

THE STATE OF SOUTH CAROLINA
IN THE SUPREME COURT

APPEAL FROM ANDERSON COUNTY
COURT OF COMMON PLEAS
HON. R. LAWTON MCINTOSH

RECEIVED

NOV 05 2015

CASE NO.: 2015-CP-04-00670

S.C. SUPREME COURT

Green Tree Servicing LLC ... Respondent

VS

Joseph Pitts and any Unknown Occupants being a class designated as John Doe of
whom Joseph Pitts is Appellant

NOTICE OF APPEAL

Appellant, Joseph Pitts, appeals the Order dated October 9, 2015 and entered
October 12, 2015 which was received by Appellant's counsel on October 15, 2015
denying Appellant's Motion to Vacate/Reconsider.

THE GRIFFIN FIRM, LLC

BY: 

Charles R. Griffin, Jr. #6489
Attorney for Appellants
210 N. McDuffie Street Ste 103
Anderson, SC 29621
864-231-8870
Fax 888-682-7317
Attorney for Appellant

Dated: November 3, 2015

Other Counsel of Record

B. Lindsay Crawford, III, Esq.
Theodore von Keller, Esq.
Post Office Box 4216
Columbia, SC 29240
803-790-2626
Fax #: 803-790-1277

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Joseph Pitts and any Unknown Occupants being a class designated as John Doe of whom Joseph Pitts is Appellant

CERTIFICATE OF SERVICE

The undersigned does hereby certify that he served the Notice of Appeal on the Respondent by depositing with the U.S. Mail with postage prepaid a copy of same on November 3, 2015 addressed to the following:

B. Lindsay Crawford, III, Esq.
Post Office Box 4216
Columbia, SC 29240

Theodore von Keller, Esq.
Post Office Box 4216
Columbia, SC 29240

THE GRIFFIN FIRM, LLC

BY: 

Charles R. Griffin, Jr. #6489
Attorney for Appellants
210 N. McDuffie Street Ste 103
Anderson, SC 29621
864-231-8870
Fax 888-682-7317
Attorney for Appellant

Dated: November 3, 2015

FILED-CLERK'S OFFICE
ANDERSON SC

CASE NO. 2015-CP-04-00670



Green Tree Servicing, LLC

Joseph Pitts and any Unknown Occupants

2015 OCT 12 PM 1:17

being a class designated as John Doe,

PLAINTIFF(S)

COMMON PLEAS AND
GENERAL SESSIONS

DEFENDANT(S)

Submitted by:	Attorney for : <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant
	or <input type="checkbox"/> 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:

Defendant's Motion to Reconsider is denied without necessity of a hearing.

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk :

Statement of Judgment

A TRUE COPY

OCT 13 2015

Richard J. ...
CLERK OF COURT

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.

James M. ...
Circuit Court Judge

2155
Judge Code
10-9-15
Date

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

JUDGMENT IN A CIVIL CASE

CASE NO. 2015-CP-04-00670

Green Tree Servicing LLC

Joseph Pitts

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for : Plaintiff Defendant
or
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

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 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

DEFENDANT'S MOTION TO VACATE JUDGMENT DENIED

This order ends does not end the case.
Additional Information for the Clerk :

A TRUE COPY
OCT -7 2015

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.

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		\$
		\$

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Circuit Court Judge

2155
Judge Code

10-2-15
Date

STATE OF SOUTH CAROLINA)
COUNTY OF ANDERSON)

IN THE COURT OF COMMON PLEAS

Case No. 15-CP-04-00670

FILED-CLERK'S OFFICE
ANDERSON SC

MOTION FEE PAID

Green Tree Servicing LLC

Plaintiff, JUN 10 AM 9:06

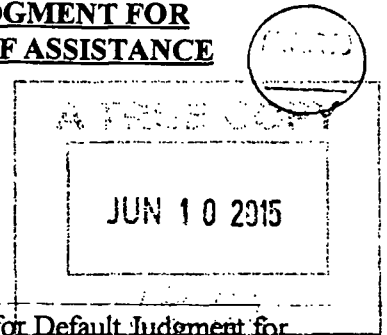
**ORDER FOR DEFAULT JUDGMENT FOR
REPOSSESSION AND WRIT OF ASSISTANCE**

v.

COMMON PLEAS AND
GENERAL SESSIONS

Joseph Pitts and any Unknown
Occupants being a class designated
as John Doe

Defendant(s).



On motion of counsel for Plaintiff, B. Lindsay Crawford, III, for an Order for Default Judgment for

Repossession and Writ of Assistance;

IT APPEARS from the Affidavit of Default of Counsel for the Plaintiff, B. Lindsay Crawford, III, that the Summons and verified Complaint seeking possession of a 1995 Imperial mobile home, Serial # SEHNC079503740AB were served upon the Defendants Joseph Pitts as noted in the Affidavit of Serviced filed with the Court, and that no Answer, Notice of Appearance or other pleading has been served on Plaintiff by Defendant within the time prescribed by law. It further, appears, and I so hold, that the Defendants are in default therein and Plaintiff is therefore entitled to judgment against the Defendants together with any and all persons claiming under the said Defendants for possession of personal property described in the Complaint.

IT FURTHER APPEARS, and I so hold, that the Defendant(s) Joseph Pitts was provided with notice of the Motion for Default and Affidavit of Attorney Fees, and the Defendant(s) Joseph Pitts has not filed an objection within ten days from the service of such motion and affidavit.

NOW THEREFORE, IT IS ORDERED:

1. The Plaintiff has judgment against the Defendants together with any and all persons claiming under the said Defendants for possession of one 1995 Imperial mobile home, Serial # SEHNC079503740AB with the right to dispose of the above described personal property in accordance with South Carolina Code Ann. 36-9-610(1976);

2. That the Defendants shall not damage or conceal from Plaintiff or the Sheriffs of the

State of South Carolina the aforementioned Mobile Home;

1

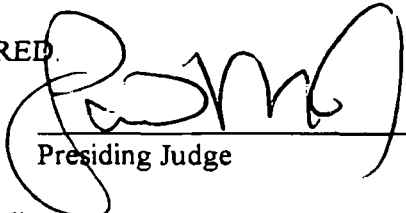
3. That the Sheriff of the county wherein the Plaintiff's collateral is situated shall serve a copy of this Order upon the Defendants or any person(s) in possession of the personal property hereinabove described, and said Defendants or person(s) shall have five (5) days from the date of service to remove 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 Defendants from the 1995 Imperial mobile home, Serial #

SEHNC079503740AB; remove the Defendants' personal possessions from 1995 Imperial mobile home, Serial # SEHNC079503740AB, and place the Plaintiff in possession of the 1995 Imperial mobile home, Serial # SEHNC079503740AB ; and

4. That pursuant to the terms of the Contract, the Plaintiff is entitled to receive reasonable attorney fees and costs from Defendant Joseph Pitts only in the amount of \$1010.00, and the Court finds that said fees and costs set forth in the Affidavit of Services and Costs are reasonable pursuant to the factor set forth in Baron Data Systems V. Loter, 377 S.E.2d 296, 297 S.C. 382(1989).

5. That upon proper return of the 1995 Imperial mobile home, Serial # SEHNC079503740AB to Plaintiff, the subsequent sale of the 1995 Imperial mobile home, Serial # SEHNC079503740AB by Plaintiff in accordance with SC Code Ann. 36-9-504(Law Co-op, 1976), and the application of the proceeds resulting from said sale to the Judgment, Plaintiff may make application to this Court for any remaining deficiency.

AND IT IS SO ORDERED.



Presiding Judge

Anderson, South Carolina

G-9, 2015

COMMON PLEAS AND
GENERAL SESSIONS

2015 JUN 10 AM 9:06

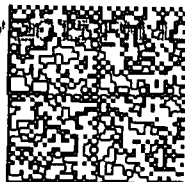
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ANDERSON SC

The Law Offices of
The Griffin Firm, LLC

210 North McDuffie Street • Ste 103
Anderson, SC 29621

GREENVILLE SC 296

03 NOV 2015



US POSTAGE

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11/03/2015

032A 0061832428

Daniel E. Shearouse
Clerk of Court
Supreme Court of South Carolina
P.O. Box 11330
Columbia, SC 29211

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