

BRUCE A. BERLINSKY, P.A.
Attorney at Law

Mailing Address:
PO Box 206
Charleston, SC 29402

One Carriage Lane, Building F
Charleston, SC 29407

Office: (843) 852-2202
Fax: (843) 852-4844
Bruce@berlinskylawfirm.com

May 17, 2018

V. Claire Allen
Deputy Clerk
South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED
MAY 21 2018
SC Court of Appeals

Re: Allen Livingston v. Harold Simmons
Appellate Case No. 2016-001201

Dear Ms. Allen:

Please be advised that the bankruptcy proceeding of Mr. Simmons was dismissed by Order of the U.S. Bankruptcy Court for the District of South Carolina. A copy of the Order of Dismissal is enclosed for your information.

With kind regards, I am

Sincerely,


Bruce A. Berlinsky

BAB/jlr
Enclosure

cc: Harold Simmons
1182 King Street
Charleston, SC 29403

Harold Simmons
3042 N Carolina Avenue
North Charleston, SC 29405



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UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

IN RE:

HAROLD SIMMONS JR.

Debtor

CASE NO: 16-06276-JW

(CHAPTER 13)

**ORDER OF DISMISSAL WITH PREJUDICE FOR A
PERIOD OF ONE YEAR FOR FAILURE TO MAKE
PAYMENTS PURSUANT TO SETTLEMENT
AGREEMENT AND NON-COMPLIANCE WITH
PRIOR P-III ORDER OF THE COURT**

This matter comes before the court upon the Chapter 13 Trustee's Motion to Dismiss Case for Failure to Make Payments Pursuant to the Settlement Agreement and Prior P-III Order of the Court. Pursuant to the February 21, 2018, P-III Order of this Court approving a settlement agreement between the Trustee and the Debtor, the Debtor agreed to make certain payments within a certain time period in exchange for not having the within Chapter 13 case dismissed and upon the failure of the Debtor to make those payments in the amount and within the time period reflected in the settlement agreement, the case would be dismissed upon written request of the Trustee, without further notice or hearing.

It now appears that the Debtor Has failed to make the payments pursuant to the settlement agreement and therefore pursuant to the Court's prior P-III Order, this case is hereby dismissed.

Additionally, a prior Order of this Court requires that if this case is dismissed for any reason, it would be dismissed with prejudice for a period of ONE YEAR. Therefore, such dismissal shall be with prejudice for a period of ONE YEAR, during which time the Debtor shall be prohibited from filing another Chapter 11, 12, or 13 bankruptcy petition.

AND IT IS SO ORDERED.

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF SOUTH CAROLINA

CASE NO: 16-06276-JW

ORDER OF DISMISSAL FOR NON-COMPLIANCE

The relief set forth on the following pages for a total of 2 pages including this page, is hereby **ORDERED**.

FILED BY THE COURT
04/30/2018



Entered: 04/30/2018

John E. Waites

US Bankruptcy Judge ©
District of South Carolina



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