

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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APPEAL FROM YORK COUNTY
In the Court of Common Pleas
Sixteenth Judicial Circuit

SC Court of Appeals

S. Jackson Kimball, Special Circuit Court Judge

Docket No. 2011-CP-46-1206

Provident Community Bank.....Respondent.

v.

Coulston Enterprises, Inc., Alfred Earl Coulston a/k/a A. Earl Coulston, Red Clay Industries, Inc., Glen Ridge Owners Association, Inc. and HD Supply Waterworks, LTD, Defendants,

Alfred Earl Coulston a/k/a A. Earl Coulston is the Appellant.

NOTICE OF APPEAL

Alfred Earl Coulston a/k/a A. Earl Coulston, the appellant, appeals from the order of the Honorable S. Jackson Kimball dated December 4, 2013.

December 16, 2013



Daniel D. D'Agostino
D'Agostino Law Firm
25 W. Liberty St.
York, South Carolina 29745
(803) 628-6509
Attorney for Appellant

Other Counsel of Record:
Michael K. Hatch
Lawrence Caldwell Melton
Ryan Lee Beaver

THE STATE OF SOUTH CAROLINA
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Coulston Enterprises, Inc., Alfred Earl Coulston a/k/a A. Earl Coulston, Red Clay Industries, Inc., Glen Ridge Owners Association, Inc. and HD Supply Waterworks, LTD, Defendants,

Alfred Earl Coulston a/k/a A. Earl Coulston is the Appellant.

PROOF OF SERVICE

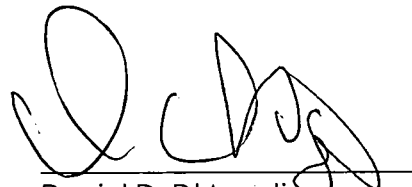
I certify that I served the Notice of Appeal on the respondent by depositing a copy of it in the United States mail, correctly addressed, postage prepaid, on December 16, addressed to

Michael K. Hatch
Morton & Gettys
P.O. Box 176
York, SC 29745

Lawrence Caldwell Melton
P.O. 2426
Columbia, SC 29202

Ryan Lee Beaver
100 North Tryon Street
Suite 2690
Bank of America Corporate Center
Charlotte, NC 28202

December 15, 2013



Daniel D. D'Agostino
D'Agostino Law Firm
25 W. Liberty St.
York, South Carolina 29745
(803) 628-6509
Attorney for Appellant

STATE OF SOUTH CAROLINA
COUNTY OF YORK

) IN THE COURT OF COMMON PLEAS
) SIXTEENTH JUDICIAL CIRCUIT
) Case No.: 2011-CP-46-01206

PROVIDENT COMMUNITY BANK,
Plaintiff,

vs.

COULSTON ENTERPRISES, INC.,
ALFRED EARL COULSTON a/k/a A.
EARL COULSTON, RED CLAY
INDUSTRIES, INC., GLEN RIDGE
OWNERS ASSOCIATION, INC., and
HD SUPPLY WATERWORKS, LTD.,
Defendants.

**AMENDED ORDER OF DEFICIENCY
JUDGMENT
(DEFICIENCY SOUGHT)**

FILED-RECEIVED
2013 DEC -4 PM 2:37
DAVID HAMILTON
C.C. CLERK
PROVIDENT COMMUNITY BANK
YORK COUNTY, SC

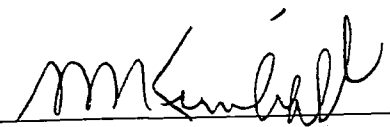
Pursuant to the prior order for a deficiency judgment entered in this case on January 12, 2012, Defendant Alfred Earl Coulston was omitted as a judgment debtor regarding the deficiency judgment rendered. It is clear from the Judgment of Foreclosure and Sale entered October 7, 2011, that Plaintiff was granted the right to a deficiency judgment against Defendant Alfred Earl Coulson, individually. Thus, Plaintiff is entitled to have a personal and deficiency judgment entered against the Defendant Coulston Enterprises, Inc. and Defendant Alfred Earl Coulston a/k/a A. Earl Coulston, individually, as follows:

Amount of judgment of foreclosure entered by the Equity Court	\$	2,347,919.11
PLUS: Interest at 3.25% from date of Judgment of foreclosure	\$	12,414.53
To date of deed (Per Diem \$193.977)		
Commission	\$	2,500.00
Advertising	\$	697.40
Total Judgment	\$	2,363,531.04
LESS: Amount Bid	\$	600,000.00
DEFICIENCY JUDGMENT ENTERED AGAINST ABOVE NAMED DEFENDANTS	\$	1,763,531.04

This AMENDED ORDER OF DEFICIENCY JUDGMENT shall have prospective application only as to Defendant Alfred Earl Coulson, Individually.

AND IT IS SO ORDERED

12/4, 2013


S. Jackson Kimball
Master-in-Equity for York County

STATE OF SOUTH CAROLINA
COUNTY OF YORK
IN THE COURT OF COMMON PLEAS

Provident Community Bank	Coulston Enterprises Inc Alfred Earl Coulston A Earl Coulston Red Clay Industries Inc HD Supply Waterworks LTD
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PLAINTIFF(S)

DEFENDANT(S)

Submitted by: The Court

Attorney for: Plaintiff Defendant
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- 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), SCRCP; Rule 41(a), SCRCP (Vol. Nonsuit);
 Rule 43(k), SCRCP (Settled); Other: _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j) SCRCP; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other: _____
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other: _____

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

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

ORDER INFORMATION

Amended Order of Deficiency Judgment

This order ends does not end the case.

Additional Information for the Clerk: _____

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)
Provident Community Bank	Alfred Earl Coulston aka A Earl Coulston	\$1,763,531.04

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

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.**

s/S. Jackson Kimball
Circuit Court Judge

3063

Judge Code

12/4/2013

Date

For Clerk of Court Office Use Only

This judgment was entered on **December 4, 2013**, and a copy mailed first class or placed in the appropriate attorney's box on **December 4, 2013**, to attorneys of record or to parties (when appearing pro se) as follows:

Michael K. Hatch PO Box 176 Morton & Gettys, LLC York,
SC 29745

Lawrence Caldwell Melton PO Drawer 2426 Columbia, SC
29202

Ryan Lee Beaver 100 North Tryon Street, Suite 2690 Bank
Of America Corporate Center Charlotte, NC 28202

Daniel Dominic D'Agostino 25 West Liberty St. York, SC
29745

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

David Hamilton

David Hamilton - 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.



D'AGOSTINO
LAW FIRM

Daniel D. D'Agostino | Jacqueline N. Davis

25 West Liberty Street
York, South Carolina 29745

Phone 803.628.6509 | Fax 803.628.7990

www.dagostinolawyers.com

December 16, 2013

Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

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DEC 23 2013

SC Court of Appeals

RE: Provident Community Bank v. Coulston Enterprises, Inc., Alfred Earl
Coulston a/k/a A. Earl Coulston, et al.
C.A. No.: 2011-CP-46-1206

Dear Ms. Kitchings:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the respondent.
- (2) A copy of the orders which are to be challenged on appeal
- (3) A filing fee of \$100.00.

Sincerely,

Daniel D. D'Agostino
25 W. Liberty St.
York, SC 29745
803-628-6509
Attorney for Appellant

cc: Michael K. Hatch
Lawrence Caldwell Melton
Ryan Lee Beaver
Stacy Johnson, Court Reporter

D'Agostino Law Firm
25 W. Liberty St.
York, SC 29745

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Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211



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