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STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

CAROLINA CONSTRUCTION SOLUTIONS,

Plaintiff,

vs.

EAGLES LANDING PROPERTIES, LLC, MYRON L. HYMAN, JR., INDIVIDUALLY, AND AS TRUSTEE OF THE MYRON L. HYMAN, JR., - 1998 TRUST, UNDER AGREEMENT DATED JUNE 30, 1998 AS AMENDED, EAGLES LANDING RESTAURANTS, LLC, EAGLES LANDING INTERNATIONAL, LLC, ELITE CONSTRUCTION COMPANY, AND VINCENT C. CARTER,

Defendants.

) IN THE COURT OF COMMON PLEAS ) NINTH JUDICIAL CIRCUIT

) CIVIL ACTION NO.: 2016-CP-10-1355

RECEIVED

JUN 29 2017

) ORDER OF DEFAULT AS TO ) DEFENDANTS MYRON L. HYMAN, ) JR., INDIVIDUALLY, AND AS ) TRUSTEE OF THE MYRON L. ) HYMAN, JR., - 1998 TRUST, UNDER ) AGREEMENT DATED JUNE 30, 1998 ) AS AMENDED

SC Court of Appeals

BY JULIE J. ARMSTRONG CLERK OF COURT 2017 APR -3 PM 3:40

FILED

This matter came before the Court for hearing on Plaintiff, Carolina Construction Solutions', Motion for Entry of Default Judgment Against Defendants, Myron L. Hyman, Jr., Individually, and as Trustee of The Myron L. Hyman, Jr., - 1998 Trust, Under Agreement Dated June 30, 1998 as Amended.


The Plaintiff filed a Summons and Complaint with the Court on March 17, 2016, and pursuant to Rule 4(d)(8) of the South Carolina Rules of Civil Procedure, service was perfected by certified mail, restricted delivery, on Defendant, Myron L. Hyman, Jr., Individually, on March 25, 2016; and Defendant, Myron L. Hyman, Jr., as Trustee of The Myron L. Hyman, Jr., - 1998 Trust, Under Agreement Dated June 30, 1998 as Amended, also on March 25, 2016. The Defendants, Myron L. Hyman, Jr., Individually, and as Trustee of The Myron L. Hyman, Jr., - 1998 Trust, Under Agreement Dated June 30, 1998 as Amended, did not file an Answer or

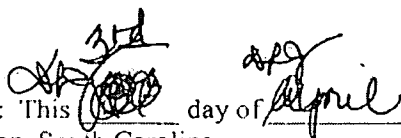
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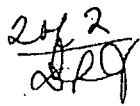
responsive pleading with the Court as required by Rule 12(a) of the South Carolina Rules of Civil Procedure and as instructed by the Summons and Complaint served upon him/it/them. More than thirty (30) days have elapsed since service of Plaintiff's Summons and Complaint upon Defendants, Myron L. Hyman, Jr., Individually, and as Trustee of The Myron L. Hyman, Jr., - 1998 Trust, Under Agreement Dated June 30, 1998 as Amended, and said Defendants are in default pursuant to Rules 12(a) and 55 of the South Carolina Rules of Civil Procedure.

This Honorable Court having considered the arguments, evidence, and the contents of the Clerk of Court's file, hereby finds Defendants, Myron L. Hyman, Jr., Individually, and as Trustee of The Myron L. Hyman, Jr., - 1998 Trust, Under Agreement Dated June 30, 1998 as Amended, adjudged to be in default and judgment should be entered in the amount of Thirty Six Thousand Six Hundred Sixty Four and 16/100 (\$36,664.16) Dollars, which represents and accounts for the amount past due and owing to Plaintiff, Carolina Construction Solutions, as defined in its Complaint in addition to costs of \$54.50, reasonable attorney fees of \$2,770.00 and interest owed on the amount past due and owing by way of contractual consent totaling \$11,740.51. Therefore,

**IT IS ORDERED** that judgment shall be entered against Defendants, Myron L. Hyman, Jr., Individually, and as Trustee of The Myron L. Hyman, Jr., - 1998 Trust, Under Agreement Dated June 30, 1998 as Amended, in the total amount of Fifty One Thousand Two Hundred Twenty Nine and 17/100 (\$51,229.17) Dollars. This Judgment does not, in any way, dismiss, prohibit, negate or reduce the claims of the Plaintiff against the remaining Defendants to this cause of action.

  
Court of Common Pleas Ninth Judicial Circuit

  
DATED: This 31<sup>st</sup> day of April, 2017  
Charleston, South Carolina



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

FORM 4

JUDGMENT IN A CIVIL CASE

CASE NO. 2016 CP-10-1355

CAROLINA CONSTRUCTION SOLUTIONS,

EAGLES LANDING PROPERTIES, LLC, ET AL.

FILED  
 2017 APR -3 PM 3:40  
 JULIE L. ARMSTRONG  
 CLERK OF COURT

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: PLAINTIFF	Attorney for : <input checked="" 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:

ORDER INFORMATION

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

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JUN 29 2017

SC Court of Appeals

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)
Plaintiff	Myron L. Hyman, Jr., individually, and as Trustee of The Myron L. Hyman, Jr., - 1998 Trust, Under Agreement Dated June 30, 1998 as Amended	\$, 51, 229. 17
		\$
		\$
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.



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

FORM 4

JUDGMENT IN A CIVIL CASE

**FILED** CASE NO. 2016-CP-10-1355

Carolina Construction Solutions

Eagles Landing Properties, LLC, et al.

2017 JUN -2 AM 9:04

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

JULIE J. ARMSTRONG  
 CLERK OF COURT

Attorney for :  Plaintiff  Defendant  
 or  
 Self-Represented Litigant

**RECEIVED**

JUN 29 2017

90 Court of Appeals

**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: Defendant's Myron L. Hyman, Jr.'s, Motion to Reconsider Order of Default, filed 4/17/17, is denied as Defendant has failed to demonstrate cause to set aside the default under SCRPC 60. Defendant's Motion to Dissolve Mechanic's Lien, filed 3/30/17, is denied as Defendant has failed to demonstrate that he did not receive notice of the lien. Defendant Hyman shall not be dismissed as a party to this action, as he has failed to establish a lack of service.

**ORDER INFORMATION**

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 (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:

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