



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

November 30, 2016

The Honorable Paul B. Wickensimer  
Courthouse  
305 E North St  
Greenville SC 29601-2121

## REMITTITUR

Re: First Citizens v. Ronald Taylor  
Lower Court Case No. 2014CP2304097  
Appellate Case No. 2015-002490

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

Enclosure

cc: Randall Scott Hiller, Esquire  
Joey Randell Floyd, Esquire

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE  
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING  
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

First Citizens Bank and Trust Company, Inc.,  
Respondent,

v.

Ronald D. Taylor and Ted D. Smith, Appellants.

Appellate Case No. 2015-002490

---

Appeal From Greenville County  
Robin B. Stilwell, Circuit Court Judge

---

Unpublished Opinion No. 2016-UP-471  
Submitted October 1, 2016 – Filed November 9, 2016

---

**AFFIRMED**

---

Randall Scott Hiller, of Greenville, for Appellants.

Joey Randell Floyd, of Bruner Powell Wall & Mullins,  
LLC, of Columbia, for Respondent.

---

**PER CURIAM:** Affirmed pursuant to Rule 220(b), SCACR, and the following authorities: Rule 56(c), SCRCP (providing summary judgment is appropriate "if the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any

material fact and that the moving party is entitled to a judgment as a matter of law"); *Baughman v. Am. Tel. & Tel. Co.*, 306 S.C. 101, 114, 410 S.E.2d 537, 545 (1991) ("In reviewing the grant of a summary judgment motion, [appellate courts] apply the same standard which governs the [circuit] court . . ."); Rule 10(c), SCRPC ("A copy of any plat, photograph, diagram, document, or other paper which is an exhibit to a pleading is a part thereof for all purposes if a copy is attached to such pleading."); *Brazell v. Windsor*, 384 S.C. 512, 516, 682 S.E.2d 824, 826 (2009) ("Petitioners explicitly stated that [a document] was attached and incorporated by reference into the complaint. Thus, they brought the [document] to the attention of [the circuit] court and were on notice of any information contained in it."); *Burns v. Gardner*, 328 S.C. 608, 614 n.2, 493 S.E.2d 356, 359 n.2 (Ct. App. 1997) ("Because [a document] was attached to and incorporated in the amended complaint, we may consider it when ruling on the defendants' motion to dismiss."); S.C. Code Ann. § 15-3-520(a) (2005) (setting a twenty-year statute of limitations for "an action upon a bond or other contract in writing secured by a mortgage of real property").

**AFFIRMED.**<sup>1</sup>

**HUFF and SHORT, JJ., and MOORE, A.J., concur.**

---

<sup>1</sup> We decide this case without oral argument pursuant to Rule 215, SCACR.