

FORM 4

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

JUDGMENT IN A CIVIL CASE  
 CASE NUMBER 2015CP2603528

Rebecca L Sophia

Mark Buchheim

**RECEIVED**

SEP 14 2015

PLAINTIFF(S)

SC COUNTY OF HORRY  
 DEPARTMENT OF APPEALS

Submitted by: Clerk of 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), 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: \_\_\_\_\_

FILED  
 COUNTY OF HORRY  
 15 SEP -4 PM 1:11  
 DEPARTMENT OF APPEALS

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

Per Order of Non-Compliance tenant failed to make payment as required and a Writ of ejectment was filed on August 31, 2015, therefore this appeal is dismissed.

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<br>(List name(s) below) | Judgment Against<br>(List name(s) below) | Judgment Amount To be Enrolled<br>(List amount(s) below) |
|--|--|--|
| NA   | NA                                       | NA   |
|  |  |  |
|  |  |  |

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.**

*[Handwritten Signature]*  
Circuit Court Judge

*2157*  
Judge Code

8/31/2015  
Date

**For Clerk of Court Office Use Only**

This judgment was entered on *9-4-15*, and a copy mailed first class or placed in the appropriate attorney's box on *9-4-15*, to attorneys of record or to parties (when appearing pro se) as follows:

Rebecca L Sophia 3736 Mineola Ave Little River, SC 29566

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

*Melanie Huggins Ward*

Court Reporter

Melanie Huggins-Ward - 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.

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STATE OF SOUTH CAROLINA

SEP 14 2015 )

IN THE COURT OF COMMON PLEAS

COUNTY OF HORRY

SC Court of Appeals )

FIFTEENTH JUDICIAL CIRCUIT

Mark Buchheim )

C/A No: 2015-CP-26-03528

Plaintiff,) )

Doug Sophia and Rebecca Sophia , )

WRIT OF EJECTMENT )

(Eviction) )

Defendants, )

FILED  
HORRY COUNTY  
CLERK OF COURT  
MELANIE HUGGINS-WARD

2015 AUG 31 PM 1:50

TO THE SHERIFF/CONSTABLE:

Upon the judgement of this court, rendered on 19<sup>th</sup> day of August, 2016; you are hereby ordered to proceed to the premises located at 3736 Mineola Ave, Little River, SC 29566.

Announce your identity and purpose and serve on the defendant(s) and all occupants a copy of this Writ of Ejectment. Inform them that they have **twenty-four (24) hours to voluntarily vacate** the premises. **If the premises appear unoccupied and no one responds** to your announced identity and purpose, the Writ of Ejectment shall be served by securely attaching a copy of the Writ in a conspicuous place on the premises.

**If after 24 hours** following the service or posting of the Writ, the occupants have not voluntarily vacated the premises, a **deputy sheriff may enter the premises** using only as much force as is necessary to effectuate the Ejectment.

Upon gaining access, you shall **remove from the premises any occupants and all items of personal property found on the premises**. Such property may be deposited beside the public street or roadway. All personal property removed from the premises and placed on a public street or roadway may be removed from the premises and placed on a public street or roadway may be removed by the proper local government agency after forty-eight (48) hours, excluding Saturdays, Sundays, and holidays. Such property may also be removed in the normal course of debris or trash collection before or after a period of forty-eight (48) hours.

Dated: 8/27/15

*Melanie Huggins-Ward*  
Clerk of Court/Presiding Circuit Court Judge

\_\_\_\_\_, being duly sworn state that:  
I personally served a copy of this Writ on \_\_\_\_\_, an occupant of the rental unit.  
On \_\_\_\_\_, 20 \_\_\_\_\_, at \_\_\_\_\_, the rental unit appeared unoccupied and no one responded when I announced my identity and intentions. I attached a copy of this Writ to a conspicuous part of the premises. On 8-28, 20 15, at 200 pm, which was not less than 24 hours from the posting date and time, I returned to the rental unit for the purpose of ejectment.  
Under my supervision, I had all persons and personal property removed and evicted from the rental unit placing all personal property beside the roadside.  
The rental unit was unoccupied. The Tenant and all occupants had vacated the unit.  
Informed by Plaintiff that case is settled.

Date: 8-28, 20 15  
200 pm

*[Signature]*  
Sheriff/Deputy Sheriff/Constable

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF HORRY )

FIFTEENTH JUDICIAL CIRCUIT

Mark Buchheim )

C/A No: 2015-CP-26-3528

Plaintiff, )

Doug Sophia and Rebecca Sophia )

ORDER OF NON-COMPLIANCE

Defendants, )

FILED  
HORRY COUNTY  
2015 AUG 27 PM 2:08  
MELANIE HUGGINS-WARD  
CLERK OF COURT

I FIND THAT Plaintiff/Landlord, Mark Buchheim, appeared before me and by affidavit stated the following: Upon the Landlord/Tenant's filing of an appeal in the above-captioned ejectment action, a bond hearing to stay execution of a writ of ejectment was held pursuant to X SC Code 27-40-800 (residential),     SC Code 27-37-130 (commercial) on August 19, 2015.

The Landlord/Tenant's were ordered to pay rent in the amount of \$850.00 per month with the first payment due on the 23<sup>rd</sup> day of each month beginning August 23, 2015. It was further ordered that if Landlord/Tenant's failed to make any payment as required herein within five days of the due date as above stated, upon application of the landlord, the stay of execution shall dissolve, and the sheriff may dispossess the Landlord/Tenant's per the terms of SC Code Section 27-40-800(f)(1)&(2).

IT IS SO ORDERED.

This the 27<sup>th</sup> day of August, 2015.

  
Clerk of Court/Presiding Circuit Court Judge

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STATE OF SOUTH CAROLINA

) IN THE COURT OF COMMON PLEAS

COUNTY OF HORRY

SEP 14 2015

) FIFTEENTH JUDICIAL CIRCUIT

SC Court of Appeals

Mark Buchheim

) C/A No: 2015-CP26-3528

) APPELLANT CASE No: 2015-001517

) Respondent,

Douglas Sophia and

) LANDLORD'S AFFIDAVIT ON  
) NON-COMPLIANCE

Rebecca Sophia

) Appellant,

FILED  
HORRY COUNTY  
2015 AUG 27 PM 1:59  
MELANIE HUGGINS-WARD  
CLERK OF COURT

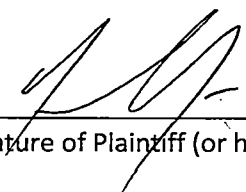
I, MARK BUCHHEIM the Respondent/Landlord in this civil action do make the

following claims:

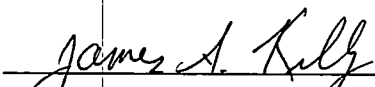
- a. Pursuant to Section 27-40-800 of the South Carolina Code of Laws, a bond hearing was held in conjunction with civil case \_\_\_\_\_.
- b. Tenant signed Bond To Stay Execution of the Warrant of Ejectment, agreeing to pay unto the Landlord as required within five days from the bond hearing.
- c. Tenant has failed to post bond in the amount of \$\_\_\_\_\_ to Stay the Execution.
- d. Tenant has failed to pay monthly rent as ordered in the amount of \$\_\_850.00\_\_, due on the \_\_23rd\_\_ day of \_\_August\_\_, 2015.

I state under penalty of perjury that the above is correct and truthful, except those based on my information and belief.

Date: 8-25-15

  
\_\_\_\_\_  
Signature of Plaintiff (or his attorney)

Sworn to and Subscribed before me  
This 25<sup>th</sup> day of AUGUST, 2015.

  
\_\_\_\_\_  
Notary Public of North Carolina  
My Commission expires: 2-24-19

JAMES A. KELLY  
NOTARY PUBLIC  
NEW HANOVER COUNTY  
North Carolina  
MY COMMISSION EXPIRES 02/24/2019

# CLERK OF COURT



**MELANIE HUGGINS-WARD**  
CLERK OF COURT  
1301 2<sup>ND</sup> AVENUE  
CONWAY, SC 29526  
(843) 915-5080 • Fax: (843) 915-6081

RECEIVED

SEP 14 2015  
SC Court of Appeals

September 8, 2015

Jenny Abbott Kitchings  
SC Court of Appeals  
PO Box 11629  
Columbia, SC 29211

Re: 2015-001517

Dear Ms. Kitchings:

I have enclosed a copy of the decision by our Court regarding this Appeal.

If you have any questions, please let me know.

Sincerely,

Bridgett Williamson  
Supervisor  
Common Pleas Division



After Five Days Return To  
**Melanie Huggins – Ward**  
**Clerk of Court of Horry County**  
P.O Box 677  
Conway, South Carolina 29528-0677

D/S AUTH 530  
CHARLOTTE NC

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FIRST CLASS



U.S. POSTAGE >> PITNEY BOWES



ZIP 29526 \$ 000.47<sup>1</sup>  
02 1W  
0001399797 SEP. 10. 2015

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SEP 14 2015

SC Court of Appeals

SC Court of Appeals  
PO Box 11629  
Columbia, SC 29211

941187228 29 HNS-NMP 29211

