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THE STATE OF SOUTH CAROLINA

S.C. SUPREME COURT

In the Supreme Court

CERTIORARI TO THE COURT OF APPEALS

APPEAL FROM RICHLAND COUNTY

Joseph M. Strickland, Master-in-Equity

SOUTH CAROLINA COMMUNITY BANK,
Respondent

v.

CAROLINA PROCUREMENT INSTITUTE, INC., GARY A.
WASHINGTON, MICHELLE A. WASHINGTON, FIRST PALMETTO
SAVINGS BANK, FSB, BRANCH BANKING AND TRUST COMPANY
OF SOUTH CAROLINA, PALMETTO HEALTH ALLIANCE, AND
STATE OF SOUTH CAROLINA DEPARTMENT OF REVENUE,
Defendants

of Whom GARY ALLEN WASHINGTON
MICHELLE ANNE WASHINGTON are
~~Appellants~~ ^{Am} *Petitioner*

Appellate Case No. 2016-001468

APPELLANTS' PETITION FOR WRIT OF CERTIORARI TO THE
COURT OF APPEALS

CERTIFICATION OF PETITION FOR REHEARING

I certify by my signature below that a petition for rehearing was made in the South Carolina Court of Appeals and finally ruled on by that court.

QUESTIONS PRESENTED FOR REVIEW

Whether the proceedings are void due to the automatic stay in 11 U.S.C. 362 when one of the responding parties had filed Chapter 11 bankruptcy and no stay relief had been obtained from the bankruptcy court.

STATEMENT OF THE CASE

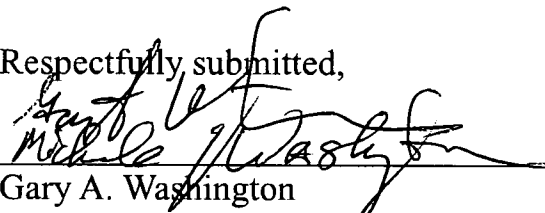
This petition arises out of a foreclosure and eviction action brought by South Carolina Community Bank against the Carolina Procurement Institute, Gary and Michelle Washington and others. There were bankruptcy petitions pending during the course of this case both for Mr. and Mrs. Washington as well as the Carolina Procurement Institute. While stay relief was obtained in the personal case of Mr. and Mrs. Washington, the Bank neglected to obtain stay relief in the corporate bankruptcy case of the Carolina Procurement Institute. The Bank continued to pursue its foreclosure and eviction action without having sought stay relief.

ARGUMENT

The Court should grant the petition and issue a writ of certiorari to the South Carolina Court of Appeals and ordering it to set aside the judgment of the trial court and order a new trial so it can reconsider its ruling because the judgment below was not valid as shown by the documents attached in the motion for rehearing in the Court of Appeals. Carolina Procurement Institute was in bankruptcy and subject to the automatic stay in 11 U.S.C. 362 from September 2015 and the subsequent months when the foreclosure took place. The foreclosure is void and the judgment should be vacated.

09/17/18
Date

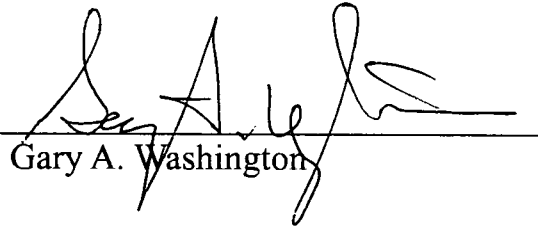
Respectfully submitted,


Gary A. Washington
Michelle A. Washington
Appellants Pro Se
1324 Furman Drive
Sumter, SC 29201
(803) 238-4542

CERTIFICATE OF SERVICE

I certify that on September 17, 2018, I have or am contemporaneously serving a copy of these documents with all attachments on those entities listed below by first class mail.

9/17/18
Date


Gary A. Washington

SERVICE LIST:

Mr. Charles Joseph Webb, Esquire
Ms. Carmen Vaughn Ganjehsani, Esquire
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