your 2-year-old baby girl and never bothering to buckle her in her child seat. Instead, you constantly let her ride unbuckled in the front seat! I understand that you are employed as a caretaker in a rehabilitation facility. Does your employer know that you treat your own child like this? You are a selfish, miscreant thief that treated me horribly too. However, I will make an attempt to settle this matter amicably. My goal is a quick resolution while avoiding substantial legal costs.

I am proposing a one-time settlement offer of \$3,450.00 to be paid immediately. If you agree to this offer, you or your attorney should contact me at my phone number above. I have every intention of filing my Civil Action against you in December. You may have only ten days to respond to me before I file my lawsuit. I advise that you do not attempt to EVADE BEING SERVED the upcoming Summons and Complaint which may result in a Default Judgment against you. This Demand Letter will confirm that you are well aware of its pendency. Sent by certified and regular mail.

I certify the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willingly false, I am subject to punishment.

A handwritten signature in black ink, appearing to read "Michael Caffaro". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

STATE OF SOUTH CAROLINA)

COUNTY OF HORRY)

2020CV261072756
CIVIL CASE NUMBER

IN THE MAGISTRATE'S COURT

WRIT OF EJECTMENT

Michael Taffaro
3389 Canine Drive
Conway, SC 29526
(201) 686-7673

PLAINTIFF(S)

Vs

Joseph Edler
3389 Canine Drive
Conway, SC 29526

Timothy Edler

Makayla Aka Kayla Terry Edler

DEFENDANT(S)

TO THE SHERIFF/MAGISTRATE'S CONSTABLE:

Upon Judgment of this Court, rendered on the , you are hereby Ordered to proceed to the premises located at **3389 Canine Drive Conway, SC 29526.**

Announce your identity and purpose and serve on the defendant(s) and all occupants a copy of this Writ of Ejectment. Inform them they have **twenty four (24) hours to voluntarily vacate** the premises. **If the premises appear unoccupied and no one responds** to your announced identity and purpose, the Writ of Ejectment shall be served by securely attaching a copy of the Writ in a conspicuous place on the premises.

If after 24 hours following the service or posting of the Writ, the occupants have not voluntarily vacated the premises, **a deputy sheriff may enter the premises** using only as much force as is necessary to effectuate the Ejectment.

Upon gaining access, you shall **remove from the premises any occupants and all items of personal property found on the premises. Such property may be deposited beside the public street or roadway.** All personal property removed from the premises and placed on a public street or roadway may be removed by the proper local government agency after forty eight (48) hours, excluding Saturdays, Sundays, and holidays. Such property may also be removed in the normal course of debris or trash collection before or after a period of forty eight (48) hours.

March 17, 2021

Conway Magistrate Court

Timothy Edler, being duly sworn state that:

☐ I personally served a copy of this Writ on _____, an occupant of the rental unit

☒ On 3/23/21 at 0755 the rental unit appeared unoccupied and no one responded when I announced my identity and intentions. I attached a copy of this Writ to a conspicuous part of the premise.

☐ On _____ 20____, at _____, which was not less than 24 hours from the posting date and time, I returned to the rental unit for the purpose of ejectment.

☐ Under my supervision, I had all persons and personal property removed and evicted from the rental unit placing all personal property beside the roadside.

☐ The rental unit was unoccupied. The Tenant and all occupants had vacated the unit.

☐ Informed by Plaintiff that case is settled.

Date: 3/23/21

0755

Sheriff/Deputy Sheriff/Constable

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)
)
)
)
)

2023CV261072351
CIVIL CASE NUMBER

IN THE MAGISTRATE'S COURT
ANSWER

Michael Taffaro
52 Moonachie Rd
Moonachie, NJ 07074
(201) 686-7673

PLAINTIFF(S)

Vs

Makayla Terry
2923 Fred Rd
Aynor, SC 29511

DEFENDANT(S)

On 12-13-2023 I was served with a Complaint requiring me to answer within thirty days from the date of service. My Answer, which is hereby filed with the **Conway Magistrate Court**, is as follows:

CHECK ONE:

A. ☐ I contest the jurisdiction of the court based on the following: (use additional pages if necessary)

B. ☐ I admit everything in the complaint and do not want a trial.

C. ☐ I admit that I am responsible, but not for the total amount claimed by the Plaintiff(s) because: (use additional pages if necessary)

D. ☒ I deny that I am responsible at all because: (use additional pages if necessary)

I was not a lessee. I did not take (or assist in taking) any property. I deny ALL allegations and demand strict proof thereof.

YOU MUST FILE THIS DOCUMENT WITH THE COURT WITHIN THIRTY DAYS

THE DEFENDANT/PLAINTIFF STATES THAT THE INFORMATION CONTAINED IN THIS ANSWER IS TRUE AND CORRECT TO THE BEST OF HIS/HER KNOWLEDGE.

DATED: 12-19-2023

Makayla Arteaga

SIGNATURE OF DEFENDANT(S) (OR ATTORNEY)

IF MORE THAN ONE DEFENDANT, ALL MUST FILE ANSWER

PLEASE RETURN TO:

Conway Magistrate Court
1201 Third Avenue
Conway, SC 29526
Phone: (843) 915-5290
Fax: (843) 915-6290

**STATE OF SOUTH CAROLINA
COUNTY OF HORRY**

Michael Taffaro
52 Moonachie Rd
Moonachie, NJ 07074

MAGISTRATE SUMMONS

You are hereby summoned to be and appear personally in the

**Conway Magistrate Court
1201 Third Avenue
Conway, SC**

on **April 29, 2024 at 10:00 AM** to serve as a party in a Bench Trial in the case of:

RE: Michael Taffaro

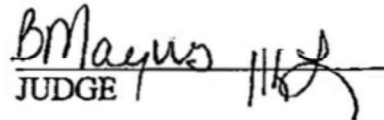
Vs Makayla Terry

PLAINTIFF(S)

DEFENDANT(S)

Civil Case Number: **2023CV261072351, Summons & Complaint.**

**HEREIN FAIL NOT, ON PAIN OF FORFEITING THE LAWFUL PENALTY IN
SUCH CASE MADE AND PROVIDED.**


JUDGE

**Conway Magistrate Court
1201 Third Avenue
Conway, SC 29526
Phone: (843) 915-5290
Fax: (843) 915-6290**

March 8, 2024

STATE OF SOUTH CAROLINA * COURT OF COMMON PLEAS

COUNTY OF HORRY * TRANSCRIPT OF RECORD

MICHAEL TAFFARO,

Plaintiff,

vs.

MAKAYALA TERRY,

Defendant.

Case No. 2024-CP-26-03632

December 11, 2024

EXCERPT TRANSCRIPT

B E F O R E:

The Honorable R. Lawton McIntosh, Presiding Judge

A P P E A R A N C E S:

Michael Taffaro, Pro se Plaintiff

Joe Edler, Pro Se Defendant

Recorded by: Court Monitor/DCRP

Transcribed by: Bobbi Fisher, RPR
SC Official Court Reporter III

I N D E X

DESCRIPTION	PAGE
Proceedings	3

E X H I B I T S

(None.)

COURT REPORTER LEGEND

Dash (--)	Indicates an interruption in speech
Ellipses (...)	Indicates trailing off in speech
(ph)	Indicates phonetic word
[Verbatim]	Indicates the word is said as written
(Indiscernible)[Transcription]	Indicates word(s) is not known due to audio recording quality

1 EX C E R P T P R O C E E D I N G S

2 THE COURT: All right. Mr. Taffaro, then what is your
3 next appeal?

4 MR. TAFFARO: My next -- my last one is against Makayla
5 Terry, Joe's girlfriend, the son's girlfriend.

6 THE COURT: Okay. And this was actually a trial, too, on
7 the same day?

8 MR. TAFFARO: Same day. This is the last one.

9 THE COURT: Okay.

10 MR. TAFFARO: Okay. So, the first issue is, did the
11 trial court err in failing to grant a default -- a default
12 judgment to the plaintiff due to the non-appearance of the
13 defendant on the trial date?

14 I served her a demand letter and a complaint. Excuse me.
15 She answered. She knew that there was a trial. She didn't
16 appear. I have two pages here. Page 1A is her answer. Okay?
17 So, she knew there was a trial. And on page 2A, it says she
18 needs to appear on April 29th, "Herein fail not on paying of
19 forfeiting."

20 So, according to Rule -- South Carolina Court Rule 55,
21 the judge should have granted me a default judgment. She
22 didn't appear. I got a default judgment on Tim Edler because
23 he didn't answer. What she did was worse. I should have a
24 default judgment. She wasn't there. How could she win? If I
25 don't show up, the case is going to get dismissed. If she

1 doesn't show up, it's a default judgment. So that's that.

2 Now, if you want to hear anything else -- the other
3 issues are the witnesses and the evidence. And that's it.
4 That's it. That's the main one with this one. She wasn't
5 there. That's a default judgment. South Carolina Rule 55.
6 That's all I have to say, Your Honor.

7 THE COURT: All right. Thank you very much. I'll read
8 through your submissions and issue an order by the end of the
9 week. Thank y'all very much.

10 MR. TAFFARO: Thank you.

11 THE COURT: Take care.

12 MR. TAFFARO: Take care. Thanks, Your Honor.

13 MR. EDLER: Thank you, Your Honor.

14 (The above excerpt concluded.)
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25

Certificate of Transcriber

CASE NAME/NUMBER: Taffaro v. Makayla Terry

DATE OF HEARING: 12/11/24

RECORDING METHOD: WebEx Recording

I, Bobbi Fisher, do hereby certify that the foregoing transcript is a true and correct record of the recorded proceedings; that I was not present for the live proceeding; and that said proceedings were transcribed to the best of my ability from the audio and/or video recording and supporting information; and that I am neither counsel for, related to, nor employed by any of the parties to this case; and I have no interest, financial or otherwise, in its outcome.

Bobbi Fisher

/s/ Bobbi Fisher

Bobbi Fisher, SC Official Court Reporter III, RPR

Transcript Prepared: 2/23/25

NOTE: PURSUANT TO RULE 607(h)(1)(B), SCACR, "A COURT REPORTER SHALL RECEIVE THE FEE OF \$1.00 PER PAGE FOR FURNISHING A COPY OF A PREVIOUSLY PREPARED TRANSCRIPT." ALL REQUESTS FOR COPIES OF THE ATTACHED TRANSCRIPT (FORM 800) FROM OPPOSING PARTY OR NON-PARTIES MUST BE SENT TO THIS REPORTER AT BFISHER@SCCOURTS.ORG.



RICHARD T. ALVARO
57 Moonachie Road
Moonachie, N.J. 07074-1102

CERTIFIED MAIL



9589 0710 5270 1808 9125 16

Retail



RDC 99



28211

U.S. POSTAGE PAID
FCM LG ENV
WOOD RIDGE, N.J. 07075
MAR 25, 2025

\$8.00

52324H503892-03

South Carolina Court of Appeals
Jenny Abbott Kitchings, Clerk
Post Office Box 11629
Columbia, South Carolina 29211

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MAR 31 2025
SC Court of Appeals

