

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE  
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING  
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

**THE STATE OF SOUTH CAROLINA  
In The Court of Appeals**

ATCF REO HOLDINGS LLC, Respondent,

v.

James K. Hazel, Jr.; Prime Asset Fund III, LLC; John Doe and Mary Roe, representing all unknown persons having or claiming to have any right, title, or interest in or to, or lien upon, the real estate described as 517 Wildwood Drive, Spartanburg County, SC, their heirs and assigns, and all other persons, firms, or corporations entitled to claim under, by or through the above-named Defendant(s); and all other persons or entities unknown claiming any right, title, interest, estate in, or lien upon, the real estate described as 517 Wildwood Drive, Spartanburg County, SC, Defendants,

Of Whom James K. Hazel, Jr. is the Appellant.

Appellate Case No. 2016-001014

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Appeal From Spartanburg County  
Gordon G. Cooper, Master-in-Equity

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Unpublished Opinion No. 2018-UP-167  
Submitted February 1, 2018 – Filed April 18, 2018

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**AFFIRMED**

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James K. Hazel Jr., of Spartanburg, pro se.

Sarah Patrick Spruill, of Greenville, and A. Parker Barnes, III, of Columbia, both of Haynsworth Sinkler Boyd, PA, for Respondent.

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**PER CURIAM:** James Hazel appeals the master-in-equity's order confirming ATCF REO Holdings, LLC acquired marketable, fee simple title to a piece of real property by virtue of a tax sale. Hazel argues on appeal the master erred in (1) denying his motion for a jury trial, (2) finding it had subject matter jurisdiction, and (3) limiting his cross-examination of a witness during the merits hearing. We affirm<sup>1</sup> pursuant to Rule 220(b), SCACR, and the following authorities:

1. As to the first issue: *Lester v. Dawson*, 327 S.C. 263, 267, 491 S.E.2d 240, 242 (1997) ("Generally, the relevant question in determining the right to a trial by jury is whether an action is legal or equitable."); *Van Every v. Chinquapin Hollow, Inc.*, 265 S.C. 474, 477, 219 S.E.2d 909, 910 (1975) ("An action to remove a cloud on and quiet title . . . is one in equity.").
2. As to the second issue: Rule 53(b), SCRCR ("In an action where the parties consent, in a default case, or an action for foreclosure, some or all of the causes of action in a case may be referred to a master or special referee by order of a circuit judge or the clerk of court."); *Katzburg v. Katzburg*, 410 S.C. 184, 189, 764 S.E.2d 3, 5-6 (Ct. App. 2014) ("The master-in-equity is considered a division of the circuit court and obtains jurisdiction through an order of reference from the circuit court.").
3. As to the final issue: *Conner v. City of Forest Acres*, 363 S.C. 460, 467, 611 S.E.2d 905, 908 (2005) ("The admission or exclusion of evidence is within the sound discretion of the [master] and the [master's] decision will not be disturbed on appeal absent an abuse of discretion."); *Crowley v. Spivey*, 285 S.C. 397, 410, 329 S.E.2d 774, 782 (Ct. App. 1985) ("The [master] has a large discretion in the determination of the relevancy of evidence, and his decision to either admit or reject evidence will not be disturbed on appeal unless there is an abuse of such discretion amounting to an error of law to the prejudice of the appellant's rights.").

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<sup>1</sup> We decide this case without oral argument pursuant to Rule 215, SCACR.

**AFFIRMED.**

**SHORT, THOMAS, and HILL, JJ., concur.**