

EXHIBIT 1

COPY OF ORDER APPEALING

STATE OF SOUTH CAROLINA

COUNTY OF ORANGEBURG

Green Tree Servicing LLC f/d/b/a Conseco
Finance Servicing Corp.,

Plaintiff,

vs.

Amanda Holmes, individually and as
personal representative of the Estate of John
Holmes, Sr.,

Defendant,

IN THE COURT OF COMMON PLEAS
C/A NO.: 2014-CP-38-1462

**ORDER ON MOTION FOR SUMMARY
JUDGMENT FOR REPOSSESSION
AND
WRIT OF ASSISTANCE**

ATTEST: TRUE COPY

Wingja B. Clark

CLERK OF COURT
ORANGEBURG COUNTY, SC

RECEIVED
JUN 09 2015
SC Court of Appeals

This matter came before the Court on March 30, 2015 on Motion of the Plaintiff for summary judgment against Defendant Amanda Holmes. Present at the hearing was Taylor A. Peace, Esquire, attorney for the Plaintiff and Defendant Amanda Holmes, appearing *pro se*.

IT APPEARS that the Summons and verified Complaint seeking possession of the 2001 Horton/Summit (32x76) Mobile Home (VIN: H211573GL&R) was properly served upon the Defendant as noted in the Affidavit of Service filed with the Court.

IT ALSO APPEARS that Plaintiff submitted in support of its Motion For Summary Judgment the Affidavit of Jessica L. Kremer, the representative of Plaintiff wherein the Plaintiff has computed the balance owed pursuant to the terms of the Retail Installment Contract and Security Agreement.

Pursuant to Rule 56, SCRPC the Court finds and concludes there is no genuine issue of material fact after reviewing all inferences in the light most favorable to Defendant; that further Defendant have failed to provide by way of affidavit or otherwise any genuine issue for trial, Klippel v. Mid-Carolina Oil, Inc. 303 S.C. 127, 399 S.E.2d 163 (CT. App 1990) Milligan v. Liberty Life Ins. Co. 313 S.C. 478, 443 S.E.2d 381 (1994).


Based upon the foregoing, I find and conclude that there are no material facts in issue, and granting Plaintiff's Motion for Summary Judgment is proper.

ACCORDINGLY, IT IS ORDERED that Plaintiff shall have judgment against Defendant together with any and all persons claiming under the said Defendant as follows:

- a) The Plaintiff has judgment against the Defendant(s) together with any and all persons claiming under the said Defendant(s) for possession of one 2001 Horton/Summit (32x76) Mobile Home (VIN: H211573GL&R) with the right to dispose of the above-described personal property in accordance with South Carolina Code Ann. 36-9-610 (1976); and
- b) The Defendant shall not damage or conceal from Plaintiff or the Sheriffs of the State of South Carolina the aforementioned Mobile Home;
- c) That the Sheriff of the county wherein the Plaintiff's collateral is situated shall serve a copy of this Order upon the Defendant or any person(s) in possession of the personal property hereinabove described, and said Defendant or person(s) shall have five (5) days from the date of service to remove therefrom any property not covered by the security agreement; thereafter the Sheriffs of the State of South Carolina are hereby ordered to utilize any of their deputies as they may deem necessary in order to: evict the Defendant(s) from the 2001 Horton/Summit (32x76) Mobile Home (VIN: H211573GL&R); remove the Defendant(s) personal possessions from 2001 Horton/Summit (32x76) Mobile Home (VIN: H211573GL&R); and place the Plaintiff in possession of the 2001 Horton/Summit (32x76) Mobile Home (VIN: H211573GL&R)

IT IS SO ORDERED

5/13, 2015
Orangeburg County, South Carolina



Judge, First Judicial Circuit