

STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)

Carla Jayner,)

Plaintiff(s),)

vs.)

Ronald J. Berke,)

Defendant(s).)
_____)

IN THE COURT OF COMMON PLEAS
CASE NO: 2017-CP-07-00914

FINAL ORDER
(Ending Case)

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SC Court of Appeals

This came before me on Appellant Carla Jaynes Appeal, filed May 10th, 2017. Attorney Miles Loadholt appeared for the Appellant and attorney Jason Ward appeared for Ronald Berke.

At issue was the jurisdiction of the Magistrate's Court to deal with a Counterclaim asserted by the Appellant to be in excess of the jurisdictional limits of said Court. While the Magistrate's Court may maintain jurisdiction of excess-limit Counterclaims related to possession, this matter was dealing with a claim of equitable and/or contractual ownership, not possession. Therefore, the Magistrate Judgment must be vacated and they shall transfer their case to the Beaufort County Clerk of Court's Common Pleas Docket.

IT IS SO ORDERED:

Honorable Marvin H. Dukes, III
Master in Equity and Special Circuit Court
Judge for Beaufort County

August _____, 2017
Beaufort, South Carolina

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SC Court of Appeals



Beaufort Common Pleas

Case Caption: Carla Jaynes VS Ronald J Berke

Case Number: 2017CP0700914

Type: Order/Other

So Ordered:

s/Marvin H. Dukes III #3069