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AUG 09 2017

SC Court of Appeals

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF CHARLESTON

Cynthia Holmes, M.D.,

C/A NO: 2007-CP-10-01444

Plaintiff,

vs.

Haynsworth Sinkler Boyd, P.A.,
successor to Sinkler & Boyd, P.A.,
Manton Greer and James Y. Becker,

Defendants.

FILED
2017 JUN 23 PM 2:09
JULIE J. ARMSTRONG
CLERK OF COURT

ORDER GRANTING DEFENDANTS' MOTION TO COMPEL & FOR SANCTIONS

This matter comes before the Court on the motion of Defendants Haynsworth Sinkler Boyd, P.A., Manton Greer and James Y. Becker ("Defendants") to compel Plaintiff Cynthia Holmes, M.D.'s ("Holmes") to produce documents previously ordered by the Court in its Rule to Show Cause Order, filed on March 9, 2017, and to compel Bank of America to respond to a subpoena issued by Defendants. A hearing was held before me on June 16, 2017. Holmes appeared *pro se*, and Defendants appeared through their attorney, Mary M. Caskey. Holmes admitted that she has only produced tax returns for 2014 and 2015, and has failed to produce any other documents required. She also objected, without legitimate reason, to a validly issued subpoena.

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUGED, AND DECREED AS FOLLOWS:

1. Holmes shall produce to Defendants the following documents no later than ten (10) days after entry of this Order:

- a. Bank statements for all bank accounts [checking, savings, financial accounts, certificates of deposit, etc....] of Plaintiff from 2014 to the present;
- b. State and Federal tax returns for 2016, or proof of a request for an extension to file the same; and
- c. Copies of any contracts entitling her to payment of money.

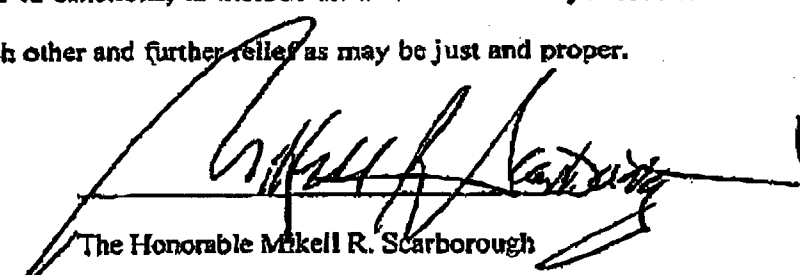
2. Bank of America is ordered to comply with the subpoena issued by the Defendants dated April 3, 2017, to produce copies of payment history, including payoff amount, in connection with the mortgage given to NationsBanc Mortgage Corporation by James Kevin Holmes and Spouse, Cynthia Elaine Holmes, in the amount of \$227,250.00 dated February 11, 1994 and recorded in the Office of the Charleston County Register of Deeds in Book F239, Page 604. Bank of America shall comply with the subpoena within fourteen (14) days of service of this Order on Bank of America.

3. Holmes shall pay sanctions in the amount of two thousand five hundred dollars (\$2,500), payable to "Haynsworth Sinkler Boyd, P.A.," which shall be postmarked to Haynsworth Sinkler Boyd, P.A., Attn: Mary Caskey, P.O. Box 11889, Columbia, SC 29211-1889, no later than ten (10) days after entry of this order.

4. In the event that Holmes fails to comply with this Order, she shall be in contempt of court, and Defendants may be entitled to sanctions, to include an award of attorneys' fees and expenses, and the Court may order such other and further relief as may be just and proper.

AND IT IS SO ORDERED.

6/20/17
Charleston, South Carolina


The Honorable Mikell R. Scarborough