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STATE OF SOUTH CAROLINA FILED IN THE COURT OF COMMON PLEAS
COUNTY OF LEXINGTON 2014 APR 28 P 2:59 ELEVENTH JUDICIAL CIRCUIT

Lydia Miller,
Doris Knight,

BETH A. CARRISON
CLERK OF COURT
LEXINGTON

File No.: 2012-CP-32-1472

Plaintiffs,

ORIGINAL

Vs.

FINAL ORDER

Willie Fields,
Paula White,
The Refurb Center, Inc.

Defendants.

This matter comes before me on January 6, 2014 upon the filing of a Summons and Complaint by the Plaintiff on ~~March~~ ^{April 2}, 2012 for breach of contract, detrimental reliance and conversion. Subsequently, the Defendant timely answered and counterclaim for breach of contract. Present at the hearing was Plaintiff Lydia Miller, her attorney, Joshua Koger, Jr., the Defendants and their attorney, William F. Gorski. After hearing the arguments and reviewing the exhibits, the Court makes the following findings of facts and conclusions of law.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

1. The Court finds that a valid contract existed between Plaintiff Miller and Defendant Fields and, thus, the Court awards Plaintiff Miller the sum of Twelve Dollars (12,000.00)
2. The Court finds that Plaintiff Miller paid Twelve Thousands Dollars (\$12,000.00) to Defendant Fields as a down payment toward a purchase of a mobile home.

3. The Court finds that Defendant Fields represented to Plaintiff Miller that the mobile home would be in a livable condition upon the arrival of Plaintiff Miller in August of 2011.

4. The Court finds that the mobile home was not in livable condition upon the arrival of Plaintiff Miller in August of 2011;

5. The Court finds that Plaintiff Miller did not receive from Defendant Fields what was bargained in return for the given consideration by Plaintiff Miller and that the consideration should be returned to Plaintiff Miller.

6. The Courts finds that no other claims and damages by Plaintiff Miller were proven to the Court.

7. That Courts finds that incidental and/or consequential damages are costs that should be borne by the respective parties.

8. The Court finds the Defendant White should be dismissed from this action as she is not a proper party.

9. The Courts finds that Defendant Knight did not appear at this hearing and thus, she did not pursue her claim of conversion and thus, her claim should be dismissed.

10. This Court has jurisdiction over the parties and subject matter of this action.

THEREFORE, IT IS HEREBY ORDERED:

A. Plaintiff Miller is awarded Twelve Thousand Dollars (\$12,000.00) on a breach of contract claim from Defendant Fields;

B. Defendant Fields is to pay this sum to Plaintiff Miller within 15 days of the signing and filing of this Order.

C. Defendant White is dismissed from this action;

D. The claim of Plaintiff Knight is dismissed from this action;

AND IT IS SO ORDERED.



~~The Honorable~~ Edgar W. Dickson
Presiding Judge of Eleventh Judicial Circuit

Orangeburg, SC

Date: April 7, 2004

BETH A. CARRISON
CLERK OF COURT
ORANGEBURG, SC

2014 APR 28 P 2:59

FILED

FORM 4

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

JUDGMENT IN A CIVIL CASE
 CASE NUMBER 2012CP3201472

Lydia Miller	Doris Knight	Willie Fields	Refurbished Center Inc
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PLAINTIFF(S)

DEFENDANT(S)

Submitted by:	Attorney for: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Self-Represented Litigant
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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

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)

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.**

Circuit Court Judge	Judge Code	5/2/2014 Date
For Clerk of Court Office Use Only		

This judgment was entered on , and a copy mailed first class or placed in the appropriate attorney's box on **2nd of May 2014**, to attorneys of record or to parties (when appearing pro se) as follows:

Joshua Koger Jr.
PO Box 393 33 Franklin Street Barnwell, SC 29812

ATTORNEY(S) FOR THE PLAINTIFF(S)

William F. Gorski
205 W. Main St. Lexington, SC 290722633

ATTORNEY(S) FOR THE DEFENDANT(S)

Beth A. Carrigg/mh

Court Reporter

Beth A. Carrigg - Clerk of Court

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.
