

Ronald J. Ferguson  
103 Mill Creek Rd  
Piedmont, SC 29673

March 26, 2015

Honorable Jenny Abbott Kitchings  
Post Office Box 11629  
Columbia, South Carolina 29211

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MAR 31 2015

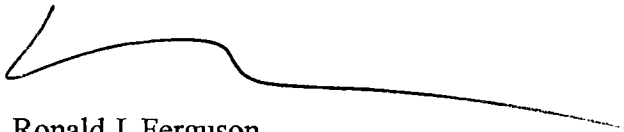
SC Court of Appeals

RE: Ronald J. Ferguson v. Mill Creek, LP  
2013-CP-23-05102  
Appellate Case No. 2015-000593

Dear Ms. Kitchings:

Judge Maddox decided to write an Order when he learned the Form 4 would be appealed. A copy of such is attached herewith. Should there be any further instructions or questions please don't hesitate to contact me.

Respectfully,



Ronald J. Ferguson

ENCLOSURES

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Ronald J. Ferguson

FILED-CLERK OF COURT  
 GREENVILLE CO. Mill Creek LP  
 PAUL B. WICKENSIMER

SC Court of Appeals

PLAINTIFF(S)

DEFENDANT(S)

2015 MAR 23 PM 2 32

Submitted by: Rodney M. Brown 210 S Main Street Fountain Inn,  
 SC 29644

Attorney for :  Plaintiff  Defendant  
 or  
 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), 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
- 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 :

adding as Defendants John Hatcher, Michael Stehney, Rachel Shaluly, Molly Miller, James Gilbert, individually and as members of the Architectural Committee of Mill Creek Estates

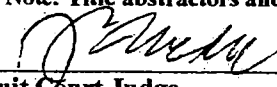
INFORMATION FOR THE JUDGMENT INDEX

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

2131  
 Judge Code

3/18/15  
 Date



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF GREENVILLE )  
 )  
Ronald J. Ferguson, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
Mill Creek, LP, )  
 )  
Defendant. )

IN THE COURT OF COMMON PLEAS  
FILED CLERK OF COURT  
GREENVILLE CO. S.C.  
2013-CP-23-05102 PAUL B. WICKENSIMER

2015 MAR 23 PM 2 32

COURT ORDER

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SC Court of Appeals

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PRESIDING JUDGE: The Honorable J. Cordell Maddox, Jr.  
ATTORNEY FOR PLAINTIFF: Pro Se  
ATTORNEY FOR THE ARCHITECTURAL COMMITTEE OF MILL CREEK ESTATES: Rodney M. Brown  
DATE OF HEARING: February 12, 2015  
COURT REPORTER:

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This matter comes before the Court upon a motion made by the Movants, John Hatcher, Michael Stehney, Rachel Shaluly, James Gilbert and Molly Miller, individually and as members of the Architectural Committee of Mill Creek Estates, requesting permission to intervene into this action.

The Court understands that part of the relief sought by the Plaintiff in this matter is to "vacate the deed restrictions of a subdivision known as Mill Creek". The Movants are residents of Mill Creek Estates and are members of the Architectural Committee.

The Court understands that there is other actions pending regarding this subdivision including one initiated by the Movants herein against the Plaintiff and his parents who also own a house in the subdivision. The question of that lawsuit is whether Mr. Ferguson and his parents' home and building violate the Restrictive Covenants. The Court also understands that

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Mill Creek, LP was a corporation organized to develop the real estate and does not have any interest in the matter at this point and time.

To change or alter or vacate the Restrictive Covenants it must be done in accordance with the terminology expressed in the Restrictive Covenants.

The Court finds that the Plaintiff would not be able to obtain the relief of vacating the deed restrictions with an action against Mill Creek, LP. The Court also finds that it would be beneficial for the Plaintiff in seeking the redress he does and having the Movants added as parties to the action. The Court finds that according to Rule 24 of the South Carolina Rules of Civil Procedure, it is certainly proper and necessary that the Movants be added as parties to the action. As stated, it will not prejudice the Plaintiff but be beneficial to the Plaintiff.

ACCORDINGLY, IT IS HEREBY ORDERED, ADJUDGED AND DECREED, that the motion to intervene is granted and that the Movants are added as Defendants to this action.

The Movants also informed the Court that a number of "Ferguson lawsuits" had been consolidated with the Greenville County Master-in-Equity, Judge Simmons. The Movants said they were agreeable to have this lawsuit transferred to him also. The Court did not want to put the Plaintiff on the spot and make a decision on the spur of the moment. Accordingly, the Court is giving the Plaintiff ten days to notify the Movants whether he is in agreement with the transfer to the Master-in-Equity. If he is, this Court will entertain and sign an Order referring the matter to the Master-in-Equity. The Plaintiff is directed to inform the Movants' attorney, Rodney M. Brown, in writing of his decision within ten days.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED, that the Movants' request to intervene is hereby granted and that the parties will address the matter regarding transfer to the Master-in-Equity as enumerated above.

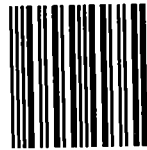
IT IS SO ORDERED.

  
\_\_\_\_\_  
The Honorable J. Cordell Maddox Jr.

Date: 3/18/15



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MAR 31 2015

SC Court of Appeals

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

