

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

SCBT, N.A.,

Plaintiff,

vs.

Sand Dollar 31, LLC; Rhonda Meisner;

Defendants.

IN THE COURT OF COMMON PLEAS

Civil Action# 2011-CP-40-06318

ORDER LIFTING AUTOMATIC STAY

RECEIVED

JUL 26 2018

SC Court of Appeals

WHEREAS, Plaintiff SCBT, N.A. n/k/a South State Bank ("Plaintiff") has moved the Court pursuant to Rule 241, SCACR, and Rule 62, SCRCP, for permission for Plaintiff to file, or for the Court to file, the opinion letter from Eugene Garvin dated August 30, 2017;

WHEREAS, in Paragraph 4 of the order section of the Order Denying Motion to Alter or Amend and Entering Deficiency Judgments filed in this action on December 28, 2017, the Court had already ordered that this opinion letter be filed of record in this action, but that filing never occurred;

WHEREAS, although Defendant Rhonda Meisner ("Meisner") has served a Notice of Appeal from this order, the filing of this opinion letter at this time would be merely the carrying out of a clerical or ministerial task ordered before the appeal, and this task in no way furthers the matters already adjudicated or the relief provided for by the order being appealed. *See Jacobs v. Serv. Merch. Co.*, 297 S.C. 123, 132, 375 S.E.2d 1, 6 (Ct. App. 1988) ("After the filing of a Notice of Intent to Appeal, the circuit court's jurisdiction over the appealed order extended only to correction of clerical errors.");

NOW, THEREFORE, it is ordered that:

1. The automatic stay is lifted for purposes of permitting Plaintiff to file the opinion letter from Eugene Garvin dated August 30, 2017, with the Clerk of Court for Richland County in this action.

AND IT IS SO ORDERED.

[Court's signature page to follow]



Richland Common Pleas

Case Caption: SCBT N A vs Sand Dollar 31 LLC

Case Number: 2011CP4006318

Type: Order/Lift Automatic Stay

It is so Ordered

s/Joseph M. Strickland, 3055

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