

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2014 CP-10-07484

Citifinancial

RECEIVED

Murray

PLAINTIFF(S)

DEC 31 2018

DEFENDANT(S)

Submitted by: Master in Equity

SC Court of Appeals

Attorney for : Plaintiff
or
 Defendant
 Self-Represented Litigant

2018 OCT 23 AM 9:40
JULIE G. CLARK, CLERK OF COURT

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court: The Matter is before the Court on Defendant Roland and Bernard Murray's Motion to Set Aside Foreclosure Sale filed October 2, 2018, the day of the scheduled Foreclosure Sale. Because I find that Plaintiff is protected as a lender under SC Code Section 62-3-910 (2012), it is entitled to foreclose upon the entire title to the property. This Court in a prior action (2009-CP10-2245) found that the Movants each owned a 6.25% interest in the property. That case was resolved in 2013. This 2014 foreclosure action commenced on the basis that the Mortgage from Isabelle Murray to Plaintiff went into default as of March 15, 2014. Movant's argument of Res Judicata was addressed by this Court in the August 27, 2018 Order. Attorney for Movant Willie Heyward appeared at both the December 19, 2017 hearing and the May 8, 2018 hearing. The only pleading filed by Mr. Heyward in this action was the Motion to Set Aside Sale on October 2, 2018. No timely Motion to Alter or Amend was made. To the extent this Motion is timely, it argues a point (Res Judicata) already ruled upon by the Court and is Denied. Accordingly, this Court finds that the Sale of the Subject Property held on October 2, 2018 sold the entire interest in the property to Plaintiff.

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk :

INFORMATION FOR THE PUBLIC INDEX

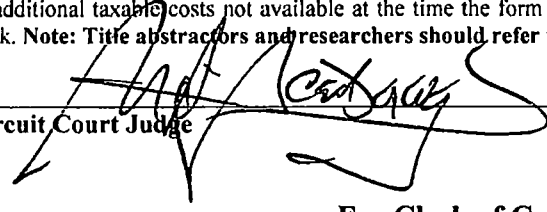
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
N/A		\$
		\$
		\$

If applicable, describe the property, including tax map information and address, referenced in the order:
N/A

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: Title abstractors and researchers should refer to the official court order for judgment details.**

Circuit Court Judge



3062

Judge Code

Date

10/19/18

For Clerk of Court Office Use Only

This judgment was entered on the _____ day of _____, 20____ and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20____ to attorneys of record or to parties (when appearing pro se) as follows:

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

Court Reporter: