

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF GEORGETOWN)	COURT FILE NO. 14-CP-22-685
)	
First Citizens Bank and Trust Company, Inc.,)	
)	
Plaintiff)	
)	
vs.)	
)	
Beck Holding Company, LLC, C.J.B Holding)	ORDER
& Trust Company, LLC, Cornelius J. Beck, Jr.,)	
Andrews Dental Center, Inc., Inlet Dental)	
Center, Inc., Seaside Surgical, Inc.,)	
Georgetown Dental Center of South Carolina,)	
Inc. and South Beach Dental Center, Inc.,)	
)	
Defendants.)	
)	
)	

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SC Court of Appeals

This matter came before me for a hearing and status conference on January 28, 2016 to address open matters in this case. By way of background, this matter was filed on July 17, 2014. Judgment and a decree of foreclosure was entered on March 31, 2015. After due advertisement, the mortgaged property was offered for public sale on May 4, 2015, and the Plaintiff bid \$160,000.00. On May 27, 2015, prior to the upset sale, Defendant C.J.B. Holding & Trust Company, LLC, the owner of the mortgaged property, filed a petition under Title 11 of the U.S. Code in the Bankruptcy Court for the District of South Carolina staying the case. The bankruptcy case was dismissed by order of the Bankruptcy Court on October 30, 2015. No appeal was taken from the dismissal Order.

Before the Court were Defendant Cornelius J. Beck's (1) Motion to Vacate Judgment and Sale filed July 13, 2015, and (2) Notice of Third Party Intervention to Settle Judgment filed

September 1, 2015, and (3) Objection to Motion to Strike Filings Scheduled for 01/28/16, Notice of Citizenship, Judicial Notice, Affidavit of Facts Concerning American Citizen.

Defendant Beck appeared at the hearing and offered no argument or authority for any of the open filings in the case. I therefore find and conclude that he has failed to prosecute his positions and to the extent any of the filings request relief from the court, the relief sought is denied.

Defendant Beck further requested a payoff on his obligations secured by the Mortgaged property and Plaintiff's counsel agreed to provide the payoff. Defendant Beck finally agreed that the upset bid for the foreclosure sale shall be advertised during the month of February 2016 for a March 2016 sale, and Plaintiff's counsel shall prepare the necessary Notice of Sale therefore. It is therefore,

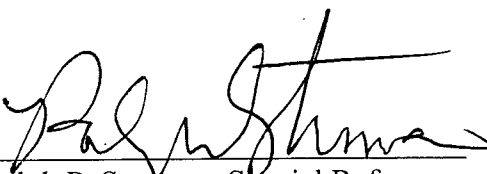
ORDERED that the above-referenced Motion, Notice and Objection are denied; and it is, further

ORDERED that Plaintiff is entitled to an award of costs and fees which, upon receipt of an Affidavit of Fees, will be addressed as a supplement to the Decree of Foreclosure; and it is further

ORDERED that Plaintiff provide a payoff on the obligation secured by the mortgaged property to Defendant Beck within five (5) business days of the entry of this Order; and it is, further

ORDERED that the deficiency sale for the property in Georgetown County will be scheduled for March 2, 2016.

AND IT IS SO ORDERED.


Ralph P. Stroman, Special Referee

PAWLEY'S ISLAND, SC
February 8, 2016