

JUDGMENT IN A CIVIL CASE

STATE OF SOUTH CAROLINA / COUNTY OF KERSHAW IN THE COURT OF COMMON PLEAS U.S. BANK NATIONAL ASSOCIATION

CASE NUMBER: ANITA BETHEA

2015-CP-28-00383

RECEIVED

MAY 16 2016

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for: Plaintiff Defendant or Self-Represented Litigant

SC Court of Appeals

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.
ACTION DISMISSED (CHECK REASON): Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other Dismissed without prejudice
ACTION STRICKEN (CHECK REASON): Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award
DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX): Affirmed; Reversed; Remanded; Other

FILED FOR RECORD 2016 APR 28 PM 1:24 KERSHAW COUNTY S.C. CLERK OF COURT

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

This order ends does not end the case.

Additional Information for the Clerk: UTPA Claim may proceed to a jury trial, while the remaining causes of action are referred to the Master in Equity. See attached order.

INFORMATION FOR THE PUBLIC 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.

Table with 3 columns: Judgment in Favor of (List name(s) below), Judgment Against (List name(s) below), Judgment Amount To be Enrolled. Rows show empty boxes and dollar signs.

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.

Circuit Court Judge [Signature] Judge Code 2164 Date 4/19/16

For Clerk of Court Office Use Only

This judgment was entered on the \_\_\_ day of \_\_\_, 20\_\_\_ and a copy mailed first class or placed in the appropriate attorney's box on this \_\_\_ day of \_\_\_, 20\_\_\_ to attorneys of record or to parties (when appearing pro se) as follows:

William Stork ATTORNEY(S) FOR THE PLAINTIFF(S)

Brian Boger ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter

Clerk of Court

STATE OF SOUTH CAROLINA

COUNTY OF KERSHAW

U.S. Bank National Association, as  
Trustee for the registered holders of Credit  
Suisse Seasoned Loan Trust 2006-1, Home  
Equity Pass-Through Certificates, Series  
2006-1

Plaintiff,

vs.

Anita Joy Bethea a/k/a Anita Joy; Jackson  
D. Joy, Jr. a/k/a Jackson Joy, Jr.,

Defendants.

) IN THE COURT OF COMMON PLEAS

) C/A # 2015-CP-28-00383

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ORDER OF REFERENCE 6 2016

SC Court of Appeals

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2016 APR 28 PM 1:24  
JOYCE HEDGECOCK  
CLERK OF COURT  
KERSHAW COUNTY, S.C.

It appearing pursuant to Rule 53 - SCRCP that Plaintiff's action is one for the foreclosure of a mortgage and as such may be referred to the Honorable Jeffrey Marc Tzerman as the Master-In-Equity for the above-entitled county, and that the Master-In-Equity shall have the authority to enter final judgment solely as to Plaintiff's action, with appeal, if any, directly to the South Carolina Supreme Court or the Court of Appeals as provided by the South Carolina Appellate Court Rules.

Defendant, in response to Plaintiff's Complaint, alleged counterclaims of violation of the Real Estate Settlement Procedures Act and an Action for Accounting. These claims are equitable in nature and shall also be adjudicated by the Master-in-Equity. Defendant has also alleged a claim of a violation of the South Carolina Unfair Trade Practices Act, which may be triable by a jury and pursuant to Rule 53 - SCRCP, such action shall be issued a new case number by the Kershaw County Clerk of Court and remain on the Kershaw County jury docket. The jury trial shall be tried first with all remaining issues to be tried by the Master-in-Equity.

**IT IS ORDERED** that pursuant to Rule 53(b), SCRCP, part of this case be referred to

the Honorable Jeffrey Marc Tzerman as the Master-In-Equity to direct entry of final judgment in this action solely as to Plaintiff's action, and Defendant's claims for Action for Accounting and violation of the Real Estate Settlement Procedures act. Any appeal from the final judgment entered by the Master-In-Equity shall be directly to the Supreme Court or the Court of Appeals as provided by the South Carolina Appellate Court Rules.

**IT IS FURTHER ORDERED** that the remaining part of this case, Defendant's claim of a violation of the South Carolina Unfair Trade Practices Act shall be assigned a new case number by the Kershaw County Clerk of Court and remain on the Kershaw County jury docket. Defendant's claim and jury trial shall be completed first, with all remaining issues to be tried by the Master-in-Equity at a later date.

*Robert E. Hood*

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Robert E. Hood  
Judge, Fifth Judicial Circuit

Columbia, South Carolina

4/19, 2016