

STATE OF SOUTH CAROLINA

COUNTY OF CALHOUN

Flagstar Bank, FSB,

PLAINTIFF,

VS.

Ruby Elaine Pinnex; et. al.,

DEFENDANT(S).

IN THE COURT OF COMMON PLEAS

CASE NO. 2015-CP-09-00126

RECEIVED

OCT 05 2017

SC Court of Appeals

WRIT OF ASSISTANCE

FILED

(150855.00023)

**THIS WRIT OF ASSISTANCE APPLIES TO ALL OCCUPANTS AND OTHERS (including their possessions) WITH RESPECT TO THE PROPERTY DESCRIBED BELOW.**

This matter came before me regarding the above named Defendant(s) Ruby Elaine Pinnex or any occupant of the property located at 204 Baronet Lane Elloree, SC 29047, to issue a Writ of Assistance by this Court to the Sheriff of Calhoun County, South Carolina, ordering and directing him to remove, peaceably or forcibly, the Defendant(s) Ruby Elaine Pinnex, together with any and all persons claiming under and through said Defendants, and this Writ of Assistance specifically and further authorizing the removal of all of their personal property, no matter the type, kind, or value, which is located within or on the subject premises described herein; and said judicial authorization herein shall be accomplished with the removal of said personal property to the curb.

It appears that the subject premises were sold by judicial sale held on May 1, 2017. As a result of said sale, the Plaintiff became the owner of the subject property by virtue of a Master's Deed filed in Book D 322, page 139 in the Office of the Register of Deeds for Calhoun County. Therefore, Plaintiff is entitled to possession of the subject premises.

NOW, THEREFORE,

UPON MOTION OF Scott and Corley, P.A., attorney for Plaintiff,

IT IS HEREBY ORDERED that the Plaintiff is entitled to recover possession of the below described property.

All that certain piece, parcel or tract of land with any improvements thereon, situate, lying and being in Calhoun County, South Carolina, more particularly shown and delineated as 3.69 acres on a plat surveyed for Ruby Elaine Pinnex by Richardson Land Surveying, approved by Thomas B. Richardson, S.C.P.L.S., dated February 12, 1992, and recorded in the Office of the Clerk of Court for Calhoun County in Plat Book 10, Page 416, and being bounded and measuring as follows: On the northeast by property now or formerly of Edgar L. Bair and by a county dirt road for a distance of 476.97 feet; on the southeast by property now or formerly of Clifton M. Jones for a distance of 345.54 feet; on the southwest by property now or formerly of Clifton M. Jones and by property now or formerly of Felicia Bair for a distance of 479.93 feet; and on the northwest by property now or formerly of William F. Jones for a distance of 327.86 feet.

MRS

This being the same property conveyed to Ruby Elaine Pinnex by Deed of Marion E. Jones dated February 18, 1992 and recorded February 19, 1992 in Book 64 at Page 339 in the ROD Office for Calhoun County.

Thereafter, said property was conveyed to Flagstar Bank, FSB by Master in Equity's Deed of Foreclosure dated May 8, 2017 and recorded May 25, 2017 in Book D-322 at Page 139.

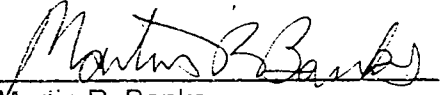
TMS No. 191-00-03-010

Property address: 204 Baronet Lane, Elloree, SC 29047

IT IS FURTHER ORDERED that, upon service of a copy of this Order, the Sheriff of Calhoun County, South Carolina or his authorized deputies be, and they hereby are, directed and authorized to post a copy of this Order, and/or serve a copy of this Order upon the occupant(s) of the referenced property.

ORDERED, ADJUDGED AND DECREED that the Sheriff of Calhoun County is herein and hereby ordered and directed to, with whatever force necessary, eject and remove from the premises the occupants and their personal possessions from the real property located at **204 Baronet Lane, Elloree, SC 29047** with the individuals occupying the property to be removed by 10/5/17 10AM, 2017.

IT IS SO ORDERED

  
Martin R. Banks  
Master in Equity for Calhoun County

St. Matthews/South Carolina  
9/20, 2017

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COUNTY OF CALHOUN

Flagstar Bank, FSB,

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VS.

Ruby Elaine Pinnex; et. al.,

DEFENDANT(S).

700 SEP 25 10 47

IN THE COURT OF COMMON PLEAS

CASE NO. 2015-CP-09-00126

PETITION FOR WRIT OF ASSISTANCE

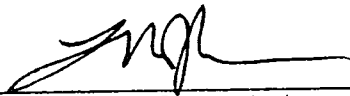
(150855.00023)

The Plaintiff/Petitioner herein, Flagstar Bank, FSB, would respectfully show unto the Court as follows:

1. That this is an action for foreclosure of a mortgage of real property located in Calhoun County, South Carolina and designated as **204 Baronet Lane, Elloree, SC 29047**.
2. That pursuant to the Master in Equity's Report and Judgment of Foreclosure filed herein on September 7, 2016, the subject property was sold at judicial sale.
3. That the Plaintiff was the successful bidder at the judicial foreclosure sale.
4. That the Master in Equity for Calhoun County executed a judicial deed conveying title of the subject property to Flagstar Bank, FSB.
5. That as of the date of filing of this petition, the subject property continues to be occupied by said Defendant or other occupants.

WHEREFORE, the Petitioner/Plaintiff prays that the Writ of Assistance requested herein be granted, and that the Master in Equity issue an Order requiring the Sheriff of Calhoun County to commence eviction of the Defendant and/or any other occupants from the subject property, and to remove all personal property therein.

SCOTT AND CORLEY, P.A.

By: 

Ronald C. Scott (rons@scottandcorley.com), SC Bar #4996  
 Reginald P. Corley (reggiec@scottandcorley.com), SC Bar #69453  
 Angelia J. Grant (angig@scottandcorley.com), SC Bar #78334  
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 Louise M. Johnson (ceasiej@scottandcorley.com), SC Bar #16586  
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ATTORNEYS FOR THE PLAINTIFF  
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MOTION AND ORDER INFORMATION FORM AND COVER SHEET

SUBMITTING PARTY: PLAINTIFF

Name, SC Bar No. and Address of Plaintiff's Attorney

Ronald C. Scott, SC Bar #4996
Reginald P. Corley, SC Bar #69453
Angelia J. Grant, SC Bar #78334
Jessica S. Corley, SC Bar #60470
Allison E. Heffernan, SC Bar #85530

Name, SC Bar No. and Address of Defendant's Attorney

Matthew E. Rupert, SC Bar #100740
William P. Stork, SC Bar #100242
Louise M. Johnson, SC Bar #16586
Tasha B. Thompson, SC Bar #76415
Jane S. Ruschky, SC Bar #70472

ATTORNEYS FOR PLAINTIFF
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- MOTION HEARING REQUESTED (attach written motion and complete Sections I and III)
FORM MOTION, NO HEARING REQUESTED (Complete Sections II and III)
PROPOSED ORDER/CONSENT ORDER (Complete Sections II and III)

SECTION I: HEARING INFORMATION

Nature of Motion:
Estimated Time Needed:
Court Reporter Needed: Yes/No

SECTION II: MOTION TYPE

Written Motion attached
Form Motion - I hereby move for relief of action by the court as set forth in the attached proposed order.

Signature of Attorney for Plaintiff/Defendant

9/15 2017
Date Submitted

SECTION III: MOTION FEE

PAID - AMOUNT: \$25.00
EXEMPT: Rule to Show Cause in Child or Spousal Support
Domestic Abuse or Abuse and Neglect
Indigent Status
Sexually Violent Predator Act
Motion for Stay in Bankruptcy
Motion for Publication
Proposed order submitted at request of the court; or, reduced to writing from motion made in open court per judge's instructions
Name of Court Reporter:
Other

JUDGE'S SECTION

Motion Fee to be paid upon filing of the attached order.
Other

JUDGE CODE: 3066 DATE: 9/20/17
Judge Signature

CLERK'S VERIFICATION

Collected by:
DATE FILED:

MOTION FEE COLLECTED: \$
CONTESTED - AMOUNT DUE: \$