

STATE OF SOUTH CAROLINA
COUNTY OF LANCASTER

H&R Block Bank,

Plaintiff,

vs.

Ziraili M. Elbey a/k/a Ziraili Mohassan El Bey,
WKFC Living Trust Under Trust Agreement
Dated June 4, 2010 by and through its Trustee
Wellesley K. Clayton and American Home
Mortgage Servicing, Inc. s/b/m to Option One
Mortgage Corporation,

Defendant(s).

IN THE COURT OF COMMON PLEAS
CASE NO.: 2011-CP-29-00035

MOTION AND ORDER TO RESTORE

FILED
OFFICE OF CLERK
OF COURT
LANCASTER, SC
13 AUG - 1 PM 4:00

Chad W. Burgess, of Brock & Scott, PLLC, Attorneys for the Plaintiff, has moved before this Court to restore the above-captioned case. Based upon the record in this case, I make the following findings of salient fact and conclusion of law:

1. In the above-captioned action, at the request of the Plaintiff, the case was stricken from the file book by an Order of Stay filed previously with the Lancaster County Clerk of Court due to the Defendant, Ziraili M. Elbey (a/k/a Ziraili Mohassan El Bey) filing under Chapter 13 of the United States Bankruptcy Code.

2. The said Defendant has been discharged by order of the Bankruptcy Court dated January 14, 2013 (a copy attached hereto as Exhibit "A").

3. In the interest of judicial economy, justice and equity and for good cause shown, this case shall be restored pursuant to the Chief Justices' Administrative Order issued June 5, 1992.

4. This case has been referred to Mr. Phillip E. Wright, Special Referee for Lancaster County for final disposition, and a final hearing shall be held at such date and time as may hereinafter be set.

THEREFORE, based upon the motion of Chad W. Burgess, of Brock & Scott, PLLC, Attorney for the Plaintiff, and upon my review of the record in this case,

IT IS ORDERED that the above-captioned action shall be restored to the file book and active case roster.

This being the identical property conveyed to Ziraili M. Elbey by deed from The Ryland Group, Inc. dated March 29, 2006 and recorded April 7, 2006 in Book 329 at Page 170. Subsequently, said property was conveyed to KMJ Trust, dated December 15, 2006 (Trustees: Ziraili Mohassan El Bey and Mark Antonio Findletter Clayton) by Deed of Ziraili M. Elbey dated January 19, 2007 and recorded January 29, 2007 in Book 378 at Page 7. Thereafter, the property was conveyed to WFKC Living Trust Under the Provisions of a Trust Agreement Dated June 4, 2010 (Trustee: Wellesley K. Clayton) by deed of Ziraili Mohassan El Bey and Mark Antonio Findletter Clayton as Trustees of The KMJ Trust, dated December 15, 2006 dated June 11, 2010 and recorded June 22, 2010 in Book 569 at Page 85.

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.

~~Circuit Court Judge~~ 32 13 Judge Code 7/21/13 Date

For Clerk of Court Office Use Only

This judgment was entered on the 1 day of Aug, 2013 and a copy mailed first class or placed in the appropriate attorney's box on this 1 day of Aug, 2013 to attorneys of record or to parties (when appearing pro se) as follows:

Brian L. Campbell, SC Bar No. 74521
Suzanne E. Brown, SC Bar No. 76440
Jason L. Branham, SC Bar No. 72902
Chad Burgess, SC Bar No. 72520
J. Marshall Swails, SC Bar No. 79067
Sarah O. Leonard, SC Bar No. 80165
J. Martin Page, SC Bar No. 100200
Brook Dangerfield, SC Bar No. 77912
Marc S. Asbill, SC Bar No. 100332
January N. Taylor, SC Bar No. 80069
Travis E. Menk, SC Bar No. 79144
Mark A. Pearson, SC Bar No. 15926
Richard G. Duerinckx, SC Bar No. 70143
ATTORNEY(S) FOR THE PLAINTIFF(S)

Ziraili M. Elbey a/k/a Ziraili Mohassan El Bey,
WFKC Living Trust Under Trust Agreement Dated
June 4, 2010 by and through its Trustee Wellesley K.
Clayton and American Home Mortgage Servicing,
Inc. s/b/m to Option One Mortgage Corporation
ATTORNEY(S) FOR THE DEFENDANT(S)

Jeff Hammond
CLERK OF COURT

Court Reporter:

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

