

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM LANCASTER COUNTY
Court of Common Pleas

William C. Tindal, Special Referee

Court of Appeals Opinion No. 2015-UP-306
Appellate Case No. 2015-001959

On Petition for a Writ of Certiorari
to the South Carolina Court of Appeals

RECEIVED

OCT - 7 2015

S.C. Supreme Court

Ned Gregory, Jr., Respondent,

v.

Howell Jackson Gregory, The Gregory Company, Inc.
and the City of Lancaster, Defendants,

Of whom Howell Jackson Gregory and The Gregory
Company, Inc. are the Petitioners.

RETURN TO PETITION
FOR A WRIT OF CERTIORARI

Respondent submits the following return to the petition for a writ of certiorari:

1. Petitioner seeks certiorari as to only one of the three issues decided by the Court of Appeals: The question of whether the special referee erred in ordering the sale of the subject property to satisfy judgments that the petitioner claims are non-final.
2. The court of appeals did not reach this issue because it was not preserved. [Opinion No. 2015-UP-306, p. 2.]
3. Neither in his petition for rehearing in the court of appeals nor in his petition for a writ of certiorari in this Court does the petitioner challenge this ground of decision.

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM LANCASTER COUNTY
Court of Common Pleas

William C. Tindal, Special Referee

Court of Appeals Opinion No. 2015-UP-306
Appellate Case No. 2015-001959

On Petition for a Writ of Certiorari
to the South Carolina Court of Appeals

Ned Gregory, Jr., Respondent,

v.

Howell Jackson Gregory and
The Gregory Company, Inc., Petitioners.

RETURN TO PETITION
FOR A WRIT OF CERTIORARI

Respondent submits the following return to the petition for a writ of certiorari:

1. Petitioner seeks certiorari as to only one of the three issues decided by the Court of Appeals: The question of whether the special referee erred in ordering the sale of the subject property to satisfy judgments that the petitioner claims are non-final.
2. The court of appeals did not reach this issue because it was not preserved. [Opinion No. 2015-UP-306, p. 2.]
3. Neither in his petition for rehearing in the court of appeals nor in his petition for a writ of certiorari in this Court does the petitioner challenge this ground of decision.

RECEIVED

OCT 02 2015

S.C. SUPREME COURT

4. So far from being the nightmare described by petitioner, the story of these proceedings is one of unceasing stalling tactics designed to forestall the course of justice. Respondent respectfully draws the Court's attention to respondent's brief in the court of appeals for a full and accurate understanding of the facts of the case.

5. The petition is meritless.

Respectfully submitted,



Palmer Freeman
S.C. Bar No. 2132
Post Office Box 8024
Columbia, South Carolina 29201
(803) 799-9400

October 1, 2015.

Attorney for Respondent.

THE STATE OF SOUTH CAROLINA
IN THE Supreme COURT
APPEAL FROM LANCASTER COUNTY
Court of Common Pleas
William C. Tindal, Special Referee
Court of Appeals Opinion No. 2015-UP-306
Appellate Case No. 2015-001959

RECEIVED
OCT - 7 2015
S.C. Supreme Court

*On Petition for a Writ of Certiorari
to the South Carolina Court of Appeals*

Ned Gregory, Jr., Respondent,

v.

Howell Jackson Gregory, The Gregory Company, Inc.
and the City of Lancaster, Defendants,

Of whom Howell Jackson Gregory and The Gregory
Company, Inc. are the Petitioners.

CERTIFICATE OF SERVICE

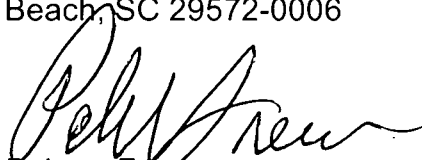
I certify that I served a copy of Respondent's Return to Petition for Writ of *Certiorari* upon Petitioner The Gregory Company, Inc., by first class mail, postage prepaid, addressed to its attorney at his address of record, namely:

James T. Irvin, Jr.
Irvin Law Firm, LLC
P.O. Box 2677
Myrtle Beach, SC 29578-2677

and upon Petitioner Howell Jackson Gregory at his address of record, namely:

Howell Jackson Gregory
P. O. Box 7111
Myrtle Beach, SC 29572-0006

on October 1, 2015.



Palmer Freeman
S.C. Bar No. 2132
Post Office Box 8024
Columbia, South Carolina 29201
(803) 799-9400

October 1, 2015.

Attorney for Respondent.

THE STATE OF SOUTH CAROLINA
IN THE Supreme COURT
APPEAL FROM LANCASTER COUNTY
Court of Common Pleas
William C. Tindal, Special Referee
Court of Appeals Opinion No. 2015-UP-306
Appellate Case No. 2015-001959

*On Petition for a Writ of Certiorari
to the South Carolina Court of Appeals*

Ned Gregory, Jr., Respondent,

v.

Howell Jackson Gregory and
The Gregory Company, Inc., Petitioners.

CERTIFICATE OF SERVICE


I certify that I served a copy of Respondent's Return to Petition for Writ of *Certiorari* upon Petitioner The Gregory Company, Inc., by first class mail, postage prepaid, addressed to its attorney at his address of record, namely:

James T. Irvin, Jr.
Irvin Law Firm, LLC
P.O. Box 2677
Myrtle Beach, SC 29578-2677

and upon Petitioner Howell Jackson Gregory at his address of record, namely:

Howell Jackson Gregory
P. O. Box 7111
Myrtle Beach, SC 29572-0006

on October 1, 2015.


Palmer Freeman
S.C. Bar No. 2132
Post Office Box 8024
Columbia, South Carolina 29201
(803) 799-9400

October 1, 2015.

Attorney for Respondent.