

STATE OF SOUTH CAROLINA)
)
COUNTY OF PICKENS)
)
Kenneth E. Brown and Renee B.)
Brown,)
)
Plaintiff,)
vs.)
)
Teresa Lynne Waldrop a/k/a)
Teresa L.S. Waldrop; US Bank)
National Association; El Shammah)
Ranch, LLC; and Wells Fargo)
Bank, N.A.,)
Defendant.)

IN THE COURT OF COMMON PLEAS
THIRTEENTH JUDICIAL CIRCUIT

**ORDER ON MOTION FOR RELIEF
FROM JUDGMENT UNDER
RULE 60(b)**

RECEIVED

OCT 27 2025

90 Court of Appeals

Docket No: 2023-CP-39-01178

This matter is before the Court on a Motion to for Relief from Judgment and Order of Sale filed by Defendant Teresa Lynne Waldrop (a/k/a Teresa L.S. Waldrop). Michael Dodd of the Greenville County Bar was in attendance on behalf of Teresa Lynne Waldrop. Marshall Swails of the Greenville County Bar was in attendance on behalf of Plaintiffs Kenneth E. Brown and Renee B. Brown. Finally, Chad Burgess of the Richland County Bar was present on behalf of Defendant US Bank National Association.

Prior to allowing the parties to make oral argument the Court reviewed the procedural history of this case and also the undisputed facts of this case. The Court noted some preliminary concerns regarding Defendant Waldrop's motion based on the age of this case and the length of time that has passed since the Order of Foreclosure was entered. This case was initiated by the filing of a Lis Pendens, Summons and Complaint October 19, 2023. The Defendant Waldrop was served on November 2, 2023. The Order or Foreclosure was entered on August 12, 2024 and the subject property was sold at public auction on November 4, 2024. Defendant Waldrop filed the instant motion on May 16, 2025, approximately 6 months after the property was sold at auction.



The attorneys for the Defendant Waldrop and the Plaintiffs Brown were then permitted to make oral argument. The attorney for the Defendant Waldrop craved reference to an affidavit from Defendant Teresa Waldrop that was previously filed on July 11, 2025. He further indicated that he had served the successful purchase from foreclosure auction, Wayne Wheeler, with notice of the motion hearing. Mr. Burgess indicated that his Client took no official position on the motion filed by the parties seeking to intervene.

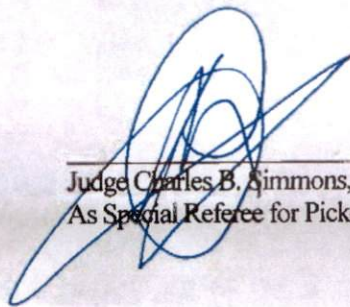
After a careful review of the facts of the underlying foreclosure action, the arguments of counsel, and the affidavits and exhibits submitted, this Court chooses to deny the motion for relief from judgment filed by Defendant Waldrop. No evidence was submitted that would tend to question the integrity of the foreclosure sale which took place on November 4, 2024. This Court finds that Plaintiffs complied with all statutory law and procedural rules governing foreclosure practice in South Carolina. As a basis for her motion, Defendant Waldrop relies on her previously filed affidavit and a "South Carolina Residential Purchase Agreement" which had been signed by Wayne Wheeler prior to the foreclosure auction. That Purchase Agreement also has a quitclaim deed attached to it which purports to convey the subject property Defendant Waldrop's sons, Logan and Evan Williams. Defendant Waldrop argued this Purchase Agreement put Wayne Wheeler on notice that the property was owned by persons other than Defendant Waldrop and that he therefore acted in bad faith by later purchasing the property at foreclosure auction. This Court notes that Defendant Waldrop had ample opportunity to raise a defense related to ownership of the subject property during the pendency of the foreclosure action. Her answer failed to raise this defense and she did not raise the defense at the final hearing on foreclosure on July 30, 2024. Further, Plaintiffs were not a party to the Purchase Agreement and therefore cannot be bound by its terms.



For the reasons stated above, the motion of Waldrop in this matter is DENIED.

AND IT IS SO ORDERED.

9/23/2025
Date



Judge Charles B. Simmons, Jr.
As Special Referee for Pickens Co.