

6

FILED  
HENRY COUNTY  
2017 JUN 20 PM 4:17

RECEIVED  
JUL 12 2017  
SC Court of Appeals

June 20, 2017  
SC Court of Appeals  
1220 Senate Street  
Columbia S.C. 29201

NOTARY PUBLIC  
CLEMENS COURT  
HENRY COUNTY, SC

Sylvia Williams  
1318 Pridgen Road  
Myrtle Beach, S.C. 29577

To: SC Court of Appeals:

My name is Sylvia Williams and I am filing a motion according to Rules 240 and 241 to STAY AND SUPERSEDEAS IN CIVIL ACTION CASE # 2017-001358, and case # 2015-CP-26-8164 In The Court of Common Pleas, Fifteenth Judicial Circuit.

On June 15<sup>th</sup> I received a Letter from the South Carolina Housing Finance and Development Authority. Loan # 0000901994. It is in the name of Sylvia A. Edmonds which was the last name of my first marriage.

I have enclosed copies of this letter, and copies of other letters that are relevant to my case.

There has been a series of errors concerning my current situation, to which I was not able to understand what was taking place because of medical issues. They are as follows:

Mr. Belton Platt, who I placed my trust in to act on my behalf was not forthcoming with information I needed to know. This has resulted in my current situation. At the time, this occurred I had received a foreclosure notice on my house. I asked Mr. Belton Platt, who was also my pastor for advice. I signed copies which he told me his secretary would type the letters later.

In 2014 and 2015 I had a MRI which showed multiple strokes of the brain which caused bleeding in my brain, plus bulging discs in my neck, and problems in my lower back. These events caused me to be incapable to sign any legal documents. The letter stating this is enclosed.

I have also enclosed a copy of the notarized papers that was drawn up by Judy M. Waites. I later discovered that Mr. Platt, and Judy M. Waites was living with him and his wife. A quick deed was filed, Judy M. Waites notarized all documents, a Mr. Platts wife signed the documents as a witness. She signed as Mashandia Williamson. This is the address they gave as their residence: 2715 Southfork Road, Greensea, SC 29545.

Without my knowledge, Mr. Platt used a power of attorney to do whatever he wanted, which was not in my best interest. He sold my house to a Herbert and Elmira Conley. He took the equity from the house and then sold the house in the amount of \$107,000.00. This couple attend Mr. Platt's church.



This man has taken advantage of me from the beginning. I did not at any time understand the legal ramifications of any of these actions.

Sincerely,

*Sylvia Williams*

Sylvia Williams

Phone No. (843) 457-7734



# 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)

June 20, 2017

Sylvia Williams  
1318 Pridgen Road  
Myrtle Beach SC 29577

Re: Sylvia Williams v. Belton Platt  
Appellate Case No. 2017-001358

**RECEIVED**

**JUL 12 2017**

**SC Court of Appeals**

Dear Ms. Williams:

This Court has received your notice of appeal, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at [www.sccourts.org/courtreg](http://www.sccourts.org/courtreg). Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at [www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02](http://www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02). Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will *not* review filings for redaction or to determine if materials should be sealed.



SOUTH CAROLINA STATE HOUSING FINANCE AND  
DEVELOPMENT AUTHORITY

300 - C Outlet Pointe Blvd, Columbia, South Carolina 29210

Telephone (803) 896-9493

Fax: (803) 896-8592

EDMONDS SYLVIA A  
1318 PRIDGEN RD  
MYRTLE BEACH, SC 295770000

Re: Loan #0000901994

**RECEIVED**

JUL 12 2017

**SC Court of Appeals**

Dear Madam/Sir:

Enclosed you will find the satisfied original documents on the above referenced loan. These documents are very important, please be sure to keep them in a safe place for future reference.

If you should have any further questions on the papers returned to you, or any other matter pertaining to the paid in full mortgage, please give us a call at one of the above numbers.

Sincerely;

*Nikki Williams*

Nikki Williams  
Mortgage Servicing

Enclosure (s)

imfidar

901994

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )

SATISFACTION OR RELEASE  
OF MORTGAGE LIEN

MORTGAGOR(S): SYLVIA A EDMONDS N/K/A SYLVIA A WILLIAMS  
MORTGAGEE: SC Housing Corp.

PRINCIPAL SUM: \$ 36,000 RECORDED: 02-10-2012 Mortgage Date: 01/30/2012

The undersigned, being the mortgagee of record or the legal representative, agent or officer, or attorney-in-fact of the mortgagee of record, certifies:

The debt secured by the mortgage recorded in the office of the Clerk of Court or Register of Deeds of County in Book 5379 at Page 1655 is:

- Paid in full and the lien or the foregoing instrument has been released: or
- The lien of the foregoing instrument has been released.

The Clerk of Court or Register of Deeds may enter this cancellation into record.

Under penalties of perjury, I declare that I have examined this affidavit on February 24, 2017 and, to the best of my knowledge and belief, it is true, correct, and complete.

In witness whereof, the undersigned hereby terminates and releases the lien of the said mortgage.

WITNESS my hand this

February 24, 2017

*Sylvia A Williams*

Witness

*Alisa M. Salow*

Witness

SC Housing Corp.

*Kim Wilbourne*

Kimberly Wilbourne  
Program Manager

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LEXINGTON )

PROBATE

PERSONALLY appeared before me the undersigned witness, who on oath states that (s)he is not a party to or beneficiary of the transaction, signed the foregoing written instrument as a subscribing witness and either saw Kimberly Wilbourne, sign or acknowledge signature of the foregoing written instrument and as his/her act and deed deliver the foregoing written instrument, and that (s)he with the other witnesses subscribed above witnessed the execution or acknowledgement thereof.

*Sylvia A Williams*  
Witness

SWORN TO BEFORE ME, this 24th Day of February, 2017

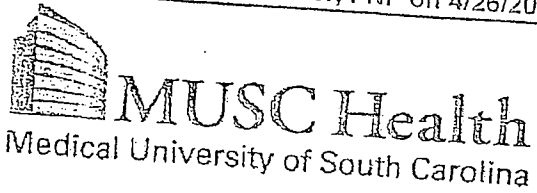
*Sherri Miller* L. S.

Sherri Miller  
NOTARY PUBLIC FOR SOUTH CAROLINA  
MY COMMISSION EXPIRES: September 28, 2026

SCSHFDA Satisfaction/Release (1/2015)

Instrument#: 2017000027370, MTG BK:  
5361 PG: 2538 DOCTYPE: 011 03/10/2017  
at 04:07:34 PM, 1 OF 1, CANCELLED OF  
RECORD, MARION D. FOXWORTH III,  
HORRY COUNTY, SC REGISTRAR OF

Letter by Tina Dvoren-Baker, FNP on 4/26/2017



Neurology at Rutledge Tower  
96 Jonathan Lucas St MSC  
606  
340b00934800mu  
Charleston SC 29425  
Phone: 843-792-3223  
Fax: 843-792-8626  
<https://mychart.muschealth.com>

April 26, 2017

Patient: Sylvia Williams  
Date of Birth: 1/29/1964  
Date of Visit: 4/26/2017

To Whom It May Concern:

Sylvia Williams has been seen as a patient at the MUSC Comprehensive Stroke and Cerebral Vascular Center Outpatient Clinic for a lateral medullary infarct that occurred in 2014. A brain MRI 1/6/2017 showed a hyperintensity along the left medulla and upper spinal cord and a stable left parietal cavernoma (a vascular lesion comprised of a cluster of tightly packed small blood vessels/capillaries).

Respectfully,

Tina Dvoren-Baker, FNP

Edmonds

# NOTICE OF REVOCATION OF POWER OF ATTORNEY

I, Sylvia Williams, residing at 1318 Pridden Road, Myrtle Beach, SC hereby revoke, and rescind the Limited Power of Attorney executed by me on July 2, 2015 with Belton L. Platt. I also revoke all authority, rights and power granted by me thereunder.

Notice is hereby given that effective Belton L. Platt the said Power of Attorney will be null and void and will be of no further force or effect.

Executed this 2 day of Sept 2015 at \_\_\_\_\_

Signature: Sylvia Edmonds / Williams

In the presence of the undersigned witnesses:

Witness 1.

Name: Karen Morgan

Address: 310 Wright Blvd Conway, SC 29526

Signature: [Handwritten Signature]

Witness 2.

Name: Katie Coff

Address: 310 Wright Blvd Conway, SC 29526

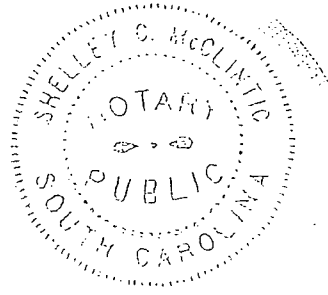
Signature: [Handwritten Signature]

NOTARY

IN WITNESS WHEREOF, I, a notary Public of the State of South Carolina, duly commissioned and sworn, have hereunto set my hand and affixed my official seal in the Horry County of 2nd on this date of September, 2015.

[Handwritten Signature]  
Notary

My commission expires: 3, 26, 2017



STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

Sylvia Edmonds Williams, )

Plaintiff, )

Vs. )

Belton Platt, Herbert Conley, )  
And Elmira Conley. )  
Defendants. )

IN THE COURT OF COMMON PLEAS  
FIFTEENTH JUDICIAL CIRCUIT  
CASE NO. 2015-CP-26-8164

WRIT OF EJECTMENT  
ON ORDER TO VACATE

RENEE H. ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

2017 JUN 19 AM 10:24

FILED  
HORRY COUNTY

PAYED

TO THE SHERIFF

Upon the Order of this Court rendered on May 15, 2017 to Plaintiff Sylvia Edmonds Williams to vacate the premises within 30 days, which vacation of premises established by the Court was June 14, 2017, you are hereby ordered to proceed to 1318 Pridgen Road, Myrtle Beach, Myrtle Beach, S.C. 29577.

Announce your identity and purpose and serve on SYLVIA EDMONDS WILLIAMS or other occupant a copy of this Writ of Ejectment. Inform them that they have **twenty-four hours to voluntarily vacate the premises**. If the premises appear unoccupied and no one responds to your announced identify and purpose, the Writ of Ejectment shall be served by securely attaching a copy of the Writ in a conspicuous place on the premises.

If after 24 hours following the posting of the Writ, the occupants have not voluntarily vacated the premises, a **deputy sheriff may enter the premises** using only as much force as is necessary to effectuate the Ejectment.

Upon gaining access, you shall **remove from the premises any occupants and all items of personal property found on the premises**. Such property may be deposited beside the public street or roadway. All personal property removed from the premises and placed on a public street or roadway may be removed by the proper local government agency after forty-eight (48) hours, excluding Saturdays, Sundays, and holidays. Such property may also be removed in the normal course of debris or trash collection before or after a period of forty-eight (48) hours.

*Morgan M. Culbertson*

Dated: June 19, 2017



PROOF OF SERVICE OF A NOTICE OF APPEAL  
AND STAY OF SUPERSEDEAS

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2017-001358

FILED  
2017 JUL 11 PM 3:34  
RECORDS CLERK OF COURT  
HORRY COUNTY, SC

Belton Platt,

Respondent,

v.

Sylvia Williams,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal and Stay of Supersedeas on Belton Platt by depositing a copy of it in the United States Mail, postage prepaid, on July 11, 2017, addressed to his attorney of record, William M. Saltzman, to his office at Merritt Webb, P.O. Box 24109, Columbia, South Carolina 29224.

July 11, 2017

s/ Sylvia Williams

Sylvia Williams

1318 Pridgen Road

Myrtle Beach, South Carolina 29577

(843) 457-7734

Appellant



PROOF OF SERVICE OF A NOTICE OF APPEAL  
AND STAY OF SUPERSEDEAS

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2017-001358

RECEIVED  
CLERK OF COURT  
HORRY COUNTY, SC

2017 JUL 11 PM 3:34

FILED

Herbert Conley,

Respondent,

v.

Sylvia Williams,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal and Stay of Supersedeas on Herbert Conley by depositing a copy of it in the United States Mail, postage prepaid, on July 11, 2017, addressed to his residence at 1318 Pridgen Road, Myrtle Beach, South Carolina 29577.

July 11, 2017

s/ Sylvia Williams

Sylvia Williams

1318 Pridgen Road

Myrtle Beach, South Carolina 29577

(843) 457-7734

Appellant

*Sylvia Williams*

PROOF OF SERVICE OF A NOTICE OF APPEAL  
AND STAY OF SUPERSEDEAS

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Benjamin H. Culbertson, Circuit Court Judge

Case No. 2017-001358

FILED  
2017 JUL 11 PM 3:34  
RECEIVED  
CLERK OF COURT  
HORRY COUNTY, SC

Elmira Conley,

Respondent,

v.

Sylvia Williams,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal and Stay of Supersedeas on Elmira Conley by depositing a copy of it in the United States Mail, postage prepaid, on July 11, 2017, addressed to her residence at 1318 Pridgen Road, Myrtle Beach, South Carolina 29577.

July 11, 2017

s/ Sylvia Williams

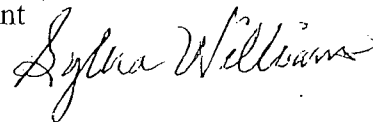
Sylvia Williams

1318 Pridgen Road

Myrtle Beach, South Carolina 29577

(843) 457-7734

Appellant



STATE OF SOUTH CAROLINA

2015CV261093685  
CIVIL CASE NUMBER

COUNTY OF HORRY

---

**ORDER OF  
DISPOSITION**

Belton L Platt  
2715 Southfork Road  
Green Sea, SC 29545

---

PLAINTIFF(S)

Vs

Sylvia Edmonds Williams  
1318 Pridgen Road  
Myrtle Beach, SC 29577

---

DEFENDANT(S)

**IT IS ORDERED** that the above referenced civil case shall reflect a disposition of:

- Settled
- Dismissed
- Default Judgment
- Find for the Plaintiff for Summons and Complaint (Transcript of Judgment will be issued ten (10) days from the court date.)
- Find for the Plaintiff for Claim and Delivery (Pick Up Order issued the day of court.)
- Find for Defendant
- Transferred to another Court

**IT SO ORDERED**

JUDGE



Myrtle Beach Magistrate Court  
1201 21st Avenue North  
Myrtle Beach, SC 29577  
Phone: (843) 915-5293  
Fax: (843) 444-6131

June 15, 2017

MYRTLE BEACH  
MAGISTRATE COURT  
2017 JUN 15 AM 11:30  
DISTRICT #6

STATE OF SOUTH CAROLINA

2015CV261094587  
CIVIL CASE NUMBER

COUNTY OF HORRY

**ORDER OF  
DISPOSITION**

Elmira T Conley  
1403 7Th Ave  
Conway, SC 29526  
(843) 360-4888

PLAINTIFF(S)

Vs

Sylvia Edmonds  
Williams  
1318 Pridden Road  
Myrtle Beach, SC  
29577

DEFENDANT(S)

**IT IS ORDERED** that the above referenced civil case shall reflect a disposition of:

- Settled
- Dismissed
- Default Judgment
- Find for the Plaintiff for Summons and Complaint (Transcript of Judgment will be issued ten (10) days from the court date.)
- Find for the Plaintiff for Claim and Delivery (Pick Up Order issued the day of court.)
- Find for Defendant
- Transferred to another Court



**IT SO ORDERED**

JUDGE

Horry County  
Myrtle Beach Magistrate Court  
1201 21st Avenue North  
Myrtle Beach, SC 29577  
Phone: (843) 915-5293 Fax: (843) 444-6131

November 12, 2015

MYRTLE BEACH  
MAGISTRATE COURT  
2017 JUN 15 AM 11:30  
DISTRICT #03

STATE OF SOUTH CAROLINA )

2015CP2608164  
COMMON PLEAS CASE NUMBER

COUNTY OF HORRY )

Sylvia Williams )

IN THE COURT OF COMMON PLEAS

Appellant, )

NOTICE OF CIVIL APPEAL

vs )

Belton Platt, Herbert Conley )

And Elmira Conley )

Respondent. )

FILED  
HORRY COUNTY  
2017 JUN 14 PM 4:58  
RENEAL ELVIS  
CLERK OF COURT  
HORRY COUNTY, SC

The Appellant, hereby gives Notice of Appeal from the judgment of Benjamin H. Culbertson, Circuit Court Judge in the above action from the county of Horry, South Carolina, in the Circuit Court of Common Pleas, in the county of Horry, South Carolina.

This Notice of Appeal is made subsequent to personal notice which was received on the 15<sup>th</sup> day of May, 2017.

The appellant's exception to the judgment of the Circuit are set forth as follows:

- 1) That the Magistrate's Court previously ruled that this case was fraudulent and as such, should be dismissed.
- 2) That the Appellant in 2014 and 2015, suffered multiple strokes, and in 2016 a medical physician's report from an MRI shows a Brain Stem Stroke, hemorrhages, Cavernoma Brain Lesion. This diagnosis of this degree was unknown to the Appellant which causing multiple neurological losses including memory and attention, which ultimately precipitated her strokes.

Thereafter, a car accident rendering her incapable of rendering her incompetent to sign legal

COPY

documents. That the Respondent's coerced, manipulated and used her illness to their advantage to obtain said property.

- 3) That the Appellant is under belief that the fraudulent acts of the Respondent's caused this action to have a domino effect and therefore, should be dismissed by this Court.
- 4) The Court erred in its failure to ensure that the prior rulings of said dismissal, fraudulent acts, mental and physical condition would impair and displace Appellant from her home. Appellant informed the Court she was unable to retain counsel and sought to receive free legal services, in which she was unable to considering the timing of notices received. Appellant is under a physician's care and is unable to understand the complexity of the matter.
- 5) Appellant previous counsel was ineffective in providing all documents presented and further showed a disinterest in this matter.
- 6) That the Appellant would show that upon the Circuit Court's review of the lower court documents and rulings and lack thereof, the Appellant hereby request that the matter be reversed and dismissed or in the alternative, a re-hearing to a different Court in the jurisdiction chosen by the Circuit Court.

Respectfully Submitted,

Sylvia Williams  
Appellant  
June 14, 2017

Enclosures: Copies of Circuit Court Order  
All Documents pertaining to Case

Letter by Tina Dvoren-Baker, FNP on 4/26/2017



Neurology at Rutledge Tower  
96 Jonathan Lucas St MSC  
606  
340b00934800mu  
Charleston SC 29425  
Phone: 843-792-3223  
Fax: 843-792-8626  
<https://mychart.muschealth.com>

April 26, 2017

Patient: **Sylvia Williams**  
Date of Birth: **1/29/1964**  
Date of Visit: **4/26/2017**

To Whom It May Concern:

Sylvia Williams has been seen as a patient at the MUSC Comprehensive Stroke and Cerebral Vascular Center Outpatient Clinic for a lateral medullary infarct that occurred in 2014. A brain MRI 1/6/2017 showed a hyperintensity along the left medulla and upper spinal cord and a stable left parietal cavernoma (a vascular lesion comprised of a cluster of tightly packed small blood vessels/capillaries).

Respectfully,

Tina Dvoren-Baker, FNP

Edmonds

NOTICE OF REVOCATION OF POWER OF ATTORNEY

I, Sylvia Williams, residing at 1318 Pridden Road, Myrtle Beach, SC hereby revoke, and rescind the Limited Power of Attorney executed by me on July 2, 2015 with Belton L. Platt. I also revoke all authority, rights and power granted by me thereunder.

Notice is hereby given that effective Belton L. Platt the said Power of Attorney will be null and void and will be of no further force or effect.

Executed this 2 day of Sept 2015 at \_\_\_\_\_

Signature: Sylvia Edmonds / Williams

In the presence of the undersigned witnesses:

Witness 1.

Name: Karen Morgan

Address: 310 Wright Blvd Conway, SC 29526

Signature: [Handwritten Signature]

Witness 2.

Name: Kate Coff

Address: 310 Wright Blvd Conway, SC 29526

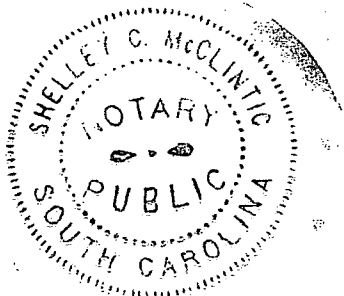
Signature: [Handwritten Signature]

NOTARY

IN WITNESS WHEREOF, I, a notary Public of the State of South Carolina, duly commissioned and sworn, have hereunto set my hand and affixed my official seal in the Horry County of 2nd on this date of September, 2015.

Shelley C. McClintic  
Notary

My commission expires: 3, 26, 2017



STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF HORRY )  
 )  
Sylvia Williams, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
Belton Platt, Herbert Conley and )  
Elmira Conley, )  
 )  
Defendants. )

IN THE COURT OF COMMON PLEAS  
FIFTEENTH JUDICIAL CIRCUIT  
CASE NO.: 2015-CP-26-08164

**ORDER GRANTING DEFENDANT  
BELTON PLATT'S MOTION TO DISMISS  
FOR FAILURE TO PROSECUTE,  
DEFENDANT ELMIRA CONLEY'S  
MOTION FOR CONTEMPT AND  
SANCTION OF DISMISSAL AND  
DEFENDANT ELMIRA CONLEY'S  
MOTION TO VACATE FOR  
FAILURE TO OBEY ORDER**

THIS MATTER CAME BEFORE this Court on May 15, 2017 pursuant to a Motion to Dismiss for Failure to Prosecute made by Defendant Belton Platt, a Motion for Contempt and Sanction of Dismissal and a Motion to Vacate for Failure to Obey Order made by Defendant Elmira Conley. Present at the hearing was William Saltzman, attorney for Defendant Belton Platt, Defendant Elmira Conley, pro se, Defendant Herbert Conley, pro se (hereinafter collectively "Defendants") and Plaintiff Sylvia Williams, pro se.

After consideration of the facts, motions, exhibits, prior Orders and arguments, this Court grants the Motions made by Defendant Belton Platt and Defendant Elmira Conley. Plaintiff's action against Defendants is dismissed, Plaintiff's Lis Pendens is dismissed and Plaintiff is ordered to vacate 1318 Pridgen Road, Myrtle Beach, SC 29577 (hereinafter "Property") within thirty (30) days from the date of the May 15, 2017 hearing.

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This Court finds that Plaintiff is intentionally prolonging this litigation with an indifference to the rights of the Defendants and that Plaintiff is in violation of the Order Compelling Discovery and the Order to be Relieved as Counsel.

Rule 41(b) of the South Carolina Rules of Civil Procedure states that "[f]or failure of the plaintiff to prosecute or to comply with these rules or any order of court, a defendant may move for dismissal of an action or of any claim against him." Rule 41(b), SCRPC. A plaintiff has the burden to pursue their rights and their claims, "and the trial court may properly dismiss an action for plaintiff's unreasonable neglect in proceeding with [their] cause." McComas v. Ross, 368 S.C. 59, 62 (Ct. App. 2006). In order to dismiss an action for failure to prosecute, there

generally “must be some showing of indifference to the rights of the defendant.” Id. at 63. The courts analyze four (4) factors before dismissing a case for failure to prosecute: (1) the plaintiff’s degree of personal responsibility; (2) the amount of prejudice caused to the defendant; (3) the presence of a drawn out history of deliberately proceeding in a dilatory fashion; and (4) the effectiveness of sanctions less drastic than dismissal. Id. (citing Hillig v. Comm’r of Internal Revenue, 916 F.2d 171, 174 (4<sup>th</sup> Cir. 1990)). In this case, all four factors are met.

Defendant Belton Platt purchased the Property from Plaintiff in July 2015 and agreed to allow Plaintiff to live at the Property until he found a buyer. Defendant Belton Platt subsequently sold the Property to Defendant Elmira Conley and Defendant Herbert Conley in September 2015 and provided them with a mortgage. However, Plaintiff refused to vacate the Property when Plaintiff was asked. Plaintiff has not paid rent, a mortgage, property taxes or insurance on the Property since Plaintiff sold the house to Defendant Belton Platt despite the Defendants’ requests.

Plaintiff filed this action on November 12, 2015 as a means to insulate herself from being removed from the Property so Plaintiff could live at the Property free from paying rent, a mortgage, taxes and insurance while this case was pending. This case has now been pending for over eighteen (18) months, and Plaintiff has consistently prolonged this litigation and has done nothing to substantially move the case forward in the last eleven (11) months. Plaintiff has unduly and unfairly prolonged this litigation for Plaintiff’s own benefit and to the Defendants’ detriment.

Plaintiff and Defendant Belton Platt did exchange initial discovery requests and responses in early and mid-2016. However, Plaintiff has not provided complete responses to Defendant Belton Platt’s requests. Plaintiff has also not complied with the discovery requests of Defendant Herbert Conley and Defendant Elmira Conley, and Plaintiff has not complied with a court order, filed on November 10, 2016, that compelled Plaintiff to provide Defendant Elmira Conley with her requested discovery within fifteen (15) days.

Furthermore, Plaintiff did not cooperate with Plaintiff’s counsel in Plaintiff’s own effort to slow the progress of this case. Plaintiff’s counsel filed a Motion to be Relieved as Counsel on November 29, 2016 based on the grounds of Plaintiff’s failure “to cooperate in preparing...for discovery or mediation.” The Motion to be Relieved as Counsel was granted on March 27, 2017 and the Order to be Relieved as Counsel was filed on April 11, 2017. The Order to be Relieved

as Counsel says "Ms. Williams shall be allowed thirty (30) days from the date of this Order to inform the court of the name of new counsel or if she wishes to proceed pro se. If the Plaintiff fails to inform the court and the Defendants of new counsel or the decision to proceed pro se within the stated time, her Complaint shall be dismissed and the relief sought by the Defendants shall be granted." The Plaintiff failed to inform the court and the Defendants of Plaintiff's decision to proceed pro se or retain counsel within the given thirty (30) day time frame.

The Plaintiff's failure to act and meaningfully participate in any stage of this litigation process, that Plaintiff began, suggests Plaintiff's indifference to the Defendants' rights and a complete disregard to the time and effort being spent on this case by the Defendants. As such, sanctions other than dismissal will prove to be ineffective. Plaintiff has already shown irreverence for this Court's Orders in this case by failing to comply with the Order compelling discovery and the Order to be Relieved as Counsel. Plaintiff has not complied with the South Carolina Rules of Civil Procedure and is not cooperating with mediation. This case has dragged on for over eighteen (18) months since the filing of the Complaint because of Plaintiff's continued inaction and dilatory tactics, wasting both the Court's and the Defendants' time and resources. Allowing this case to continue will be a disservice to everyone involved, and therefore, the only effective sanction is dismissal with prejudice.

Therefore, all four elements for dismissal of this case for failure to prosecute pursuant to Rule 41(b) of the South Carolina Rules of Civil Procedure have been met. Over a long and arduous history of this case, Plaintiff has consistently shown a complete indifference to Defendants' rights and an unwillingness to pursue her claims. As such, to avoid further prejudice to the Defendants and any further waste of time and resources, Plaintiff's case is dismissed with prejudice. The Lis Pendens filed by Plaintiff is also dismissed.

Plaintiff shall vacate the Property on or before June 14, 2017. Plaintiff is also ordered to refrain from defacing or damaging the Property. Defendants are granted the right to reasonably access the Property to inspect, take photographs and make videos of the Property in order to assure that the Property is not defaced or damaged.

**NOW, THEREFORE, IT IS HEREBY ORDERED** that Defendant Belton Platt's Motion to Dismiss for Failure to Prosecute, Defendant Elmira Conley's Motion for Contempt and Sanction for Dismissal and Defendant Elmira Conley's Motion to Vacate for Failure to Obey Order are GRANTED; that Plaintiff's action against the Defendants is dismissed with prejudice;

that the Lis Pendens is dismissed; that Plaintiff vacates the Property within thirty (30) days of May 15, 2017; that Defendants be allowed to access Property for inspection; and that Plaintiff refrain from defacing or damaging the Property.

\_\_\_\_\_  
The Honorable Benjamin H. Culbertson  
Presiding Judge, Fifteenth Circuit

\_\_\_\_\_, South Carolina

\_\_\_\_\_, 2017



Horry Common Pleas

**Case Caption:** Sylvia Williams VS Belton Platt , defendant, et al

**Case Number:** 2015CP2608164

**Type:** Order/Dismissal and Cancellation of Lis Pendens

Presiding Judge

s/Benjamin H. Culbertson, Judge Code 2148

Sylvia Williams  
1318 Pridgen Rd  
Myrtle Bch, SC  
29577



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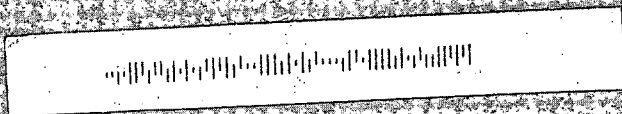


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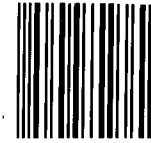
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