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THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM WILLIAMSBURG COUNTY
Court of Common Pleas

George M. McFaddin, Jr., Circuit Court Judge

Appellate Case No. 2019-000030

Shawonder Scott,

Appellant,

vs.

Curtis McAlister, Acquana McAlister,
Norma L. Cyrus, Tax Collector for
Williamsburg County, the County of
Williamsburg, an Unincorporated
Subdivision of the State of South Carolina,
Hartwell Pendergrass, Sr., and
Hattie S. Pendergrass, Defendants,

Of whom Norma L. Cyrus, Tax Collector
For Williamsburg County, and the County
of Williamsburg, an Unincorporated
Subdivision of the State of South Carolina,
are

Respondents.

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RECORD ON APPEAL
VOLUME II

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STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
) FOR THE THIRD JUDICIAL CIRCUIT
 COUNTY OF WILLIAMSBURG) C/A NO.: 2015-CP-45-00401

Shawonder Scott,

Plaintiff,

vs.

Curtis McAlister, Acquana McAlister,
 Norma L. Cyrus, Tax Collector for
 Williamsburg County, the County of
 Williamsburg, an Unincorporated
 Subdivision of the State of South
 Carolina, Hartwell Pendergrass, Sr.,
 and Hattie S. Pendergrass,

Defendants.

Deposition of NORMA CYRUS, taken by
 Doris Tompkins Brown, Certified Verbatim Reporter
 and Notary Public in and for the State of South
 Carolina, commencing at 10:08 A.M. on April 5,
 2018, at the offices of Jenkinson Jarrett & Kellahan,
 P.A., 120 West Main Street, Kingstree, South Carolina.

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OF RECORD BUT NOT PRESENT: FOR HARTWELL AND HATTIE PENDERGRASS	Harriet Huell Lampkin Lampkin Law Firm, LLC Post Office Box 843 Blythewood, South Carolina

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File from Williamsburg County Tax Collector's Office	Pl. Ex. 1
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* * * * *

COURT REPORTER'S NOTE: --- INDICATES INTERRUPTION,
INCOMPLETE PHRASE, TRAILING OFF, INCOMPLETE SENTENCE)

1 The deposition of Norma L. Cyrus is being taken
2 pursuant to Notice and in accordance with the South
3 Carolina Rules of Civil Procedure and Amendments as adopted
4 by the Supreme Court which shall control the taking of said
5 deposition and its use thereof.

6 Counsel, with the specific consent of the witness,
7 waives the reading and signing of the deposition prior to
8 the time it is filed with the Court.

9 (Norma L. Cyrus, having been duly sworn, testifies as
10 follows:)

11 EXAMINATION BY MR. MOORE:

12 Q. Good morning, ma'am. My name is Dwight Moore. We met
13 as we were walking into the building earlier. Can you
14 state your full name for the record?

15 A. My full name is Norma L. Cyrus.

16 Q. Okay. Ms. Cyrus, have you ever taken or had your
17 deposition taken before?

18 A. I have.

19 Q. Okay. So, you're familiar with the process?

20 A. More or less.

21 Q. Okay. Well, let's -- let's cover a few bases ---

22 A. Uh-huh (affirmative response).

23 Q. -- so we can both be on the same page. We will be
24 asking you a series of questions regarding some
25 property that was sold by way of delinquent taxes on

1 some property located in your county. The lady to my
2 left and your right is making a record of our
3 conversation. I will be asking a series of questions
4 and hopefully you will answer them. If I speak too
5 quickly or you don't understand my question, if you
6 will ask me, I'll be glad to restate it. I get
7 accused from time to time or talking too quickly; if
8 I start that, please ask me to slow down and I'll be
9 glad to do that.

10 A. I will.

11 Q. In order for her to succinctly record our
12 conversation, I'll have to ask my question and you
13 will have to answer it for me. It will help me if you
14 answer yes or no and then explain if you need to
15 explain.

16 A. Okay.

17 Q. I'll -- and I'll assume again that, once we've started
18 that if you answer, that you understood my question.

19 A. Okay.

20 Q. So, if I ask it and you don't ask for clarity and you
21 answer the question, I'm going to assume that you
22 understood it and I'll go on to the next question. Is
23 that fair?

24 A. That's fair.

25 Q. Okay. Once we've started, the conversation has to be

1 between you and I and no one else. I'm not going to
2 be here very, very long, but if you need to take a
3 break for any reason, you just stop and say -- I need
4 to take a break and we'll be glad to do that; okay?

5 A. That's fine.

6 Q. All right. Ma'am, can you spell your last name for
7 me?

8 A. My last name is spelled C-Y-R-U-S.

9 Q. Okay. And Ms. Cyrus, you -- you're employed here in
10 Williamsburg County; is that correct?

11 A. That's correct.

12 Q. Is your position an elected position?

13 A. It is not.

14 Q. Okay. It's an appointed position?

15 A. It's an appointed position.

16 Q. And who are you appointed by?

17 A. I was appointed by Alex Chapman, supervisor at that
18 time.

19 Q. Okay.

20 A. Stanley Paisley is the supervisor currently.

21 Q. Okay. And so, is your job one that is at will by the
22 County or do you have a job for a term; how does that
23 work?

24 A. At will by the County.

25 Q. Okay. So, you work for the County until you say

1 otherwise or the County says otherwise, basically?

2 A. That's correct.

3 Q. Okay. How long have you had this job, ma'am? How
4 long?

5 A. How long have I had the Tax Collector's job?

6 Q. Yes.

7 A. I've been appointed as Tax Collector in 1992 I
8 believe.

9 Q. Okay. And prior to that job, what did you do?

10 A. Prior to 1991-92, I was still employed with
11 Williamsburg County, but I was employed in the
12 Treasurer's Department.

13 Q. Okay. And what did you do in the Treasurer's
14 Department?

15 A. I began in that Department as a Clerk, and that Clerk
16 position transitioned to Deputy Treasurer.

17 Q. And how long did you serve as Deputy Treasurer?

18 A. I was employed in that -- in that office for eight
19 years. I don't have the actual date at this time when
20 I went from Clerk to Deputy Treasurer.

21 Q. Is it safe to say that you have worked for the County
22 for most of your adult life then?

23 A. That's correct.

24 Q. Are you a resident of Williamsburg County?

25 A. I am.

1 Q. Okay. What high school did you go to?

2 A. I attended Battery Park High School.

3 Q. And what year did you graduate?

4 A. 1978.

5 Q. Okay. And any college after Battery Park High School?

6 A. I have.

7 Q. Okay. Where at?

8 A. In Manhattan, New York.

9 Q. What is the name of that school?

10 A. I attended Hunter College and Borough of Manhattan
11 College.

12 Q. Did you get a Degree?

13 A. I did.

14 Q. And what is that Degree in?

15 A. Business Administration.

16 Q. Any further studies?

17 A. None.

18 Q. Okay. What year did you leave Williamsburg County to
19 go to New York to school?

20 A. In '78.

21 Q. What year did you come back?

22 A. '82, approximately.

23 Q. Are you married, ma'am?

24 A. I am.

25 Q. Okay. What is your husband's name?

1 A. Henry Cyrus.

2 Q. Any children?

3 A. Two.

4 Q. Are they residents of Williamsburg County?

5 A. They are legal residents of Williamsburg County.

6 Q. Do they live here now?

7 A. One daughter lives in Orangeburg. She's in college.

8 Q. Okay. And the other -- other child?

9 A. She's a resident of Williamsburg County. Tyree Cyrus.

10 Q. All right. And what is your maiden name?

11 A. Cooper.

12 Q. Do you have any relatives in Williamsburg County that
13 go by the name other than Cooper?

14 A. I do.

15 Q. Okay. What is their last names?

16 A. Pressley. Cyrus. Nesmith. That's pretty much it.

17 Q. And what does your husband do for a living?

18 A. He's employed with a company, a labor company in
19 Charleston as a laborer.

20 Q. Do you go to church anywhere?

21 A. I do.

22 Q. What is the name of your church?

23 A. The name of my church is Greater St. Mark AME Church.

24 Q. Okay. Any memberships in any civic organizations?
25 Sororities, Eastern Star?

1 A. Yes.

2 Q. Okay.

3 A. Eastern Star.

4 Q. And what is the name of your ---

5 A. Sterling Light Chapter 369.

6 Q. Okay. Any other civic, fraternal or sorority type
7 organizations that you're a member of?

8 A. Not to my knowledge at this time.

9 Q. Okay. Your children, you have one -- you said your
10 daughter is at South Carolina State?

11 A. I'm sorry. Claflin.

12 Q. Claflin. Good school.

13 A. Thank you.

14 Q. Okay. How old is she?

15 A. She's twenty-one (21).

16 Q. And your son?

17 A. The other daughter?

18 Q. Other daughter? So, you have got two -- two
19 daughters?

20 A. Two daughters.

21 Q. I'm sorry.

22 A. Yes.

23 Q. Okay. How old is she?

24 A. Twenty-six (26), twenty-seven (27).

25 Q. Okay. All right. Do you yourself have any siblings

1 here?

2 A. Repeat the question, please.

3 Q. Any siblings, you yourself any siblings in
4 Williamsburg County?

5 A. I do not.

6 Q. Okay. Tell me what your duties are as Tax Collector
7 for Williamsburg County.

8 A. My duties are for a Tax Collector as Williamsburg
9 County is collection of delinquent taxes to enforce
10 it, to safeguard it, to follow the procedures governed
11 by the State of South Carolina, to maintain and
12 engovern those procedures, to keep abreast of what's
13 required by law that this office should do. There's
14 a procedure that we do which is governed by the State
15 and not the County. But for the most part, it's the
16 delinquent collections on real estate, not vehicles.

17 Q. Okay.

18 A. Real estate includes homes, land, boats, motors,
19 aircrafts.

20 Q. Okay. Now, you said there were certain Ordinances or
21 Statutes I think you -- if I'm not misquoting you --
22 ~~that are~~ governed by the State and not the County?

23 A. Correct.

24 Q. Okay. Does the County -- let's start with the County.
25 Does the County have any particular Ordinances that

1 are local that deal with delinquent taxes that your
2 County Council or anyone associated with the County
3 has put into effect that governs delinquent taxes and
4 the sale of property for delinquent taxes? Local --
5 local Ordinances.

6 A. No, sir. Our -- the Delinquent Office is mandated --
7 our laws are enforced and mandated through the State
8 of South Carolina.

9 Q. Okay. So, there are no local Ordinances, County
10 Ordinances, that deal with your job?

11 A. No, sir.

12 Q. Okay.

13 A. Not to my knowledge.

14 Q. What training do you -- do you have in the collection
15 of taxes that you have had since you have been the Tax
16 Collector here in Williamsburg County?

17 A. Since I've been the Tax Collector here in Williamsburg
18 County, we have several trainings. There is one --
19 there's a spring and then there's a fall training.
20 The law requires that Tax Collectors go through six
21 hours of training per year. However, classes are
22 offered during the spring and fall through the
23 Association of Counties. In addition to that, there
24 is a Tax Collectors for the State, and we meet during
25 the year trying to make sure that we are -- all forty-

1 six (46) counties are following the same procedures,
2 following the same law as governed by.

3 Q. And the six hours are required every year?

4 A. That's correct.

5 Q. And when did that start?

6 A. Those six hours classes are offered in February
7 through the Association.

8 Q. Okay. Do you meet in Columbia or do you meet
9 somewhere in the state?

10 A. We meet in Columbia for those six hours.

11 Q. Okay.

12 A. Now, the other seminars are done throughout the State.

13 Q. Okay. And those are sponsored by the Association of
14 Counties?

15 A. That's correct.

16 Q. All of them are?

17 A. That's correct.

18 Q. And when was your last class?

19 A. I'm sorry?

20 A. Your last class?

21 A. February, 2018.

22 Q. And where was that held at?

23 A. In Columbia at the Embassy Suites through the
24 Association.

25 Q. And that's mandated, required?

1 A. That's correct.

2 Q. We -- we, prior to the deposition starting today,
3 looked at a file that you had that is your office file
4 relative to this case; is that correct?

5 A. If you're referring to this file that's in front of
6 me?

7 Q. Yes, ma'am.

8 A. That's correct.

9 Q. Okay. And that file has to do with property that was
10 -- that was in the name of Mr. Curtis McAlister and
11 the address -- the property is located here in
12 Williamsburg County, Tax Map Number being 45-200-016;
13 is that correct?

14 A. The property is located in Williamsburg County in the
15 name of Curtis McAlister, Tax Reference Number 45-200-
16 016.

17 Q. Yes, ma'am.

18 A. Correct.

19 Q. Okay. And this is your complete office file; is that
20 correct?

21 A. That's correct.

22 Q. Do you know of any other offices of the County that
23 may have any records relative to this particular
24 property?

25 A. Repeat your question again, please.

1 Q. Do you know of any other offices in the County that
2 would have a copy or any documents relative to this
3 particular property as relates to this tax sale?

4 A. As relates to the tax sale?

5 Q. Yes, ma'am.

6 A. There is none.

7 Q. What is -- what is the process as you know it to be
8 for sale of property for delinquent taxes in this
9 county?

10 A. Repeat the question again.

11 Q. What is the process that you go by to sell property
12 once it's been determined that taxes are delinquent in
13 this county?

14 A. The first process of collection begins in the
15 Treasurer's Office. They forward out the original
16 bill, the first mailing. Those bills go out
17 approximately every year around October of that given
18 year, goes out from the Treasurer's Office, regular
19 mail. At this time, they forward out a reminder in
20 February on that same bill as a reminder to the -- a
21 reminder to the tax payers that the taxes are unpaid
22 before execution begins.

23 Q. Okay. When you say "February," is that of the
24 following year?

25 A. That's correct.

1 Q. So, the October notices go out for taxes. The next
2 year, four or five months later, you get a reminder?

3 A. Correct.

4 Q. If they are not paid?

5 A. If they are not paid.

6 Q. Okay. And the due date is when?

7 A. May I stop for a second?

8 Q. Yes, ma'am.

9 A. Is the question in general as to what is the process
10 now or are we dealing with this year here?

11 Q. Well, has it changed?

12 A. It hasn't, but my concern is, the Treasurer didn't
13 always send out a reminder notice because it's not
14 required by law. It's done as a courtesy. So,
15 therefore, I'm not sure in 2012 if a reminder notice
16 was mailed.

17 Q. Okay.

18 A. At this time, 2018, 2017, reminder notices are mailed
19 from the Treasurer which is a totally different
20 Department.

21 Q. Right. So, you don't know if that was done in 2012?

22 A. I do not.

23 Q. Okay. Has -- is there anything else that's done like
24 that that is a reminder that's not mandated -- when
25 you say it's not mandated?

1 A. Okay. I can go through the complete process, but I
2 just wanted to ---

3 Q. Okay.

4 A. -- state that. Okay. The bill becomes delinquent
5 March 16th.

6 Q. Okay.

7 A. That's when it's transferred to the Delinquent Tax
8 Office, which is my Department. At that time, on
9 April 1st or soon thereafter, a -- after March 16th,
10 that first bill is forwarded out to the defaulting
11 taxpayer. Thirty (30) days or soon thereafter, a
12 Certified Restricted letter is forwarded to the
13 defaulting taxpayer.

14 Q. Okay. Let's put it -- let me get it straight in my
15 mind. Maybe a reminder in February, then the -- if
16 not paid, it goes to your office; is that fair? Is
17 that correct?

18 A. If it's not paid on March -- by March 16th, that's
19 correct.

20 Q. Right. Goes to your office?

21 A. But those two notices prior to has nothing to do with
22 my Department.

23 Q. You all -- I understand. And when it arrives to you
24 on or about March 16th, is when you -- you start your
25 process?

1 A. That's correct..

2 Q. All right. And then you said what, thirty (30) days,
3 you said you sent a Certified letter; is that correct?

4 A. The first letter is regular mail.

5 Q. Okay. The first mailing is regular mail after March
6 16th?

7 A. That's correct.

8 Q. Okay. And then if no response, what happens next?

9 A. The law requires that you send out Certified
10 Restricted mail.

11 Q. Okay. And -- and how long is it that you normally
12 send the Certified letter if there is no response from
13 the first regular mailing?

14 A. Thirty (30) days or soon thereafter.

15 Q. Okay. Approximately thirty (30) days?

16 A. Thirty (30) days or soon thereafter.

17 Q. Okay. If there is no response from the Certified
18 mailing, what is your next step?

19 A. The law requires that we physically go out and place
20 a Notice of Levy on the property.

21 Q. Okay. Who does that for you? Who did that for you in
22 2012, between 2012 and 2015? If that person -- that
23 person would have changed -- who was the person
24 responsible for that?

25 A. That person would have been Joshua Gaskins.

1 Q. And in particular to the -- to -- to this particular
2 property we just mentioned, would he have been that
3 person in 2012 thereabouts?

4 A. That's correct.

5 Q. Okay. All right. After the -- the notice is placed
6 on the property, ---

7 A. Uh-huh (affirmative response)..

8 Q. -- tell me what that process is. The person goes --
9 what do they do, what is the process for placing
10 notice, what happens?

11 A. The law states that the notice should be placed in a
12 conspicuous place, meaning on the door, on the tree,
13 any place visible that can be seen. A stake in the
14 yard.

15 Q. Is the stake put up by -- by -- by your office or the
16 stake -- you select something in the yard when you say
17 "stake put up in the yard?" Does your guy go out and
18 put a stake in the yard with a notice on the stake?
19 Mr. Joshua.

20 A. Yes, sometime he does. Again, the law states that
21 that notice may be placed in a conspicuous place,
22 meaning some place that it can be seen -- may it be on
23 the door, on a fence, a stake in the yard because it
24 could be clear property; so, therefore, a stake is
25 placed and a notice is attached to it for it to be

1 seen.

2 Q. Okay. So, the law says that you -- you put the notice
3 on -- in a conspicuous place on the property. If no
4 response, then what happens? What is the next step by
5 law?

6 A. By law, the next step after there's no response and
7 the taxes remain unpaid, then we have to advertise.
8 The law states that it's in your -- in our newspaper
9 for three to two weeks. I think it's three -- it's
10 three -- it's three weeks for real and two weeks for
11 mobile homes or vice-a-versa. I'm not sure which one
12 it is now. But we advertise for three weeks.

13 Q. And then, if no response from the advertisement, what
14 happens?

15 A. Then there's a tax sale.

16 Q. Now, does the advertising in the paper give notice for
17 the date and time for the tax sale?

18 A. That's correct. Date, time, where.

19 Q. Okay. After the notice is given, you have a tax sale;
20 is that correct?

21 A. That's correct.

22 Q. And if someone comes and purchases the property, the
23 property is purchased; is that correct?

24 A. Repeat that. Rephrase that.

25 Q. At the tax sale, what happens?

1 A. At the tax sale, there's a public auction.

2 Q. Okay.

3 A. And the sale goes to the highest bidder.

4 Q. Okay.

5 A. The bidder does not own the property at that time.

6 The law states that it's a year and a day in order to
7 redeem your property.

8 Q. Is there another notice that's sent out to the
9 taxpayer?

10 A. After that year -- during that redemption period is
11 what we call it, during that redemption period, during
12 that year and a day, notification is mailed out.

13 Q. How is that mailed?

14 A. Regular mail, Restricted mail.

15 Q. And when you say regular mail, Restricted mail, is
16 that required by law? Do -- I guess I don't
17 understand what you're saying.

18 A. Okay. Forgive me.

19 Q. Okay.

20 A. We send out regular mail, but the law requires that
21 before that redemption period ends, we have to mail
22 out Certified.

23 Q. And if there is ---

24 A. I'm sorry. And then there's title -- title work done
25 within that period as well.

1 Q. Okay. Anything else?

2 A. That's it.

3 Q. Okay. If there's no response to the Certified mailing
4 during the redemption period, is there anything that's
5 required of the County to do to make sure that notice
6 is effected based upon the sale and the redemption
7 notice, that is giving notice to the seller or to the
8 -- to the owner that this property is now in a
9 redemption period which is about to expire? Is there
10 anything -- if the person doesn't pick up that
11 Certified mailing, is there anything you -- you're
12 required to do?

13 A. Repeat the question again, please.

14 Q. If a person doesn't pick up the Certified mailing or
15 don't -- doesn't receive it, doesn't sign for it, ---

16 A. Uh-huh (affirmative response).

17 Q. -- is there another responsibility that is placed upon
18 you to do something else if they have not signed for
19 the notice?

20 A. What we do if a Certified mailing is not received,
21 that's where the regular mail comes in at. We --
22 because regular mail -- Certified mail, one may not
23 pick up their certified mail. That's why as a
24 courtesy we'll send out regular mail.

25 Q. So ---

1 A. But -- but the law states to send out that Certified
2 mail because it tells us -- because it tells us
3 whether or not someone is picking their mail up.

4 Q. If a person doesn't pick their mail up, what does that
5 tell you?

6 A. If a person doesn't pick the mail up from the Post
7 Office, what does it tell me?

8 Q. Yes, ma'am. Or tell you as a -- as a tax -- Tax
9 Collector?

10 A. Okay. It tells me as a Tax Collector that, one,
11 either they're choosing not to pick up their mail;
12 two, they may not be receiving the mail.

13 Q. Okay.

14 A. It ---

15 Q. I'm sorry. Go ahead.

16 A. I'm sorry. It could mean anything. You know, it
17 could mean that it -- it's being placing in the wrong
18 box, it may not be received, or they may just choose
19 not to pick it up.

20 Q. Assuming that they didn't -- it's sent to the wrong
21 address, or for some reason they haven't picked it up
22 other than the outright refusal to do so, ---

23 A. Uh-huh (affirmative response).

24 Q. -- is there anything else that's required of you to do
25 as -- as a Tax Collector if it comes back unclaimed?

1 A. If the mail comes back unclaimed?

2 Q. Yes. If that notice during -- during the redemption
3 period comes back unclaimed, is there anything else
4 that is required of you to do?

5 A. No, sir, because we have already sent out regular mail
6 as well.

7 Q. Okay.

8 A. After that -- after the tax sale within that year and
9 a day, regular mail as well as a Certified mail has
10 been sent out.

11 Q. Okay. All right. Let me go -- well -- well, let me
12 just make sure I have it right in my mind. This --
13 this arrives at your office about March 16th, on about
14 that time?

15 A. That's correct.

16 Q. And some time during that, you send a mailing out
17 Certified to the delinquent taxpayer telling them that
18 their taxes have been unpaid, not paid?

19 A. The first mail is a regular mail. The second mail is
20 a Certified Restricted.

21 Q. All right. If that -- if that comes back unclaimed,
22 then you actually do a Notice of Levy on the home
23 itself?

24 A. That's correct.

25 Q. Okay. Placed in a conspicuous place?

1 A. Yes.

2 Q. And that was done by Mr. Joshua -- what is his last
3 name?

4 A. Gaskins.

5 Q. Gaskins. If no response by paying of taxes, you go to
6 the sale -- to the delinquent tax sale after notice in
7 the newspaper?

8 A. Correct.

9 Q. And you say it is two to three weeks of notice?

10 A. Yes, sir. My -- my answer for two to three weeks is
11 because, right now, I'm not sure -- with real estate,
12 the law requires us to advertise for X amount of weeks
13 and for mobile homes, the law requires us to advertise
14 for X amount of weeks. At this time, I'm unsure as to
15 which is which.

16 Q. Okay. But this is for a house and not a mobile home;
17 is that correct?

18 A. I know, but I'm just stating what the law says.
19 That's why I'm saying two to three weeks.

20 Q. I won't hold you to that.

21 A. Okay.

22 Q. So, for a mobile home, it's one, for a house it's the
23 other?

24 A. Correct.

25 Q. Right. But we know this to be a house; is that

1 correct?

2 A. That's correct. Uh-huh (affirmative response).

3 Q. And so, if no response from -- you give notice of the
4 tax sale by way of publication and then you go to the
5 sale; is that correct?

6 A. That's correct.

7 Q. The sale is to the highest bidder?

8 A. Correct.

9 Q. You have a year and a day from the date of sale ---

10 A. Correct.

11 Q. -- to redeem the property?

12 A. Correct.

13 Q. And you send a Certified letter and regular -- regular
14 -- by -- by Certified and regular mailing to that tax
15 -- delinquent tax person ---

16 A. Uh-huh (affirmative response).

17 Q. -- giving them that information; is that correct?

18 A. That's correct.

19 Q. All right. And if they don't pick the Certified
20 letter up, it comes -- comes back returned to you, you
21 have no further obligation after that.

22 A. If that redemption period has ended, there is not.

23 Q. Okay. So, if they have not responded to your letter,
24 the period ends, the sale moves on as if the person
25 who were the highest bidder takes the property by way

1 of Deed from the county; is that correct?

2 A. That's what we do. At that time, we -- the file is
3 compiled and we make sure we have followed everything
4 to the letter of the law.

5 Q. Okay. Let's talk about -- let's talk about this --
6 this property that -- that was owned by Mr. Curtis
7 McAlister, ---

8 A. Okay.

9 Q. -- Tax Map Number 45-200-016; okay?

10 A. Okay.

11 Q. According to your Checklist in your file that is dated
12 8/15/15, do you have it in front of you?

13 A. I have it.

14 Q. Okay.

15 A. Thank you.

16 Q. Paralegal review is R.J.; is that who that is?

17 A. Yes.

18 Q. Okay. And attorney review ---

19 A. R. F. -- I'm not sure what that letter is, to be
20 honest with you. I mean, I'm looking at it, I just --
21 I just don't know what the letter is.

22 Q. Okay. Okay. And attorney review is -- do you know
23 what that initial is?

24 A. I'm thinking it's Attorney Jenkinson.

25 Q. Okay.

1 A. But again, I'm not sure what the letter -- what the
2 writing is.

3 Q. Okay. The Checklist says that on -- on Number One,
4 3/17/12, you sent out the notice regular mail; is that
5 correct?

6 A. That's correct.

7 Q. And the you sent on Item Number Two, you sent a notice
8 to defaulting taxpayer, green card that came back
9 unclaimed on 6/6 of 2012; is that correct?

10 A. That's correct.

11 Q. And the defaulting taxpayer is who?

12 A. The defaulting taxpayer is Curtis McAlister.

13 Q. And what address did you use for that mailing?

14 A. The County has a mailing address of 2520 Carroll
15 Drive, Columbia, South Carolina. That zip is 29204.

16 Q. Okay. And at -- at what point according to your file
17 was that address changed or was it changed? Because
18 obviously, that's not -- that's not the address that
19 the property is located at; correct?

20 A. This is not a property location address, correct.

21 Q. Right. What is the property location address?

22 A. I do not have a property location address. I don't
23 see it in front of me anywhere. I'm showing a mailing
24 address.

25 Q. So, there's nothing in your file to show where the

1 property is actually located, other than in
2 Williamsburg County?

3 A. I'm looking at a Deed that shows the grantee's address
4 of a Route 3, Box 250-A Kingstree, South Carolina
5 29556, but can I go and tell you where Route 3, Box
6 250-A ---

7 Q. Yes, ma'am.

8 A. -- I cannot.

9 Q. Okay. You don't know if this house that we -- that is
10 the subject of this conversation is at that address or
11 not?

12 A. I do not know where Route 3, Box 258 Kingstree is.

13 Q. Okay. Do you know exactly where Tax Map Number 45-
14 200-016 might be?

15 A. I do not. It's in Williamsburg County, but I cannot
16 ---

17 Q. That's what I'm asking.

18 A. -- take you to the location.

19 Q. Okay. That's what I'm asking. All right. The -- and
20 so then, obviously, the account of a Columbia address
21 is not where the property is located?

22 A. That's correct.

23 Q. Okay. All right. According to your file, was notice
24 ever sent to the address in the county other than the
25 posting of your -- your -- your Levy Notice? Were

1 there ever any correspondence being sent to that Route
2 3 Box in Williamsburg County?

3 A. Repeat your question again.

4 Q. There's a Route 3 address in your file. If -- is that
5 correct, where the property is located supposedly?

6 A. There's a Route 3 Box on a Deed in the file.

7 Q. Right. So, ---

8 A. Was there a bill forwarded to Route 3 Box?

9 Q. Yes.

10 A. There was not.

11 Q. Okay. And so, we ---

12 A. Because the law doesn't require me to do so. The law
13 requires we forward the bill to the last known address
14 on record.

15 Q. Okay. In 2012 then, on 6/6/2012, what was the last
16 known address of record?

17 A. According to the Tax Assessor files, the last known
18 address is that 2520 Carroll Drive, Columbia. Mailing
19 address.

20 Q. All right. Number Three is a -- and that -- that came
21 back unclaimed. It came back that they didn't claim
22 the notice; is that correct?

23 A. That's correct.

24 Q. Notice of Levy was posted on 8/14/12?

25 A. That's correct.

1 Q. And do you have in your file what was actually posted
2 on the property?

3 A. I do.

4 Q. Okay. And -- okay. All right. And do you have
5 anything in your file that showed who posted and the
6 date of the posting?

7 A. I do.

8 Q. Okay. What is that?

9 A. Joshua Gaskins. And the date was 8/14/12.

10 Q. Okay. Is there anything -- can I see that for a
11 second?

12 A. (Witness gives document to counsel).

13 Q. Is there anything on the document that -- that tells
14 you where it was posted on the property?

15 A. It does not.

16 Q. Is there anything in your file or on that document
17 that tells you what time of day it was posted?

18 A. It does not.

19 Q. Okay. Is there anything on that file that tells you
20 the day of the week that it was posted?

21 A. There is nothing in this file that tells me the day of
22 the week. It just says the date, 8/14/2012.

23 Q. Okay. Is there anything in your file that tells you
24 whether anyone was home or not?

25 A. It does not.

1 Q. Okay. Is there any other Affidavit besides that
2 document that tells you anything about the service or
3 the posting of that -- that document on the property?

4 A. Repeat the question.

5 Q. Is there anything in your file that says anything in
6 addition to that document like an Affidavit or posting
7 of Affidavit of any type other than that document that
8 you have in your hand? The Notice of Levy document.

9 A. Repeat the question again.

10 Q. Is there anything else in your file that speaks to the
11 posting of that Notice of Levy other than that
12 document that you have in your hand?

13 A. It does not. This is the only thing that I have.

14 Q. Okay. Do you know or does your file indicate whether
15 or not the owner of the property actually lives there?

16 A. Repeat your question.

17 Q. Is there anything in your file -- do you have any
18 firsthand knowledge as to whether the owner of the
19 property, Mr. Curtis McAlister, actually lives in that
20 property or on that property?

21 A. I do not.

22 Q. Okay.

23 A. I'm sorry. May I go back to that question again?

24 Q. Yes, ma'am.

25 A. Well, this Certified notice that I'm looking at is

1 showing an assessment of Four Percent (4%). In order
2 to receive that Four Percent (4%) assessment on this
3 bill, that means that you are -- you -- or you should
4 be living there in order to receive a lower -- lower
5 assessment. Do I know personally he's living there --
6 I do not.

7 Q. So, based upon that document that is showing -- that
8 you have a Four Percent (4%) assessment, that tells
9 you that he should be living there?

10 A. That's the only reason he should be receiving a Four
11 Percent (4%) assessment.

12 Q. If there is notice in your file that he is not living
13 there, what is your course of action as the Tax
14 Collector? I.e., the Columbia address that are
15 mailing a Certified letter to.

16 A. There is no course of action for my Department ---

17 Q. Do you ---

18 A. -- to do anything about a Four Percent (4%) or Six
19 Percent (6%). Uh-uh (negative response).

20 Q. Is there -- is there any responsibility on you
21 regarding the Four Percent (4%) to notify anyone else
22 that he's -- that there's another address in the file
23 for him but there's a Four Percent (4%) assessment on
24 the property? I mean, do you have -- do you have a
25 responsibility to do anything at all?

1 A. No, sir.

2 Q. Any -- any reason why that caught your eye just now?

3 A. Because of your question you just asked me -- is there
4 anything in your file that says he is -- is living --
5 is living there. Four Percent (4%) means that
6 property is being assessed at a lower rate.

7 Q. Meaning?

8 A. He should be living there.

9 Q. Okay.

10 A. Should be living there.

11 Q. Okay. But you're not sending the notice there of
12 delinquent taxes; is that correct? You say he should
13 be living there based upon the Four Percent (4%)?

14 A. Uh-huh (affirmative response).

15 Q. But you are not sending a notice there, are you?

16 A. I didn't send the notice there because the address was
17 changed by someone; and it was at their discretion to
18 change the address.

19 Q. Let's talk about that for a second.

20 A. Uh-huh (affirmative response).

21 Q. In 2012, did the County have a policy that spoke to
22 whether or not a person could change the address on
23 the property by either phone call or coming in and
24 just -- but other than the party who owns the property
25 as to whether that can be done or not?

1 A. All address changes for the County are done through
2 the Tax Assessor's Office. I can't answer that as to
3 their policy and procedures because another Department
4 cannot change an address.

5 Q. But -- but in your file, you have a Change of Address,
6 is that correct?

7 A. In my file, I have a Change of Address.

8 Q. Okay. And was that done by your office or someone's
9 office -- someone else's office?

10 A. It was done by the Tax Assessor's Office.

11 Q. Okay. All right. And so, even though this is your
12 file, you have some documents from the Tax Assessor's
13 Office as a part of your file?

14 A. That's correct.

15 Q. Okay. Is the whole file transferred to you from the
16 Tax Assessor's Office after it has been determined
17 that a person has been delinquent?

18 A. No, sir. During our research before -- we take every
19 avenue we can in order to make sure everything is done
20 properly or we have gone the extra mile. Therefore,
21 we follow through with the Tax Assessor's Office to
22 see if there is any address changes or an additional
23 address. That's where the copy came into play.

24 Q. Copy ---

25 A. From the Tax Assessor's Office, the Change of Address.

1 Q. Okay.

2 A. Which is in another Department. But do the Tax
3 Collector's Office change addresses -- not at all.

4 Q. Does the Tax Assessor's Office have a file on the
5 McAlister issue?

6 A. A file as of what I have in front of me?

7 Q. Does -- do they have a file at the Tax Assessor's
8 Office relative to this property?

9 A. No, sir. They have address changes, not a file on
10 Curtis McAlister.

11 Q. So, the form that you got that indicated an address
12 change came from them; is that correct?

13 A. That's correct. They do not have a tax sale file is
14 what I'm referring to.

15 Q. Okay. Do they any other file on the Curtis McAlister
16 property that you know of?

17 A. Not to my knowledge.

18 Q. Okay. What would they keep the Change of Address
19 document in?

20 A. I have no idea.

21 Q. Other than that Change of Address document, what other
22 documents have you gotten from them?

23 A. That's in this tax sale file?

24 Q. Yes, ma'am.

25 A. Other than the Change of Address, there is none.

1 Q. What other documents would they have relative to any
2 file of a person who is delinquent with taxes in this
3 County? Is it -- what -- what would they have?

4 A. I have no knowledge.

5 Q. But you do -- you did say that they would have had at
6 least one document that you have, and that is a Change
7 of Address document?

8 A. That's correct.

9 Q. And so, by you saying you have no knowledge, you don't
10 know of any other documents or you don't know that
11 they have any file at all?

12 A. Repeat your question.

13 Q. Okay. I'll be glad to. Assuming that you -- you have
14 one document, the Change of Address, that came not
15 from your office, but the Tax Assessor's Office?

16 A. Uh-huh (affirmative response).

17 Q. Okay. That's a yes or no.

18 A. I'm sorry. Forgive me.

19 Q. Yes? Is that a yes?

20 A. Repeat your question again.

21 Q. You have one document that is a Change of Address
22 document that came -- that you said came from the Tax
23 Assessor's Office?

24 A. Yes.

25 Q. Okay. And I'm asking you, of your own knowledge, do

1 you know of any other documents that they would have
2 had like that document in their file or if they have
3 a file that would have had any other documents aside
4 from the Change of Address?

5 A. The Tax Assessor's Office, being that they go out and
6 assess properties, they have a record of all
7 assessments because that's their Department. I'm
8 looking at a Residential Appraisal Card which is a
9 copy on Mr. McAlister; this was obtained from their
10 office as well.

11 Q. Okay. That's what I was asking. Were there any --
12 any other documents in your file that you got from
13 their office?

14 A. Okay. When I first looked through, I didn't see this.

15 Q. Okay.

16 A. But this came from -- this meaning the Residential
17 Appraisal Card -- came from the Tax Assessor's Office.
18 The reason for this being in the file is again to see
19 if there's any Change of Address or anything that
20 would help me to help the McAlister's in paying their
21 taxes before the issuance of a Deed.

22 Q. Okay. So, we've got two things that came from their
23 office, the copy of that -- that card that you -- that
24 you just made reference to and the Change of Address?

25 A. That's correct.

1 Q. Anything else?

2 A. That's it.

3 Q. All right. The -- in regard to this Curtis McAlister
4 matter, you -- you have got the -- going back to the
5 Notice of Levy, is there a correspondence that you
6 send to Mr. Gaskins telling him that -- that there is
7 a Notice of Levy I need you to -- to serve; I mean,
8 what -- what correspondence, if any, do you have other
9 than that one notice? Is there a letter that you
10 send, is there something where you communicate to him;
11 how did that process happen?

12 A. The process for levying by Mr. Gaskins is done by him
13 coming into the office, we issue him a roster showing
14 the number of parcels with a name and a Tax Reference
15 Number, not a mailing address but a Tax Reference
16 Number as to location of the property and he's
17 deputized or he's notarized to sign at that time to go
18 out and begin his levying process.

19 Q. Is there any documentation showing that he's deputized
20 to go out on this particular date that you have Notice
21 of Levy on this particular property ---

22 A. Not on this particular day; he's -- he is given
23 approximately maybe two thousand (2,000) -- I'm not
24 sure of the exact number -- and he will have a certain
25 time frame to go out and levy throughout the county.

1 The -- his document -- my documentation would not say
2 -- I asked Mr. Gaskins to go out on August 14th and
3 levy. I might have given him a listing of parcels to
4 post, say, for example, in July, and he got to this
5 particular property on August 14th.

6 Q. So, you gave him a stack of ---

7 A. That's correct.

8 Q. So, other than him signing the bottom of that
9 particular Notice of Levy document and putting a date
10 on it, you don't have any other supplemental
11 documentation that he did or did not do anything other
12 than that document in your file; is that correct?

13 A. I'm not sure what you're asking me now.

14 Q. You said you give him a stack of things to go serve?

15 A. Postings, yes.

16 Q. Postings. Other than him signing this sheet -- and I
17 assume it's a -- it's a copy -- is it -- is this an
18 original document or just a copy of something?

19 A. This is the document here; there's a copy left on the
20 property location, and a copy comes back into the
21 office. But the property -- what's left on the -- on
22 the location is exactly this.

23 Q. It is a white sheet like that?

24 A. It's -- it may have been yellow or orange. We used to
25 change colors; so, I'm not sure at this time which

1 color it was. It's a bright sign.

2 Q. Do you keep a -- a pink or yellow or whatever copy
3 other than that white copy in your file?

4 A. No, that is left on the property.

5 Q. Okay. Are there multiple sheets of Notice of Levy
6 that you -- is there a carbon copy type deal that you
7 use to -- to print that whereby you keep a copy and
8 send a copy to the property; is there a form that had
9 a carbon on it or how do you produce that form in
10 three, two or three copies?

11 A. There are just two copies. One is placed on the
12 location and one is placed in my office.

13 Q. Okay. And you said a color copy is placed on the
14 property?

15 A. I don't recall the copy -- the color at this time
16 because we -- we change colors from year to year.

17 Q. Okay.

18 A. The only thing I can tell you is, it's a bright color
19 because that's the only colors we use, bright colors.
20 What color specifically, I don't know.

21 Q. Is Mr. Gaskins around now? Is he -- does he still
22 work for you?

23 A. He do not.

24 Q. Okay. When did he leave?

25 A. I'm not sure at this time.

1 Q. Do you have an address for him?

2 A. I do.

3 Q. Okay. Can you tell me what the address is?

4 A. Not at this time. I don't have it in front of me.

5 Q. Okay.

6 A. I'm sorry. I didn't know I need to bring it.

7 Q. I'm just asking if you ---

8 A. Okay.

9 Q. -- knew it off the top of your head.

10 A. No, sir.

11 Q. Okay. Does he still live in -- live in Williamsburg
12 County?

13 A. To my knowledge.

14 Q. Okay. All right. You testified that -- that Notice
15 of Levy was placed on the property. I don't see on
16 your Checklist a notice by way of -- of newspaper
17 advertising the date and time for the sale.

18 A. I do not see on the Checklist a date of notice of
19 advertisement, but I do know it would have been done
20 three to two weeks prior to the date of the sale
21 because the law requires us to do so.

22 Q. But does your file show a date of actual sale?

23 A. Repeat the question, please.

24 Q. Does your file show a date of actual sale?

25 A. It appears as if the sale was December 3rd, if I'm not

1 mistaken, 2012.

2 Q. December 3rd, 2012?

3 A. If I'm reading correctly. That's correct.

4 Q. And how did you pay for notice in the newspaper? Does
5 that come -- come from a check from your office or
6 from the County to the local paper to pay for the
7 space for the notice? How does that happen?

8 A. Repeat the question, please.

9 Q. How -- do -- do you pay for the notice to the
10 newspaper?

11 A. That's correct.

12 Q. How do you -- how do you pay? I mean, does ---

13 A. I'm sorry. By check.

14 Q. By check.

15 A. Forgive me.

16 Q. Okay. And do you pay a lump sum for all of the sales
17 for that particular year or how do you -- is it -- do
18 you pay for each individual advertisement or notice in
19 the paper ---

20 A. The newspaper charges, for example, if we advertise
21 for three weeks, they would forward us an invoice or
22 a bill for the three weeks, and it's the lump sum
23 paid.

24 Q. I suppose you have multiple -- multiple notice --
25 notices in the newspaper, but do you pay a lump sum

1 for -- for all of them or do you pay for each of them
2 individually?

3 A. A lump sum for all.

4 Q. All right. And again, as a part of your file, you
5 don't have a copy of that notice in your file?

6 A. Copy of the notice of?

7 Q. The advertisement in the paper or the notice in the
8 paper. I just want to make sure. At least, it's not
9 on your Checklist, and I'm asking ---

10 A. Okay. It is not. There's not one in the file here.

11 Q. Okay. All right. You have Number Four: "First
12 notice for opportunity to redeem property by regular
13 mail." Is that correct?

14 A. That's correct.

15 Q. Okay. And do you have a copy of that regular notice,
16 regular mailing by way of first notice?

17 A. I do.

18 Q. May I see a copy of that?

19 A. Yes.

20 Q. And this is what you send by regular mail?

21 A. Yes.

22 Q. Okay. And then on 10/21 of '13, you have in the file
23 Notice of opportunity to redeem property" that came
24 back unclaimed?

25 A. That's correct.

1 Q. Then you have here a Notice of Lienholder, and that
2 was a judgment on the property?

3 A. Dismissed. Yes. It was dismissed.

4 Q. Okay.

5 A. That's notated in the file.

6 Q. Okay. Is it your understanding that, once you've
7 given notice to the taxpayer that's unclaimed for
8 failing to pay taxes for a given tax year, that after
9 you have sent a second notice during the redemption
10 period that comes back unclaimed, that the Statute
11 doesn't require you to do anything else?

12 A. Repeat your question, please.

13 Q. Is it your understanding as the Tax Collector for this
14 County that after you have sent notice to the taxpayer
15 that comes back unclaimed for failure to pay taxes,
16 that after you have sent a notice during the
17 redemption period that comes back unclaimed, that you
18 have no further responsibility in terms of notice to
19 the taxpayer?

20 A. Repeat your question again, please. I need to answer
21 you correctly.

22 Q. Okay. Is it your opinion as the Tax Collector for
23 this County ---

24 A. Uh-huh (affirmative response).

25 Q. -- that after you have sent notice to the taxpayer by

1 way of Certified mailing that they have not paid their
2 taxes and it has come back unclaimed, the property is
3 sold, you send a second notice to that taxpayer saying
4 -- you have now an opportunity to redeem the property
5 because it's now been sold and that comes back
6 unclaimed, that the Statute places no other
7 responsibility on you as far as your obligation to the
8 taxpayer?

9 A. My understanding as a Tax Collector, once property is
10 delinquent and I send out a regular bill required by
11 law and I send out a Certified notification and I levy
12 on the property and I advertise three weeks, then
13 there is a tax sale. Then there is a letter by
14 regular mail forwarded to the defaulting taxpayer
15 during the redemption period. Then there's a
16 Certified Restricted letter mailed to the taxpayer.
17 Whether it's accepted or returned, and in this case,
18 it's returned, I have done everything that the law
19 requires me to do.

20 Q. Okay.

21 A. In addition to those additional letters that would
22 have gone out.

23 Q. Okay. Let me -- in regard to the Notice of Levy, ---

24 A. Uh-huh (affirmative response).

25 Q. -- is there anything in your file that would have

1 indicated to you where that Levy would have been
2 posted on the property? I'm showing you a picture of
3 the property with the Tax Map Number 45-200-016. Is
4 there anything in the -- in your file that would
5 indicate where that notice would have placed?

6 A. No, sir.

7 Q. So, even though there's a document that says "Notice
8 of Levy" and the date or the person who supposedly
9 placed the Notice, you have a date that it was placed,
10 there's nothing on that document that tells you where
11 it was placed?

12 A. This ---

13 Q. On the property.

14 A. -- picture that you're showing me was not taken the
15 day of the Levy notification. But again, there is
16 nothing on that picture that tells me where it was
17 placed.

18 Q. Is there anything in your file that tell you -- tells
19 you where it was placed on the property?

20 A. It does not. And the law doesn't require me to take
21 a picture. I just took a picture.

22 Q. Okay. Well, you took this picture?

23 A. Not I -- I as Tax Collector. I did not take the
24 picture.

25 Q. Okay. You said -- you said ---

1 A. I did not go out and take the picture.

2 Q. Okay.

3 A. Okay.

4 Q. All right. Do you know who took the picture?

5 A. Joshua Gaskins.

6 Q. Okay. When did he take this picture?

7 A. I don't know when he took the picture, but it would
8 have been taken after the Levy and before the issuance
9 of a Deed.

10 Q. Why did he take the picture?

11 A. Because I requested him to do so. Because when
12 property is not redeemed and before I issue a Deed, I
13 have him go out there and take a picture because I put
14 a picture in the file. That's not required by law;
15 that's just something that I do for my office.

16 Q. Okay. Is there -- is it reasonable to take a picture
17 of where he posted the notice; is that important to
18 you, to know that it is conspicuously posted and where
19 it was posted in case there's a dispute as to whether
20 it was posted or not?

21 A. I'm not required by law to do so.

22 Q. But you -- you appear to do a few things that are not
23 required by law?

24 A. I know, but I -- I am not required to do so.

25 Q. So, that -- that wouldn't ---

1 A. Uh-uh (negative response). In 2012, I'm not required
2 to do so.

3 Q. Okay.

4 A. The law doesn't state that I must do that.

5 Q. Have you talked to anyone about this file other than
6 your -- the attorney for the County?

7 A. Yes.

8 Q. Okay. Who have you spoken to about it?

9 A. Attorney Harvin. There was an Attorney Harvin that
10 came into my office after the issuance of the Deed --
11 issuance of this Deed questioning the -- the process.

12 Q. Okay. And was this person representing Ms. Scott at
13 the time or someone else?

14 A. I honestly don't know.

15 Q. Was there anyone else you spoke with about it?

16 A. No, sir.

17 Q. Okay. And I'm about to finish up. Is it your
18 testimony then, ma'am, that even if the Certified
19 notice comes back to you unclaimed, ---

20 A. Uh-huh (affirmative response).

21 Q. -- that you have no other responsibility as far as
22 notice is concerned? Is that your -- is that your
23 position here today?

24 A. My position here today is that I did and I must do
25 anything that's required by law for me to do so.

1 Q. Okay. And so, if notice comes back unclaimed, then
2 that is all you're required to do?

3 A. I'm not sure what you're asking me.

4 Q. If a Certified letter comes back unclaimed -- and the
5 reason you send a Certified letter is for someone to
6 actually sign saying that they have received it and
7 the green card comes back to you; is that correct?

8 A. Uh-huh (affirmative response).

9 Q. If that card comes back or the letter comes back
10 unclaimed, not signed, is it your testimony that that
11 is all you're required to do is just send the letter,
12 and if it comes back unclaimed, then you have nothing
13 further to do with it as far as your obligation by
14 law?

15 A. Again, I'm not sure what you're asking me, but my
16 response is that as Tax Collector, we do everything
17 that's required by law which, under the Statute, it
18 requires us to send out regular mail and Certified
19 mail. Do some of the Certified mail come back -- yes,
20 sir. But that's where the Levying comes in at,
21 posting the property, and that's where the regular
22 mail comes in at. That's where the advertisement
23 comes in at.

24 Q. Do you know if someone lives on that property or lives
25 in that property?

1 A. Do I know someone lives on this property?

2 Q. Yes, in the property, on the property?

3 A. I do not.

4 Q. So, you don't know if it's abandoned or not or if
5 someone lives there?

6 A. I do not.

7 Q. Okay. All right. Those are all my questions.

8 A. Thank you.

9 MR. BRUNSON: I have a few, but I
10 need to use the restroom first.

11 MR. MOORE: Okay. Well, while
12 we're -- while you're doing that, I want
13 to make -- I have a copy of -- I think I
14 showed that to her earlier, I want to
15 make a copy of that.

16 MR. REYNOLDS: I'll do that.

17 (OFF THE RECORD).

18 EXAMINATION BY MR. BRUNSON:

19 Q. Ms. Cyrus, my name is Will Brunson. I represent the
20 McAlister's in this action, both the father and the
21 daughter. Of course, all of the initial instructions
22 that Mr. Moore gave you apply with my questioning as
23 well. You agree to give truthful answers today, I'm
24 sure?

25 A. Yes. Yes.

1 Q. And you also agree to not be evasive but to answer my
2 questions if you're able to?

3 A. Yes.

4 Q. Okay. And you have been sworn today, and you
5 indicated that you are in fact the Tax Collector for
6 Williamsburg County?

7 A. Yes.

8 Q. Now, as the Tax Collector for Williamsburg County, who
9 is your supervisor, if any?

10 A. Mr. Stanley Paisley.

11 Q. Okay. What is Mr. Paisley's position; what is his
12 title?

13 A. He's supervisor for Williamsburg County.

14 Q. So, he's the County Supervisor?

15 A. Right. Yes.

16 Q. Like the County Administrator?

17 A. Yes, but he's the County Supervisor.

18 Q. Different from the County Administrator; he's the
19 County Supervisor?

20 A. Yes.

21 Q. And you said you began working in this capacity when?
22 What year did you begin?

23 A. I'm thinking -- I'm thinking '81, '82.

24 Q. Okay. And have policies and procedures changed from
25 when you first started to today's date?

1 A. Yes.

2 Q. Okay. In fact, policy and procedures have changed
3 from 2013 to today; correct?

4 A. Yes. May I say something? I cannot -- I cannot -- I
5 need to ask you -- and I need to ---

6 Q. Okay.

7 A. -- I need to respond to something. I didn't answer
8 something correctly when he asked me. He -- I think
9 he asked me did I speak to anyone else pertaining to
10 this case.

11 Q. Okay.

12 A. A Mr. McAlister, he identified himself as Mr.
13 McAlister, ---

14 Q. Uh-huh (affirmative response).

15 A. -- and I'm not sure who the lady was ---

16 Q. Uh-huh (affirmative response).

17 A. -- that came in -- came in and talked to me about this
18 case.

19 Q. Okay. So, Mr. -- a Mr. McAlister and a female came
20 into your office?

21 A. Correct. And I didn't remember about that until just
22 now.

23 Q. Okay. And so, -- and approximately when was that
24 encounter?

25 A. It was -- I know it was after -- after the issuance of

1 the Deed, but I cannot tell you an exact date, time or
2 year.

3 Q. Okay.

4 A. But I do know it was after the issuance of the Deed.

5 Q. All right. And you did have a conversation with them
6 in regard to ---

7 A. I did. I did. I just thought about that. So,
8 forgive me.

9 Q. All right. Now, you indicated earlier that you have
10 two children?

11 A. That's correct.

12 Q. One -- one that is in college in Orangeburg and
13 another that is currently in Kingstree; correct?

14 A. Yes.

15 Q. All right. The one that is in Kingstree, where does
16 she work?

17 A. Verizon.

18 Q. And that is Verizon in Kingstree?

19 A. No, I'm sorry. In Darlington, South Carolina.

20 Q. Okay. So, she lives in Kingstree, but she works in
21 Darlington?

22 A. That's correct.

23 Q. Okay. Is she a member of any sorority?

24 A. No, sir.

25 Q. Any civic organizations?

1 A. None to my knowledge.

2 Q. Okay. And I believe you indicated your husband
3 resides in Kingstree as well?

4 A. He resides in Charleston.

5 Q. Oh.

6 A. I mean, well, he commutes back and forth, works there.

7 Yeah.

8 Q. Okay. Do you live in Kingstree?

9 A. I do.

10 Q. Okay. And he sometimes resides in the home ---

11 A. Yes.

12 Q. -- with you here?

13 A. Yes. Uh-huh (affirmative response).

14 Q. Okay. And his employment is in Charleston?

15 A. Yes.

16 Q. Okay. He has worked in Kingstree, though?

17 A. Yes. Years ago. Early -- early '80's.

18 Q. Okay. And do you attend church together?

19 A. Yes.

20 Q. What church was that again?

21 A. Greater St. Mark AME Church.

22 Q. Okay. Is he a member of any organizations that you're
23 aware of? Civic or otherwise, fraternal?

24 A. Not active. He was a member -- was -- is a member of
25 Masonic Lodge. I cannot tell you that Lodge number.

1 Q. Okay. That lodge is here in Kingstree?

2 A. Hemingway.

3 Q. Williamsburg County?

4 A. Williamsburg County.

5 Q. Yeah. All right. And just to fast forward, ---

6 A. Uh-huh (affirmative response).

7 Q. -- you went over the process that your office followed
8 in regard to these matters, and I appreciate that.

9 A. Uh-huh (affirmative response).

10 Q. And you've brought your file today. I also appreciate
11 that. Now, I've identified approximately fifteen (15)
12 documents in your file. Okay?

13 A. Okay.

14 Q. And with the exclusion of correspondence that you
15 received from Mr. Moore's office. And I wanted to
16 present these documents and have you identify them.

17 A. Okay.

18 Q. I want to pass you three documents initially and I
19 believe you indicated that at some point you collected
20 some items from the file at the Assessor's Office; is
21 that correct?

22 A. That's correct.

23 Q. And are these three documents the files that you
24 collected from the Assessor's Office?

25 A. Not the picture.

1 Q. Okay.

2 A. Okay. But One, Two, Three, yes.

3 Q. All right. So, somebody stapled these together. So,
4 is it your testimony today that this photograph should
5 not be stapled to the back of this Appraisal Card?

6 A. Yes. It's a part of the file, but it doesn't mean --
7 being that it's stapled doesn't mean that it came from
8 that office. It's just ---

9 Q. Which is why I'm asking you this specific question.

10 A. Right. Yes. Uh-huh (affirmative response).

11 Q. So, it is your testimony today that if we go to the
12 Assessor's Office and pull the Appraisal Card, there
13 will be no photograph in it?

14 A. That's correct.

15 Q. Because this photograph was commissioned by you?

16 A. That's correct.

17 Q. Okay. And that their Appraisal Card is just the first
18 two sheets?

19 A. That's correct.

20 Q. So, do you mind if I separate these in your file?

21 A. That's fine.

22 Q. Okay. All right. So, again, these three documents
23 are the documents that you received from the
24 Assessor's Office?

25 A. That's correct.

1 Q. All right. And so, this photograph, being the fourth
2 document in your file, is one that you commissioned
3 and was taken by Mr. Gaskins, I believe?

4 A. That's correct.

5 Q. All right. Can you identify for me the -- the three
6 documents you collected from the Assessor's Office?

7 A. Okay. The first document as it states is a
8 Residential Appraisal Card of Williamsburg County,
9 South Carolina.

10 Q. Okay.

11 A. In the name of Curtis McAlister with Tax Reference
12 Number 45-200-016.

13 Q. Okay.

14 A. The second document is a Change Address form again for
15 Curtis McAlister, Tax Reference Number 45-200-016
16 dated 10/20/10.

17 Q. Okay.

18 A. The third that I have in my hand is again an Address
19 Change form dated 6/29/11 in the name of Curtis
20 McAlister, Tax Reference Number 45-200-016.

21 Q. Okay.

22 MR. BRUNSON: Let's go off the record
23 for a moment.

24 (OFF THE RECORD).

25 EXAMINATION BY MR. BRUNSON CONTINUED:

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1 Q. You have identified the Residential Appraisal Card.
2 Let's take a look at that.

3 A. Uh-huh (affirmative response).

4 Q. Now, I believe you indicated that you did, but someone
5 from your office went to the Assessor's Office. You
6 didn't do that; correct?

7 A. Correct.

8 Q. And -- and can you explain to me the significance of
9 collecting the Residential Appraisal Card; why was
10 that collected?

11 A. I collected it just for information for our office to
12 see if there was possibly anything different with a
13 Change of Address or anything on it that would help my
14 Department to better serve Mr. McAlister ---

15 Q. All right.

16 A. -- as in locating him trying to get the tax collected.

17 Q. All right. And so, the Address Change forms are
18 corresponding to the Appraisal Card?

19 A. That's correct.

20 Q. All right. Very good. Now, you also have in here --
21 well, you testified that you had sent two Certified
22 mailings to Mr. McAlister and two regular mailings;
23 correct?

24 A. Yes.

25 Q. Can you pull those documents from your file and show
SHAWONDER SCOTT VS. CURTIS McALISTER, ET AL.

1 me which ones those are -- from yours?

2 A. You have my file.

3 Q. Oh, I'm sorry.

4 A. Repeat your question to me again, please.

5 Q. Can you please identify the mailings that left your
6 office two of which you indicated were Certified and
7 two of which you indicated were regular mail?

8 A. Okay. I have them pulled.

9 Q. All right. I think you indicated that when your
10 office first received this file in or around March
11 16th, you sent a regular mailing?

12 A. That's correct.

13 Q. Do you have a copy of what you sent?

14 A. This is a copy here.

15 Q. All right.

16 A. That's our first execution.

17 Q. And that is dated March 17th?

18 A. Yes.

19 Q. And at the top of it, it indicates Tax Collector,
20 Williamsburg County to Norma Cyrus, Tax Collector.
21 So, this is a -- a notice that says to you, and this

22 came from the Treasurer?

23 A. Uh-huh (affirmative response).

24 Q. Correct?

25 A. What -- no, what this is, our notices are mailed out

1 and used by QS/1 which is a company out of Columbia,
2 Spartanburg who handles our software, our mailing of
3 notifications; they prepare and process and mail --
4 distribute our mailing.

5 Q. Uh-huh (affirmative response).

6 A. If there is six thousand (6,000) -- we have from six
7 thousand (6,000) to seven thousand (7,000), ten
8 thousand (10,000) notifications. This is what's
9 forwarded to us as proof of mailing. So, this is our
10 first execution of mailing.

11 Q. So, your office physically sends this out or you
12 didn't say that just now, did you?

13 A. No, I didn't say that.

14 Q. You said it is sent out by someone else?

15 A. Our -- it is called QS/1, our company that handles or
16 prepares all our notifications, distributing mail,
17 yes.

18 Q. All right. So, that is the first mailing that
19 occurred ---

20 A. That's correct.

21 Q. -- around -- around or about March 17th, 2012?

22 A. That's correct.

23 Q. Okay. And I believe after that, you sent a Certified
24 mailing; correct?

25 A. That's correct.

1 Q. All right. So, which one is the first Certified
2 mailing that you sent?

3 A. This one (witness refers to document).

4 Q. All right. And it was returned unclaimed; correct?

5 A. That's correct.

6 Q. All right. Now, there was a -- a green card that also
7 came back, or no?

8 A. No, sir, this is the mail itself.

9 Q. Oh, I see the green card.

10 A. Yeah.

11 Q. And if I were to open this mailing, it would -- what
12 would -- what is inside? Is a -- what does it say?

13 A. It would say that taxes are unpaid ---

14 Q. Okay.

15 A. -- and the amount that's due.

16 Q. Okay. And is there also a deadline in there that
17 indicates when something is supposed to be paid?

18 A. Yes, sir. It probably reads or it should read --
19 there's a date there.

20 Q. Okay. And -- and this indicates that it was returned
21 on 8/28/12, probably received in your office either
22 8/31 or 9/4. Which one is your received stamp, the
23 blue one?

24 A. I have to look at it. I can't -- can't tell.

25 Q. I'm sorry.

1 A. That's okay. The received stamp, it was received back
2 9/4/12. Yes.

3 Q. And so, that is from your office?

4 A. That's correct.

5 Q. Okay.

6 A. Everything else is notification from the Postal
7 Service.

8 Q. All right. There you are. And -- and then -- and
9 then finally, the second Certified mailing -- well,
10 no, no, before then, I believe you indicated that it
11 would go to Mr. Gaskins in a group for Levy postings?

12 A. That's correct.

13 Q. All right. And you have -- there's a copy of that.
14 Levy posting -- That's in there twice. That's in
15 there twice. Okay. Do you mind if I take that out?

16 MR. MOORE: No, no, go ahead.

17 Q. Okay.

18 MR. MOORE: If it's in there twice, okay.

19 MR. BRUNSON: Oh, one of them's yours.

20 So, it's not in there twice.

21 A. This is the original one here. That's my copy. Right
22 there. Thank you.

23 Q. So, it's not in there twice. I just kept your copy.
24 Thank you for keeping me straight. All right. So,
25 this is the Notice of Levy that you indicated Mr.

1 Gaskins posted?

2 A. Yes.

3 Q. Now, in regard to that, how long has Mr. Gaskins been
4 doing this for the County?

5 A. Mr. Gaskins has -- I cannot tell you the exact number
6 of years he's been employed with Williamsburg County,
7 but I do know he's been posting Levies for -- he was
8 employed by Williamsburg County Tax Assessor's Office
9 for a number of years. As a matter of fact, he was
10 posting Levy notices for Williamsburg County prior to
11 me becoming Tax Collector.

12 Q. All right. So, at the time of this posting, he was
13 your deputy?

14 A. At the time of this posting, he would have been
15 employed with Williamsburg County Tax Assessor's
16 Office, I believe, because I'm not sure of his
17 retirement to be honest with you.

18 Q. Okay.

19 A. But he would have been deputized as Tax Collector in
20 order to perform this duty. Yes.

21 Q. All right. And so, this 8/14/12 date that's located
22 in the bottom left corner, he signs over the line,
23 Deputy Tax Collector. And is that his designated
24 title when he's doing these things?

25 A. Yes, sir, when he's deputized, yes.

1 Q. Okay.

2 A. Uh-huh (affirmative response).

3 Q. All right. And so, is there any -- any way that you
4 verify that it's done, or are you just relying on his
5 indication?

6 A. He's deputized, and he's -- there's a form notarized
7 by him giving him the instructions as to what the law
8 requires him to do.

9 Q. Okay.

10 A. Uh-huh (affirmative response).

11 Q. And so, ---

12 A. And -- and right.

13 Q. And his -- that is his job function?

14 A. That's right.

15 Q. And you don't double-check what he indicates he has
16 done? Is that ---

17 A. No, sir, I do not go out there to the location, to the
18 locations to verify that it's there.

19 Q. All right. And he doesn't take a picture of -- of the
20 location to prove that it has been posted in a
21 conspicuous place; he just comes back, signs off on
22 this, and you proceed as if it is accurate?

23 A. No, sir.

24 Q. No?

25 A. There is not a picture taken at the time of Levy.

1 Q. Okay. All right. And in regard to the next phase, I
2 believe you indicated that after he makes this
3 posting, that an advertisement in the newspaper is
4 conducted?

5 A. That's correct.

6 Q. Do you have a copy of a -- I believe you indicated you
7 do not have a copy of the advertisement itself?

8 A. That's correct.

9 Q. And you indicated that you do not have any cancelled
10 checks indicating it was paid for today or anything
11 along those lines?

12 A. I do not have it in the file.

13 Q. Okay. Do you have a Printer's Affidavit from the
14 newspaper in which it was ran?

15 A. I do not have it in the file. Not in this file.

16 Q. But you do have it?

17 A. Yes, sir.

18 Q. Okay. Which newspaper did this run in?

19 A. It would have been the Kingstree newspaper and the
20 Hemingway -- the "Weekly Observer" is what it's
21 called, I believe.

22 Q. The "Weekly Observer"?

23 A. The Kingstree News.

24 Q. Is that one periodical or two?

25 A. That's two. The "Kingstree News" ---

1 Q. Okay.

2 A. -- is located here in Kingstree.

3 Q. Okay.

4 A. The "Weekly Observer" is located in Hemingway, South
5 Carolina.

6 Q. So, then, is it your contention that it ran in two
7 newspapers?

8 A. That's correct.

9 Q. Okay. And -- and you have those records in your
10 possession -- in your possession but just not here
11 today?

12 A. That's correct.

13 Q. And -- and so, just to be clear, you've got a copy of
14 the advertisement itself?

15 A. Uh-huh (affirmative response). Yes.

16 Q. Is that a yes?

17 A. I'm sorry. Forgive me. Forgive me. Yes.

18 Q. You have got a copy of the Printer's Affidavit proving
19 that it was in fact ran?

20 A. Okay. I don't understand what you're calling a
21 Printer's Affidavit.

22 Q. Do you get something back from the publisher?

23 A. From the newspaper -- oh, yes.

24 Q. Okay.

25 A. An Invoice is what you're referring to?

1 Q. Well, no. But the Printer's Affidavit is a specific
2 thing which is ---

3 A. The clip that shows -- the clip that ---

4 Q. All right. So, let me -- let me just ask you the
5 specific question.

6 A. All right.

7 Q. What do you have evidencing that it was ran in the
8 newspaper?

9 A. A copy of the paper.

10 Q. Anything in addition to that?

11 A. The newspaper when they forward you an Invoice, ---

12 Q. Uh-huh (affirmative response).

13 A. -- they send you clippings of the newspaper.

14 Q. Okay. And that is what you have?

15 A. Yes.

16 Q. All right. Will you get those to your attorney?

17 A. Yes.

18 Q. Okay. Thank you. Okay. Just a few more. I believe
19 you indicated that -- well, let me finish looking
20 through the file. I know that you have a Checklist in
21 there. I'm familiar with that. How much was the
22 property sold for?

23 A. The property was sold to the highest bidder. The
24 highest bid was Eight Hundred Dollars (\$800.00).

25 Q. And that reflected the tax year -- one tax year or

1 two?

2 A. This property was sold for the 2011 -- at the 2011 tax
3 sale.

4 Q. Which -- which would have been for which year's
5 delinquent taxes?

6 A. 2011. My hesitation is, because of the law changing;
7 today, the law states that we must bid in the
8 delinquent plus current year taxes. In 2012, right
9 now, I don't remember; I can't recall what the law
10 stated.

11 Q. That's not reflected on your -- in your documents as
12 to what was outstanding to the County at the time of
13 the sale?

14 A. Okay. Okay. I'm sorry. I was answering your
15 question then. Repeat your question, please.

16 Q. The amount that was owed to the County at the time of
17 the sale reflected what, taxes owed from what year?

18 A. Okay.

19 Q. Or which year?

20 A. Okay. 2011 tax sale. The amount of tax was Four
21 Hundred Forty-Nine Thirty-five (\$449.35) as stated on
22 the Deed.

23 Q. And that was taxes owed for ---

24 A. 2011.

25 Q. -- 2011?

1 A. Correct.

2 Q. All right. 2012 was not included?

3 A. It was a 2011 tax sale.

4 Q. You can't sell it the same year it's due, can you? Do
5 you? What year was -- what was the date of the sale?

6 A. 2012. December 3rd, 2012.

7 Q. Okay. All right. I got you. As far as being the Tax
8 Collector is concerned, I believe you indicated
9 earlier that you have a number of trainings, two a
10 year I believe, and that you're governed by State laws
11 and regulations?

12 A. That's correct.

13 Q. Do you have a Policy or Procedure Manual that you
14 utilize in your office?

15 A. Yes, we do.

16 Q. Okay. Do you have that with you today?

17 A. No, I do not.

18 Q. And who created this Policy and Procedures Manual that
19 you utilize in your office?

20 A. The Association of South Carolina State. It's for the
21 State of South Carolina, the Policy and Procedures.

22 There's a Manual -- we follow the South Carolina Code
23 of Law.

24 Q. I understand. It's statutory?

25 A. Correct.

1 Q. And then, so, there is no Policy and Procedure Manual
2 that was created by Williamsburg County to assist in
3 -- in your job duties and functions?

4 A. Not by Williamsburg County. By the Association within
5 the State. By the Association within the State or the
6 Tax Collector's Association or ---

7 Q. So, when you first began as the Tax Collector, there
8 was no interoffice materials that you utilized by way
9 of policy?

10 A. There are Manuals within in the office that was given
11 to the office through the Association.

12 Q. I got you. All right. And tell me again, that
13 Association is what?

14 A. South Carolina Association of Auditors, Treasurers and
15 Tax Collectors.

16 Q. How often is that updated?

17 A. Maybe yearly, just to make sure there aren't any
18 changes or are changes.

19 Q. Okay. And those new packets are mailed to you
20 annually you believe?

21 A. They are given to us at our meetings.

22 Q. At the meetings?

23 A. There are updates if there are any changes that's
24 forwarded us through -- via e-mail through the
25 Association of any Legislation laws or updates.

1 Q. Okay. And I believe you indicated that there were
2 some policy changes and I imagine they were. You have
3 been doing this for a long time, but my question for
4 you is, do you recall any changes in policy between
5 the years of 2011 and 2017?

6 A. Yes.

7 Q. Can you identify the ones that are obvious to you?
8 And the -- and the procedure specifically.

9 A. Can I identify changes from 2011 versus 2017?

10 Q. Uh-huh (affirmative response).

11 A. Within the law, the first one that comes to mind is
12 the division of property. One time the law stated
13 that property must be divisible. At this time, the
14 terminology states may.

15 Q. Oh, no, no. I'm not -- I don't want those nuances.

16 A Uh-huh (affirmative response).

17 Q. Let me rephrase the question.

18 A. Okay.

19 Q. Any changes in the law that would have affected the
20 way that you handled the McAlister case specifically?

21 A. Okay. Okay. I'm sorry.

22 Q. In regard to the notices and in regard to what is
23 required for levying the property and in regard to
24 what is required for advertising, in regard to dealing
25 with unclaimed Certified mailings, in regard to

1 address changes, anything along those lines.

2 A. No, sir.

3 Q. Okay.

4 MR. BRUNSON: I don't have anything
5 else.

6 EXAMINATION BY MR. MOORE:

7 Q. I just have one or two follow-ups, ma'am, and we'll be
8 done. You told -- you said there was a form notarized
9 by Mr. Gaskins. Other than the document that showed
10 the posting, what forms do you have -- or maybe I
11 misunderstood you -- that would have been notarized by
12 him?

13 A. Before I allow him to go out and begin posting, he is
14 given a roster of a listing of parcels that need to be
15 posted; so, therefore, he is given the procedures of
16 what's to be done and what is required by law, and
17 he's -- it's signed off and it's notarized.

18 Q. Do you have a copy of that?

19 A. Not here in the file.

20 Q. Would that in the normal course -- would that have
21 been made a party -- part of this file in that this
22 file was ---

23 A. It is -- it is -- it is not required by law; it's just
24 a policy that my office does.

25 Q. So, there's a notarized document in your -- in your

1 office, though not in this file, ---

2 A. Uh-huh (affirmative response).

3 Q. -- that shows what his responsibilities would have
4 been relative to posting this Notice?

5 A. Posting of all parcels, all properties for the County.

6 Q. Now, the QS/1 out of Spartanburg, Columbia,
7 Greenville, you said that they do your mailings for
8 you?

9 A. For the County. For the -- for taxes.

10 Q. Okay.

11 A. Not just my Department, but current taxes, vehicle
12 taxes.

13 Q. Would ---

14 A. They prepare and process the notifications.

15 Q. Okay. And you indicated this -- this document is what
16 -- is sent to them or is sent back to you?

17 A. Sent back to me.

18 Q. Okay. What do they send to -- in this case, what did
19 they send in particular to Mr. McAlister; do you know
20 what was actually sent?

21 A. A -- a bill.

22 Q. Okay Do you have a copy of that bill?

23 A. No, sir, because it could not have been returned. It's
24 a regular bill. It's a regular notification.

25 Q. Okay. Would it -- would it be the same document

1 that's in that letter that has a green card on it?

2 A. That's correct.

3 Q. Same document?

4 A. Same document, just that one's Certified, and the
5 first one isn't. Regular mail.

6 Q. Okay. And do you have a copy of what was -- a copy of
7 that same document that -- that was sent by them
8 that's in that letter in your file?

9 A. Okay.

10 Q. I don't want to open the letter, but do you have a
11 copy of what was sent to that -- sent to him in your
12 file?

13 A. This is a Certified bill, but it's the exact bill.
14 It's just -- the first one is regular mail and the
15 second one is just Certified.

16 Q. And that document that's attached to it, is that the
17 document that's sent to him?

18 A. No, this is sent to the taxpayer, the bill itself.

19 Q. Okay. All right.

20 A. Being that this one is sent Certified, it was
21 returned; so, therefore, I just attached it to our
22 notification.

23 Q. Okay. Let me get this straight. That bill that's
24 attached to the letter, was that -- that was sent to
25 him, the document that's stapled to that letter?

1 A. This is the bill.

2 Q. Right. That's the bill?

3 A. And it -- and it -- and it entails the amount of taxes
4 that's due and the date that it's due with the
5 property name, property tax reference number, receipt
6 number, mailing address.

7 Q. Okay. Can I look at that right quick?

8 A. Uh-huh (affirmative response).

9 Q. Okay. This was sent by UPS and you have a tracking
10 document that's attached to it?

11 A. Correct.

12 Q. Okay. And then you have Certified mailing and the
13 green card which is behind it?

14 A. Correct.

15 Q. And then you have a document titled "Williamsburg
16 County Delinquent Certified Postmark File Copy"?

17 A. Correct.

18 Q. That is stapled to that?

19 A. Correct.

20 Q. But -- and in here is a is an envelope that's
21 perforated that one would peel off the sides and in
22 there is a bill?

23 A. Correct.

24 Q. Okay. But it's just a bill. It doesn't have an
25 explanation, it doesn't say you're late, it doesn't

1 say any of that; it just -- it's just a bill?

2 A. The bill states that it's delinquent at this time;
3 this is Certified notification to the property owner
4 with the amount of taxes due and the due date.

5 Q. Okay. But you don't have in your file a -- a doc --
6 a copy of this that's open that we can see it?

7 A. No, sir.

8 Q. Okay. All right. Now, this is a first mailing; is
9 that correct?

10 A. That's not correct. That's the second mailing.

11 Q. First Certified mailing?

12 A. First Certified mailing.

13 Q. Right.

14 A. Correct.

15 Q. The second Certified mailing after -- after the sale
16 has been done, is that -- do you have that document --
17 that in your file?

18 A. Yes.

19 Q. Now, and while you're looking, this sent by QS/1 as
20 well?

21 A. That's correct.

22 Q. Okay. So, the mailing, the regular mailing, is sent
23 by QS/1, this is sent by QS/1?

24 A. Correct.

25 Q. Okay.

- 1 A. This is the second Certified.
- 2 Q. Okay. Is this sent by QS/1 as well?
- 3 A. No, sir, that's sent by this -- my Department.
- 4 Q. Okay. This is sent by your office?
- 5 A. Yes.
- 6 Q. And there was a -- there would -- there is a document
- 7 that's attached to -- to the Certified mailing. Is
- 8 that the document that's inside this envelope?
- 9 A. That's correct.
- 10 Q. Okay. Thank you, ma'am. Let me give that back to you.
- 11 A. Okay.
- 12 Q. Is this yours or mine?
- 13 A. That's yours. Thank you.
- 14 Q. And you indicated -- this is my last question, I
- 15 believe -- that there is a Policy Manual in your
- 16 office that's sent from the Association that you use
- 17 in your office; is that correct?
- 18 A. That's correct.
- 19 Q. All right. And you indicated that -- that -- and I'm
- 20 not sure I got the answer to this question -- that
- 21 aside from that Policy Manual that comes from the
- 22 Association, that you have no other in-house Manuals
- 23 that you use yourself other than that Policy Manual
- 24 from someone else?
- 25 A. No, sir.

1 Q. Okay. So, you just have one Manual, and that is from
2 the Association?

3 A. That's correct.

4 MR. MOORE: Okay. Those are all of my
5 questions.

6 MR. REYNOLDS: And I don't have any
7 questions.

8 (THERE BEING NO FURTHER QUESTIONS, THE DEPOSITION WAS
9 CONCLUDED AT 11:48 A.M.).

10

STATE OF SOUTH CAROLINA)
COUNTY OF SUMTER) CERTIFICATE

I, Doris Tompkins Brown, Certified Verbatim Reporter and Notary Public in and for the State of South Carolina, certify that I did have Norma Cyrus appear before me commencing at 10:08 A.M. on April 5, 2018, at the offices of Jenkinson Jarrett & Kellahan, P.A., 120 West Main Street, Kingstree, South Carolina; that the witness was duly sworn and cautioned to tell the truth; that the foregoing pages constitute a true and accurate transcript of the testimony given at that time and place.

I hereby certify that I am not of counsel or kin to any of the parties to this cause of action, nor am I interested in any manner in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 21st day of May, 2018.

Doris Tompkins Brown CVR
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission expires: 4-02-2025

Daisy Moore

From: Sheree Matthews <sheree@jenkinsonlaw.com>
nt: Wednesday, April 04, 2018 10:20 AM
To: Daisy Moore
Cc: Evan Reynolds; Billy Jenkinson
Subject: FW: Curtis McAlister
Attachments: 20180404073835843.pdf

Mr. Moore,

In response to your subpoena, I've attached the only other documents that Ms. Cyrus is aware of. These could be duplicates of what has already been provided. But, to her knowledge, this is all she has.

Sheree Matthews
 Paralegal to W. E. Jenkinson, III

Jenkinson, Jarrett & Kellahan
 120 W. Main Street
 PO Drawer 669
 Kingstree, South Carolina 29556
 (843)355-2000 office
 (843)355-2010 fax

e information contained in this message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copy of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us. Thank you.

-----Original Message-----

From: Cyrus, Norma [mailto:Norma.Cyrus@wc.sc.gov]
Sent: Wednesday, April 04, 2018 8:36 AM
To: Sheree Matthews <sheree@jenkinsonlaw.com>
Cc: Montgomery, Tina <Tina.Montgomery@wc.sc.gov>
Subject: Curtis McAlister

Good Morning Sheree,
 Please find attached documents pertaining to Curtis McAlister 2011 tax sale files. If I can be of further assistance, please feel free to contact me.

—With Kind Regards,

Norma L. Cyrus
 Williamsburg County Tax Collector

201 W. Main St.
Kingstree, South Carolina 29556
843.355.9321 ext. 5800
843.355.1577 (fax)
jma.Cyrus@wc.sc.gov

P.320

RESIDENTIAL APPRAISAL CARD

SOUTH CAROLINA
WILLIAMSBURG COUNTY

CARD _____ OF _____ CARDS

TAX MAP 45-200-016	DISTRICT King	DATE OF APPRAISAL 6-23-04	APPRAISER R. L. Lister
Curtis McAlister 2520 Carree Dr. Columbia SC 29204	TRANSFERRED FROM George + Pauline S. McAlister	Deed Book A145	Deed Page 699
	Curtis McAlister	Acres or Lots	Plat Book 19
		Plat Page 16	Date of Sale 12/27/79
		SALES PRICE \$1600.00	
Owner's Name and Address			

PROPERTY LOCATION	GENERAL DATA	COST DATA	MOBILE HOME	INCOME APPROACH
St., Rt. & No.	Yr. Built	Land	Make	Monthly Rental G. M. M. Indicated Value
City	Economic Life	Imp.	Model	
Use	Condition	L. H.	Yr. Built	
Subdivision	Quality	Total	Condition	
Legal Description	Annual Rent	Stamps	Size	
	Bldg. Permit	Old Map Ref 360-41		
	Mort.	File No.		

STANDARD CLASSIFICATION		PROPERTY DATA			LAND CLASSIFICATION			
NEIGHBORHOOD	TRANSPORTATION	LAND IMP.	UTILITIES	TOPOGRAPHY	LAND CLASS	NO. OF ACRES	VALUE PER ACRE	VALUE PER CLASS
Progressive	Paved Road	Buildings	Electricity	Level	Open Land			
Static	Earth Road	Payement	Water	High				
Regressive	Railroad	Fence	Gas	Low				
Old	Water	Landscaping	Sewer	Rolling				
New	Airport	Well	All Utilities	Swampy				

LOT 5-14-04		LAND 12.0	LOT SIZE	FRONT	DEPTH	REAR	OTHER
Number of Acres	Number of Lots	1	10/20/10 Change of Address requested by his daughter				
Per Acre Value	Number of Front Ft.		Remarks & Description				
Value for Acres	Per Lot Value	#12194-A	Aguana McAlister.				
Returned Area	Per Front Ft. Value		2012				
Legal Area	Value for Lots		.5 X 5500 = 2750				
Planimetered Area	Value for Fr. Ft.		2 wells / 2 septic 5000				
Total Land Value		well + septic	7750				

ESTIMATED MARKET VALUE			
	Land Acres or Lots	Improvement	Total
1111 + Bldg			
Number	3000	7434	10434
Cost Approach	3100	11576	14676
Market Approach	7750	9567	17317
Income Approach			
Correlated Value			
Assessed %			
Reviewed by	Date		

Zoning

No. _____

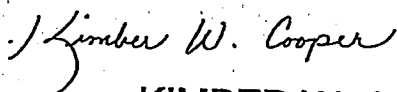
TAX COLLECTOR
WILLIAMSBURG COUNTY, S.C.

TO NORMA L. CYRUS, TAX COLLECTOR

WHEREAS, the party whose name appears below has been duly assessed the sum shown below, the same being, State, County, School and Special Taxes for the tax year beginning December 31, 2010, the same not having been paid.

THESE ARE, THEREFORE in the name of the State strictly to charge and command you to levy by distress and sale of the property, real or personal, of the taxpayer whose name appears below, out of which to make and collect the taxes, costs and charges as shown.

GIVEN under by hand and seal, this 17th day of March, 2012



KIMBER W. COOPER
COUNTY TREASURER

Receipt: 018842-11-3
TAXPAYER: MCALISTER CURTIS
MAP NUMBER: 45-200-016
DISTRICT: 00
NET DUE: 288.35

018842-11-3
45-200-016
NORMA L. CYRUS
WILLIAMSBURG COUNTY TAX COLLECTOR
P.O. BOX 477
KINGSTREE, S.C. 29556-0477

CERTIFIED MAIL

P. 324



PRESORTED
FIRST-CLASS MAIL
U.S. POSTAGE PAID
COLUMBIA, S.C.
PERMIT NO. 798

RETURN SERVICE REQUESTED

7100 5868 2454 5112 6759

RECEIVED

8/31/12

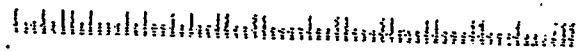
9/4/12

MCALISTER CURTIS
2520 CARROLL DR
COLUMBIA SC 29204

RETURN RECEIPT REQUESTED
RESTRICTED DELIVERY

NIXIE 292 DE 1 00 08/28/12
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
BC: 29556047777 *2480-05775-28-41

EXPENSE P 5560477



ADDRESS CHANGE FORM

DATE: 06/29/11 DATE OF CHANGE: _____TAX MAP#: 45-200-016 CHANGED BY: _____NAME: Curtis Mcalister

C/O: _____

OLD ADDRESS: P O Box 7555NEW ADDRESS: 2520 Carrell DrCITY: Columbia STATE: SC ZIP: 29204CHANGE REQUESTED BY: Aquana Mcalister by phoneOFFICE PERSONNEL: J. Kinder

* She is his daughter *
(Rebill)

ADDRESS CHANGE FORM

DATE: 10-20-10 DATE OF CHANGE 10-21-10

TAX MAP# 45-200-016 CHANGED BY TSC

NAME: Curtis Mcalister

C/O _____

OLD ADDRESS: Rt 4 Box 274

NEW ADDRESS: P O Box 7555

CITY: Columbia STATE SC ZIP 29202

CHANGE REQUESTED BY: Agayna Mcalister (Daughter)

OFFICE PERSONNEL: T. Lindert

NOTICE OF LEVY

STATE OF SOUTH CAROLINA

COUNTY OF WILLIAMSBURG

IT IS ILLEGAL TO REMOVE UNTIL TAXES ARE PAID. VIOLATORS WILL
BE PROSECUTED.

MCALISTER CURTIS
2520 CARROLL DR
COLUMBIA SC 29204

NOTICE IS HEREBY GIVEN, that pursuant to tax execution issued to WILLIAMSBURG
County Tax Collector, officially charged with the collection of delinquent taxes for the
County of WILLIAMSBURG State of South Carolina,

has seized and taken exclusive possession of the following described property

LOT = 1

Recorded on County Records as map # 45-200-016

Unless said taxes, penalties, and costs are paid in full, all property described will be
sold after legal advertisement, on NOVEMBER 5, 2012
for the year(s) 2011 to satisfy said execution.

A/C _____ LOT 1 BLDG 2

M/H SIZE _____ M/H SERIAL # _____

By NORMA CYRUS

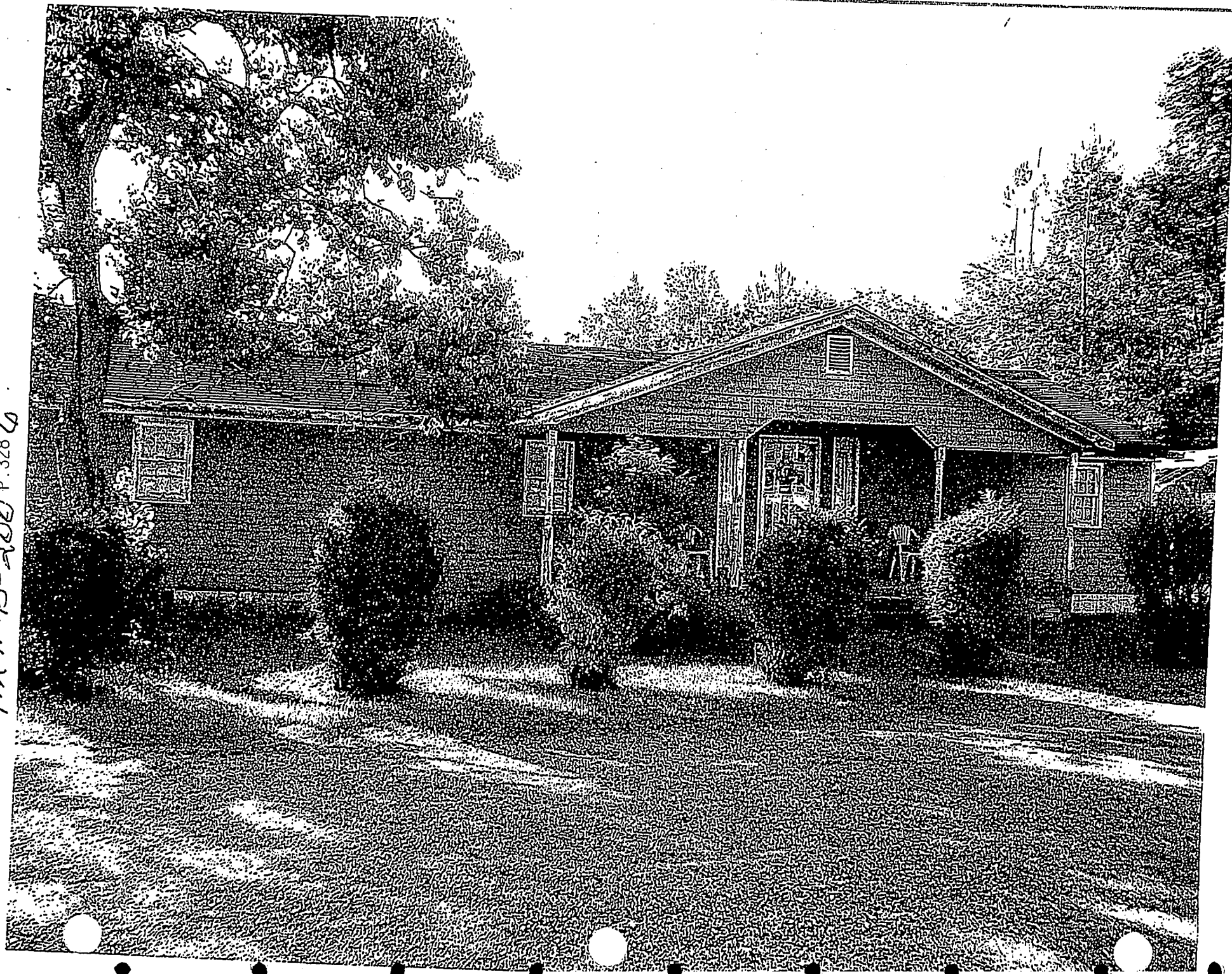
TAX COLLECTOR, WILLIAMSBURG COUNTY
PSA BUILDING
201 W. MAIN ST.
KINGSTREE, SOUTH CAROLINA 29556
843-355-9321 EXT. 5800

Joshua Haskins
DEPUTY TAX COLLECTOR

8/14/12

DATE

TML # 445-200 P. 328 6



TMS: 45-200-016
 NAME: Curtis McAlister

CHECKLIST FOR TAX DEED

1.	Warrant/Execution Notice (regular mail)	3-17-12
2.	Notice to Defaulting Taxpayer (certified - restricted delivery - RRR/green card in file or envelope with green card still attached) <i>Unclaimed</i>	6-6-12
3.	Notice of Levy posted on property (original signature)	8-14-12
4.	First Notice of Opportunity to Redeem Property (regular mail) (sometimes they send two of these)	1-10-13
5.	Final Notice of Opportunity to Redeem Property (certified - restricted delivery - RRR/green card in file or envelope with green card still attached) <i>Unclaimed</i>	10-21-13
6.	Notice to any lienholder/mortgagee (certified - restricted delivery - RRR/green card in file or envelope with green card still attached) <i>There is a judgment on title work - No one</i>	<i>Dismissed</i>
7.	Verify Information on Deed Form • Name of Defaulting Taxpayer ✓ • Name of Purchaser ✓ • Legal Description ✓ • TMS ✓ •	<i>Notified</i>
8.	Review Title Examiner's Notes	

Paralegal Review: RJ

Attorney Review: [Signature]

Date: 8-15-15

P.330
WILLIAMSBURG COUNTY
DELINQUENT TAX OFFICE
P.O. BOX 477
KINGSTREE, SC 29556
843 - 355 - 9321 EXT 559

DATE: OCTOBER 21, 2013

COPY

TO: MCALISTER CURTIS

2520 CARROLL DR

COLUMBIA SC 29204-0000

SOLD FOR TAX
YEAR 2011

FROM: NORMA CYRUS
WILLIAMSBURG COUNTY TAX COLLECTOR

RE: SALE OF PROPERTY FOR DELINQUENT TAXES

MAP # 45-200-016 DISTRICT 00

RECEIPT # 0018785123 ITEM# 12-01651 NO PERSONAL CHECKS ACCEPTED

This letter is to advise you that the property listed above was sold at public auction for delinquent taxes on DECEMBER 03, 2012. Section 12-51-90 of the South Carolina Code of Laws provides that the defaulting taxpayer, any grantee from the owner or any mortgage or judgement creditor may redeem the above property within (12) months from the date of the delinquent tax sale by paying to this office delinquent taxes penalties, and costs together with the appropriate percent of interest on the total bid price at the tax sale. If you wish to redeem the above described property, the redemption amount will be as listed below:

\$ <u>473.35</u>	(03%) due on or before <u>MARCH 04, 2013</u>
\$ <u> </u>	(06%) due on or before <u>JUNE 04, 2013</u>
\$ <u> </u>	(09%) due on or before <u>SEPTEMBER 04, 2013</u>
\$ <u>877.41</u>	(12%) due on or before <u>DECEMBER 04, 2013</u>

FINAL DATE TO REDEEM THE ABOVE PROPERTY IS BY DECEMBER 04, 2013 !!!!!

If you fail to redeem the property by said date, a tax deed will be issued to the successful bidder.

RECNO.....018842-11-3

NAME.....MCALISTER CURTIS
2520 CARROLL DR
COLUMBIA SC 29204

MAP REFERENCE NUMBER....45-200-016
ASSESSMENT RATIO %.....4%
DISTRICT/TOWN.....00
ASSESSED VALUE.....583

ORIGINAL TAX.....	244.65
15% PENALTY.....	36.70
COSTS.....	18.00
TOTAL AMOUNT NOW DUE....	299.35

PROPERTY DESCRIPTION....

LOT = 1

BLDG = 2

OCR NO.....7100 5868 2454 5112 6759

POSTAGE.....	.45
CERTIFIED FEE.....	2.95
RETURN RECEIPT FEE.....	2.35
RESTRICTED DELIVERY FEE.	4.55
TOTAL POSTAGE & FEES...	10.30

POSTMARK BELOW

P.332
WILLIAMSBURG COUNTY
DELINQUENT TAX OFFICE
P.O. BOX 477
KINGSTREE, SC 29556
843 - 355 - 9321 EXT 559

DATE: JANUARY 10, 2013

TO: MCALISTER CURTIS

2520 CARROLL DR

COLUMBIA SC 29204-0000

Sold For Taxes

FROM: NORMA CYRUS
WILLIAMSBURG COUNTY TAX COLLECTOR

NO PERSONAL CHECKS ACCEPTED

RE: SALE OF PROPERTY FOR DELINQUENT TAXES

MAP # 45-200-016

DISTRICT 00

RECEIPT # 0018785123

ITEM# 12-01651

 **COPY**

This letter is to advise you that the property listed above was sold at public auction for delinquent taxes on DECEMBER 03, 2012. Section 12-51-90 of the South Carolina Code of Laws provides that the defaulting taxpayer, any grantee from the owner or any mortgage or judgement creditor may redeem the above property within (12) months from the date of the delinquent tax sale by paying to this office delinquent taxes penalties, and costs together with the appropriate percent of interest on the total bid price at the tax sale. If you wish to redeem the above described property, the redemption amount will be as listed below:

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\$ _____	(12%) due on or before <u>DECEMBER 04, 2013</u>

FINAL DATE TO REDEEM THE ABOVE PROPERTY IS BY DECEMBER 04, 2013 !!!!!

If you fail to redeem the property by said date, a tax deed will be issued to the successful bidder.

State of South Carolina,

WILLIAMSBURG

34
01
01
01

KNOW ALL MEN BY THESE PRESENTS, THAT

we, George McAllister and Pauline McAllister, of the County of Williamsburg,

in the State aforesaid _____ in consideration of the sum of
SIX HUNDRED AND NO/100 (\$600.00)-----DOLLARS,

to _____ in hand paid at and before the sealing of these presents by Curtis McAllister

in the State aforesaid _____ the receipt whereof is hereby
acknowledged, have granted, bargained, sold and released, and by these Presents do grant, bargain, sell and
release unto the said Curtis McAllister, his heirs and assigns, forever:

All that certain lot of land situate in King Township, County of Williamsburg, State of South Carolina, bounded and measuring on the North by an access road, a distance of 2.22 chains; East by Carrie F. Pressley, a distance of 2.25 chains; South by Mary F. Fulton, a distance of 2.22 chains; on the West by Willie B. Scott, et al, a distance of 2.25 chains. All of which will more fully appear on a map of said lot made by J. D. Brockington, R.L.S., on February 25, 1971, and recorded in the office of the Clerk of Court for Williamsburg County in Plat Book 19, at page 16.

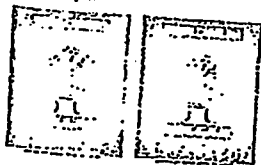
This is the same lot conveyed to us by deed of Lewis James Pressley dated March 8, 1959, and recorded in Deed Book A-92, at page 4, Office of the Clerk of Court for Williamsburg County.

Grantee's address: Route 3, Box 250-A
Kingstree, S. C. 29556

10700

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said
Curtis McAllister, his _____ Heirs and Assigns forever.



Doc-A145 PAGE 700

AND we do hereby bind ourselves and our Heirs,
Executors and Administrators, to warrant and forever defend, all and singular, the said Premises unto the said
Curtis McAllister, his

Heirs and Assigns, against us and our Heirs, and all persons whomsoever,
lawfully claiming, or to claim the same or any part thereof.

WITNESS our Hand and Seal on this twenty-seventh day of December

In the year of our Lord one thousand nine hundred and seventy-nine and in the two hundred and
fourth year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED

LaNue Floyd (L. S.)
Bettie D. Andrews (L. S.)
Pauline McAllister (L. S.)
George McAllister (L. S.)

The State of South Carolina,

WILLIAMSBURG County.

PERSONALLY appeared before me Bettie D. Andrews

and made oath that she saw the within named George McAllister and Pauline
McAllister sign, seal, and as their act and deed, deliver the within written Deed,
and that she with LaNue Floyd

witnessed the execution thereof.

SWORN to before me, this 27th

day of December, A.D. 1979.

LaNue Floyd (SEAL)
Notary Public of South Carolina
My Commission Expires: 2-22-88.

Bettie D. Andrews

RENUNCIATION OF DOWER

The State of South Carolina,

WILLIAMSBURG County.

I, LaNue Floyd, a Notary Public for South Carolina

do hereby certify unto all whom it may concern, that Mrs. Pauline McAllister,
the wife of the within named George McAllister,
did this day appear before me, and upon being privately and separately examined by me, did declare that she does
freely, voluntarily, and without any compulsion, dread or fear of any person or persons whomsoever, renounce, re-
lease and forever relinquish unto the within named Curtis McAllister, his

Heirs and assigns, all her interest and estate, and also all her right and claim of dower, of, in or to all and singular
the premises within mentioned and released.

LaNue Floyd (SEAL) Pauline McAllister
Notary Public of South Carolina
My Commission Expires: 2-22-88. Pauline McAllister

0702

250
100

L. 7.

State of South Carolina,

COUNTY OF WILLIAMSBURG

GEORGE McALLISTER AND PAULINE

McALLISTER

TO

CURTIS McALLISTER

TITLE TO REAL ESTATE

Filed DEC 27 1979 4 PM day

of A.D. 19

at o'clock M.

and recorded in Book A-145

Page 699, Fee, \$

Winnie P. J. J. J.
R. M. C. or Clerk Court Ch. & G. S.
Williamsburg County, S.C.

Recorded this day

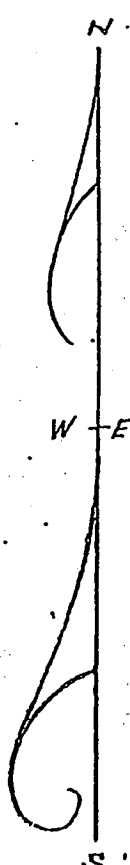
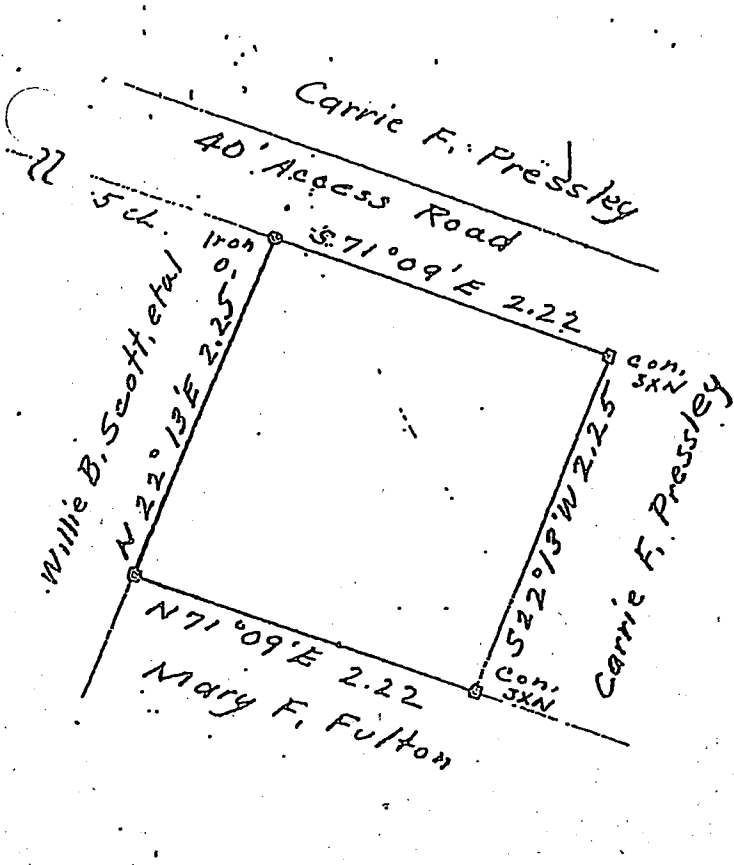
of DEC 27 1979 4 PM, 19

in Book 17 Page 297

Fee, \$ *H. J. Montgomery*

Auditor Williamsburg County, S. C.

100/1145 702



OF SOUTH CAROLINA
OF WILLIAMSBURG

of a Lot in King Township owned
rie F. Pressley and about to be
ed. to George McAlister and Pauline
Alister.

: 1" = 1 chain = 66 feet.

yed: Feb. 25, 1971

J. W. Brockington
Reg. Land Surveyor 1031
Kingstree, S.C.

AR 9 1971

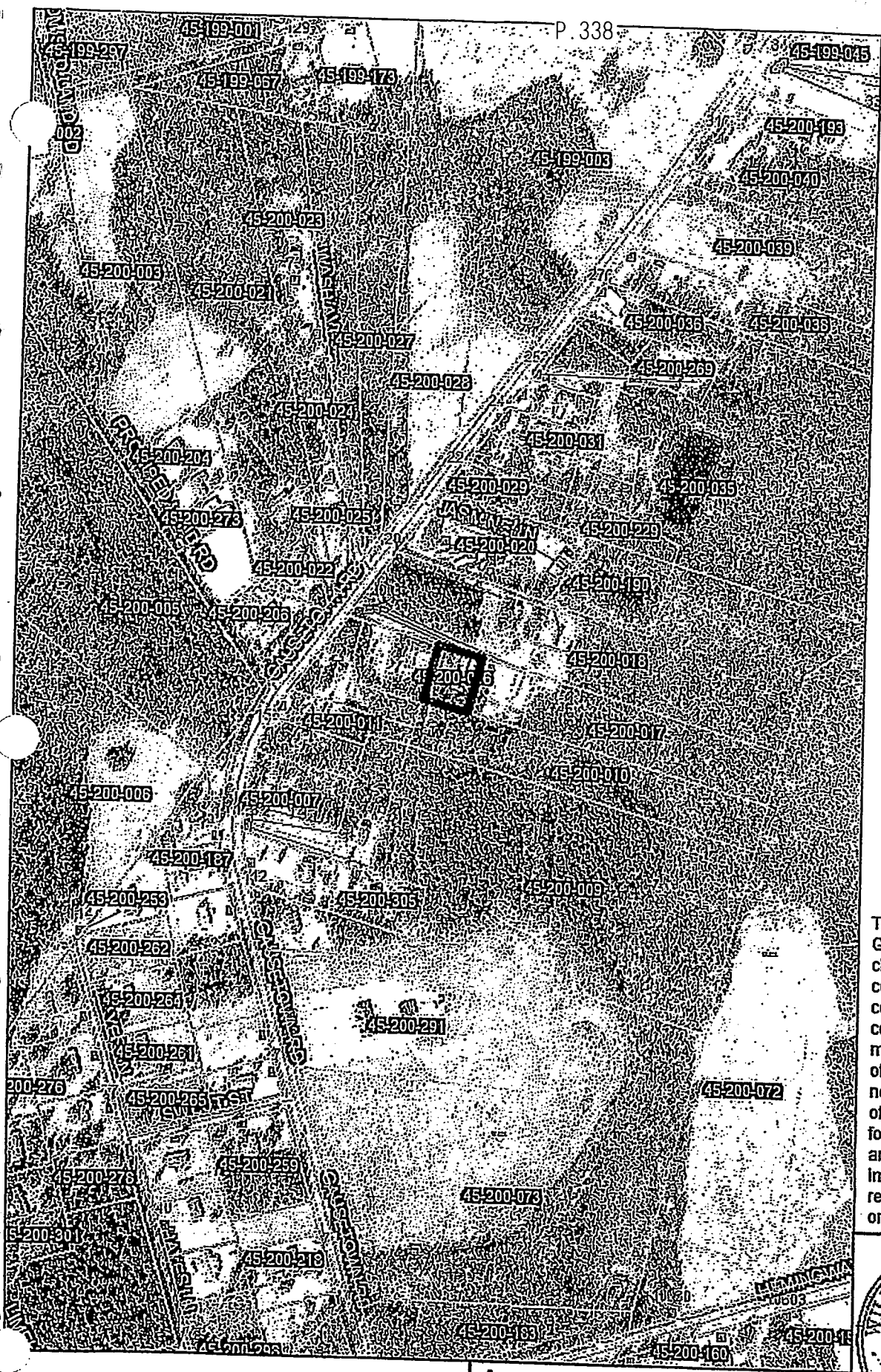
AGE 16

DNES

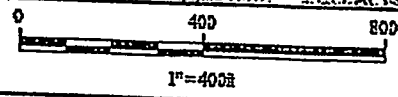
COURT

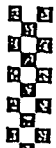
CO., S.C.

T-A-2547



The Williamsburg County Government makes no claims as to the completeness, accuracy or content of any data contained hereon, and makes no representation of any kind, including, but not limited to, the warranty of the accuracy or fitness for a particular use, nor are any such warranties to be implied or inferred with respect to the information or data furnished herein.





Aug. 27. 2014. 4:40PM

P. 339

No. 2801 P. 1/1

FORM 4

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

JUDGMENT IN A CIVIL CASE

CASE NO. 2007-CP-45-322

PLAINTIFF(S) McAllister

DEFENDANT(S) Sabb

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), SCRC P; ☐ Rule 41(a), SCRC P (Vol. Nonsuit); ☐ Rule 43(k), SCRC P (Settled); ☐ Other:
- ☐ ACTION STRICKEN (CHECK REASON): ☐ Rule 40(j), SCRC P; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other:

IT IS ORDERED AND ADJUDGED: ☐ See attached order; ☐ Statement of Judgment by the Court:

Mag Court Appeal - Dismissed
failure to prosecute

Dated at Kingstree, South Carolina, this 7th day of January, 2014

PRESIDING JUDGE

This judgment was entered on the 7th day of January, 2014, and a copy mailed first class this day of January, 2014, 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)

Carolyn J. Williams
CLERK OF COURT

FILED
10 FEB -5 AM 10:24
CAROLYN J. WILLIAMS
CLERK OF COURT
KINGSTREE, S.C.

WILLIAMSBURG COUNTY TAX COLLECTOR
TO
WILLIAMSBURG COUNTY AUDITOR

COPY

Request/Reason: Tax Year 2013Name: MCALISTER, CURTISReceipt #: 018740-13-3Tax Map #: 45-200-016Refund ☐Rebill ☐Abate Penalty ☒R. Montgomery/Clerk
Person Requesting Transaction8/27/14
DateAny special instructions New owner (Dorothy Ann Murray) from 2011 tax sale held 12/3/12.
Hattie S. Pendgrass

Auditor Clerk _____ Date _____

Name on Receipt _____

Rec # _____

Abated Per: _____

Refund: _____

AU USE: Dist: _____ Notified Town: INT and Date: _____

Sale Year 2012

Search

Item Number 01651 01651

Find

Alerts

Sold 12/03/2012

Account Information

Map Number 45-200-016

Real

PIN

Name MCALISTER CURTIS

MH VIN

Descriptive Information

New Owner

Comments

Deed Ref

Description 1

Description 2

Location

Sale Number 01 Posting Initials

Acres .50

Lots

Buildings 1

Assessment 670

Classes

M4

Taxes Due

Receipt Number	Amount	Current
018740-13-3	252.17	Yes
018842-11-3	449.35	

Bid Information

Bidder 001 PENDERGRAS HATTIE S

Amount 800.00

Paid Date 12/03/12

Redemption Information

Redeemed By

Title

On/Before

Amount

Date

03/04/13

473.35

LORETTA RICHARDSON, TITLE ABSTRACTOR

PO BOX 555 106 POPE STREET

ANDREWS, SC 29510

HOME: (843)264-2531

CELL: (843)240-1387

FAX NUMBER: (843)264-9142

EMAIL: richardsonloretta32@yahoo.com

SEARCH FROM 12/27/1979 EFFECTIVE DATE 06/20/2013 TMS# 45-200-016
 LEGAL DESCRIPTION: LOT 19 BLOCK 0699 SECTION King T.S. (50) acre

PLAT BOOK A145 AT PAGE 0699 DEED INFORMATION
 DEED BOOK A145 PAGE 0699 DATED 12/27/1979 RECORDED 12/27/1979

GRANTOR(EXACTLY AS SHOWN ON DEED)

GRANTOR'S NAME George McAllister, et al

GRANTOR'S NAME

GRANTOR'S NAME

GRANTOR'S NAME

CONSIDERATION \$6000.00

GRANTEE(EXACTLY AS SHOWN ON DEED)

GRANTEE'S NAME Curtis McAllister

GRANTEE'S NAME

GRANTEE'S NAME

GRANTEE'S NAME

MORTGAGE INFORMATION

MORTGAGEE _____ DATED _____ RECORDED _____ BOOK _____ PAGE _____
 MORTGAGOR _____

ASSIGNED TO _____ AMOUNT _____
 BOOK _____ DATED _____ RECORDED _____

MORTGAGEE _____ PAGE _____
 MORTGAGOR _____

ASSIGNED TO _____ DATED _____ RECORDED _____
 BOOK _____ PAGE _____

MORTGAGEE _____ DATED _____ RECORDED _____ BOOK _____ PAGE _____
 MORTGAGOR _____

ASSIGNED TO _____ AMOUNT _____
 BOOK _____ DATED _____ RECORDED _____

MORTGAGEE _____ DATED _____ RECORDED _____ BOOK _____ PAGE _____
 MORTGAGOR _____

ASSIGNED TO _____ AMOUNT _____
 BOOK _____ DATED _____ RECORDED _____

PROPERTY INFORMATION

ANNUAL ☒ SEMI-ANNUAL ☐ QUARTERLY ☐ TRI-ANNUAL ☐
 TAXES IN THE NAME OF Curtis McAllister

PROPERTY ADDRESS _____

COUNTY: _____

TAXES PAID FOR: _____ PAID _____ DUE _____ TMS: 45-200-016 AMOUNT _____JUDGEMENTS, TAX LIENS, OR UCC: YES ☒ OR NO ☐

[illegible]

A100

TAX INQUIRY - ASSESSOR
 ASSESSOR DESCRIPTIVE DATA - 2012

DATE: 06/20/1

Enter Function...

Map #: 45-200-016

R 00015508

MCALISTER CURTIS
 2520 CARROLL DR
 COLUMBIA SC

Bldg..	9,567		
Land..	9,500	Acres.	.50
Mkt...	19,067	Tax..	19,00

29204

Deed Ref.. A145 699 12/22/1979

Plat Ref.. 19 16

Homestead.. .00

Lender....

0 Class...

Dist: 10

Town:

Fire: 10

Desc:

Locn:

Prev Own. GEORGE & P S MCALISTER

2nd Prev.

Prev Deed Ref.

2nd Prev Deed.

00/00/000

00/00/000

Legal Desc1..012x060 FR

Legal Desc2..66 FLEET TRU DL5M DL5MS5636

PLS-0001 Search Functions: M=Map# N=Name L=Location F2=Values F12=Help

C140----- HISTORY FILE ----- ACTIVITY DATE----- ORMS STATUS -----08/11/2015
Function... P.345

MAP#..45-200-016

R 00015508 2011

Other Map..200-00-00-016.000

Prev Ownr..GEORGE & P S MCALISTER

Name..MCALISTER CURTIS

Ac...2520 CARROLL DR

A...COLUMBIA SC

Ad...3..

Desc.....

Dist/Town..10

Activity:

Current.. 06/29/2011 TSK

Previous. 10/20/2010

New Constr:

Appraisal

Assessment

Legl Res:

Other:

Forms:

Owner Occ...

Agric Use...

Reappr Notc.

ATI Cert....N Printed..00/00/0000

Returned.00/00/0000 Nat. Person.Y

Last Year Ag..

DateNONE

Mkt..

14576

Scroll By: MAP#

File Status:

Transfer Date..NONE

Addition Date..NONE

Change Date....06/29/2011

Split Date.....NONE

Addr Change....06/29/2011

ATI Exempt Base Value

Reason for Chg...

STATE OF SOUTH CAROLINA)

TITLE NOT EXAMINED

COUNTY OF WILLIAMSBURG)

TITLE TO REAL ESTATE

TO ALL WHOM THESE PRESENT MAY CONCERN:

WHEREAS, the Statute Laws of South Carolina provide that upon the expiration of the time allowed by law for payment of taxes in any year, the County Treasurer of each County is authorized and directed, to issue in the name of the State a warrant or execution, in duplicate, against each defaulting taxpayer(s) in his County, signed by him in his official capacity, directed to the Official or Officer of his County, or his lawful Deputy, charged with responsibility for collection of taxes, requiring and commanding him to levy the same by distress and sale of so much of the defaulting taxpayer's estate, real or personal, or both, as may be sufficient to satisfy the taxes of such defaulter(s), specifying therein in the aggregate amount of all his taxes, penalties and costs as provided by Law; and

WHEREAS, it is further provided by said Statutes that under and by virtue of said warrant or execution the appropriate Officer or Official, or his lawful Deputy, shall seize and take exclusive possession of so much of the defaulting taxpayer's estate, real or personal, or both, as may be necessary, to raise a sum or money named therein, and the charges thereon, and after due advertisement, to sell the same before the Court House door of the County, on a sales day, within the usual hours for public sales as fixed by the applicable Statute, for cash, and to give the purchaser (upon his complying with the terms of sale) a receipt for the purchase money, and to give a title to the purchaser if the property be not redeemed within the time provided by the Statute; and

WHEREAS, the property which is the subject of this conveyance was sold at public auction by Williamsburg County to the highest bidder(s) to satisfy the unpaid taxes of the defaulting taxpayer(s), all after giving the required notices and complying in all other respects with the applicable Statutes including, but not limited to those incorporated into the 1962 Code of Laws of South Carolina as Sections 65-2815 through 2815.16 and Act No. 207 of the General Assembly of 1971 and Acts amendatory thereto; and the time allowed for redemption of the subject property by the defaulting taxpayer(s) has expired without the conditions for redemption having been met; and

WHEREAS, the following pertinent information is here furnished as a part of this conveyance, as is required:

Name of the Defaulting Taxpayer(s) (and record owner(s) against whom warrant was issued): McAlister, Curtis

Date of issuance and signing of the warrant or execution: March 24, 2012

Date of subject property was posted and by whom: (Date) Certified mail sent as
(Name of Title of Official authorized by statute (If not applicable, so state))

DATE OF MAILING TO DELINQUENT TAXPAYER(S)

1. Notice by certified mail of Delinquent Taxes, amount due, etc. and impending sale to:

McAlister, Curtis

(DATE) June 8, 2012

(SIGNED) Unclaimed

2. The posting of the notice as required by Section 12-51-40(C) at one or more conspicuous places on the property on August 14, 2012 posted by Joshua Gaskins.

3. Final notice of opportunity to redeem the subject property after this sale:

(DATE) October 25, 2013

(SIGNED BY) Unclaimed

The year(s) the warrant or execution for Delinquent Taxes covered: 2011

The total amount of taxes, penalties, charges and cost: \$449.35 and

WHEREAS, the undersigned, acting for Williamsburg County, failed to find sufficient personal property to sell to make the amount required to satisfy the execution, did on the 3rd day of December 2012 sell the within described property to the Hattie S. Pendergrass, the actual purchaser(s) and highest bidder(s) at such sale for the sum of \$800.00 Dollars being the least amount of said taxes, penalties, cost, charges;

NOW, THEREFORE, I, Norma L. Cyrus/Tax Collector in the State and County aforesaid, for and in consideration of sum of \$800.00 Dollars to me in hand at and before the sealing of these present by Hattie S. Pendergrass, the State aforesaid (the receipt whereof is hereby acknowledge) have granted, bargained, sold and released, and by these present do grant, bargain, sell and release unto the said the Hattie S. Pendergrass, the subject property which is described and identified as follows:

All that certain piece, parcel or lot of land situate in King Township, County of Williamsburg, State of South Carolina and designated as one lot, and shown on a map by J. D. Brockington, R.L.S., dated February 25, 1971 and recorded in Plat Book 19 at Page 16.

Source of Title: The same being conveyed to the defaulting taxpayer, Curtis McAlister, by deed of George McAllister & Pauline McAllister, dated December 27, 1979, and recorded on December 27, 1979 in the Office of the Clerk of Court for Williamsburg County in Deed Book A145 at Page 699.

GRANTEE'S ADDRESS:

11090 Hemingway Hwy.
Kingstree, SC 29556

This property is further identified upon the County's tax records by District #45
Map #200 Parcel #016.

THIS PROPERTY SOLD DECEMBER 3, 2012 FOR 2011 DELINQUENT AND
BACK TAXES.

SIGNED, SEALED AND DELIVERED THIS 9th DAY OF September 2014.

Norma L. Cyrus
TAX COLLECTOR WILLIAMSBURG COUNTY

WITNESSES

S. Retena Montgomery
Karla S. Joe

201400001939
SHARON W STAGGERS
CLERK OF COURTS
WILLIAMSBURG COUNTY SC
09-10-2014 11:51 am.
REC FEE: 10.00
State Tax \$ 2.60
Local Tax \$ 1.10

STATE OF SOUTH CAROLINA)

AFFIDAVIT

COUNTY OF WILLIAMSBURG)

PERSONALLY appeared before me S. Retena Montgomery and made oath that she saw the within-named Norma L. Cyrus, Tax Collector, sign, seal and as her act and deed, deliver the within-written Deed for the uses and purposes therein mentioned and that she, with Karla S. Joe, witnessed the execution thereof.

S. Retena Montgomery

SWORN to before me this 9th

Day of September, 20 14

Karla S. Joe (L.S.)

Notary Public for South Carolina

My Commission Expires 11/2021

SCANNED
9/15/14

RECORDED 9/11/14 KAS
SALLY M. MOUZON
AUDITOR
WILLIAMSBURG CO., S. C.

TMS: 45-200-016
 NAME: Curtis McAlister

CHECKLIST FOR TAX DEED

1.	Warrant/Execution Notice (regular mail)	3-17-12
2.	Notice to Defaulting Taxpayer (certified - restricted delivery - RRR/green card in file or envelope with green card still attached) <i>Unclaimed</i>	6-6-12
3.	Notice of Levy posted on property (original signature)	8-14-12
4.	First Notice of Opportunity to Redeem Property (regular mail) (sometimes they send two of these)	1-10-13
5.	Final Notice of Opportunity to Redeem Property (certified - restricted delivery - RRR/green card in file or envelope with green card still attached) <i>Unclaimed</i>	10-21-13
6.	Notice to any lienholder/mortgagee (certified - restricted delivery - RRR/green card in file or envelope with green card still attached) <i>There is a judgment on title work - no one</i>	<i>Dismissed</i>
7.	Verify Information on Deed Form • Name of Defaulting Taxpayer ✓ • Name of Purchaser ✓ • Legal Description ✓ • TMS ✓ •	<i>Notified</i>
8.	Review Title Examiner's Notes	

Paralegal Review: RJAttorney Review: [Signature]Date: 8-15-15

REMOVE STUBS AT BOTH ENDS FIRST
THEN FOLD, CREASE AND PERFORATE
P. 350 IS STUB AT PERFORATION

POSTMAN
STEP 2: DETACH CARD HERE

SENDER COMPLETE THIS SECTION

- ☒ Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- ☒ Print your name and address on the reverse so that we can return the card to you.
- ☒ Attach this card to the back of the mailpiece, or on the front if space permits.

018842-11-3

Article Addressed to:

45-200-016
MCALISTER CURTIS
2520 CARROLL DR
COLUMBIA SC 29204

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

B. Date of Delivery

C. Signature

☐ Agent

☐ Addressee

X

D. Is delivery address different from item 1?
If YES, enter delivery address below:

☐ Yes

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☒ Yes

2. Article Number (Copy from service label)

7100 5868 2454 5112 6759

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

POSTMAN
STEP 1: TEAR ALONG PERFORATION

REMOVE BOTH SIDE STUBS FIRST
FOLD, CREASE AND REMOVE THIS STUB AT PERFORATION

FOLD, CREASE AND REMOVE THIS STUB AT PERFORATION

SENDER: COMPLETE THIS SECTION

- ☒ Complete Items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
☒ Print your name and address on the reverse so that we can return the card to you.
☒ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

McAlister, Curtis
 2520 Carroll Ave
 Columbia, SC 29204

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

- D. Is delivery address different from item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☒ Yes

7013 1710 0000 0096 8966

PS Form 3811, February 2004

Domestic Return Receipt

45-200-016

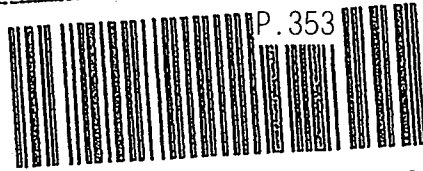
102595-02-M-1540

P.352

7013 1710 0000 0006 8966

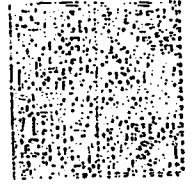
U.S. Postal Service		115 200-616	
CERTIFIED MAIL RECEIPT			
(Domestic Mail Only, Non-Metric, Coverage Provided)			
For delivery information visit www.usps.com			
Postage & Fees			
Postage	\$	4.46	Postmark: Here
Certified Fee		3.10	
Return Receipt Fee (Endorsement Required)		2.55	
Restricted Delivery Fee (Endorsement Required)		4.75	
Total Postage & Fees	\$	10.86	
Serial: <u>McAlister, Curtis</u>			
Street, Apt. No., or PO Box No. <u>2520 Carroll Dr.</u>			
City, State, ZIP+4 <u>Columbia, SC 29204</u>			
PS Form 3800, April 2004 Edition			

Norma L. Cyrus
Delinquent Tax Collector
P.O. Box 477
Kingstree, SC 29556



7013 1710 0000 0096 8966

12/28/13



Neper

TO:

MCALISTER CURTIS

2520 CARROLL DR

COLUMBIA SC 29204-0000

RETURN SERVICE REQ

U.S. PO
Mailed For

10/25/13

016H2

NIXIE

292 SE 1999

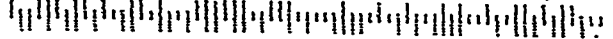
0012/26/13

RETURN TO SENDER
TEMPORARILY AWAY
UNABLE TO FORWARD

RF: 79556047777

#1454-05047-25-43

295560477
2920422732



STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
) FOR THE THIRD JUDICIAL CIRCUIT
 COUNTY OF WILLIAMSBURG) C/A NO.: 2015-CP-45-00401

Shawonder Scott,

Plaintiff,

vs.

Curtis McAlister, Acquana McAlister,
 Norma L. Cyrus, Tax Collector for
 Williamsburg County, the County of
 Williamsburg, an Unincorporated
 Subdivision of the State of South
 Carolina, Hartwell Pendergrass, Sr.,
 and Hattie S. Pendergrass,

Defendants.

Deposition of TAMEKIA CHILDERS, taken by
 Doris Tompkins Brown, Certified Verbatim Reporter
 and Notary Public in and for the State of South
 Carolina, commencing at 3:30 P.M. on March 5,
 2018, at the offices of Jenkinson Jarrett & Kellahan,
 P.A., 120 West Main Street, Kingstree, South Carolina.

Doris Tompkins Brown

COPY

Certified Verbatim Reporter
 Post Office Box 853
 Sumter, South Carolina 29151

COPY

(803) 499-2434

APPEARANCES

FOR THE PLAINTIFFS:

Dwight W. Moore
Moore Law Firm, LLC
Post Office Box 1229
Sumter, South Carolina

FOR McALISTER DEFENDANTS:

Willie H. Brunson
Brunson Law Firm, LLC
Post Office Box 1507
Sumter, South Carolina

FOR CYRUS AND THE
COUNTY OF WILLIAMSBURG

William Evan Reynolds
Jenkinson Jarrett & Kellahan
Post Office Drawer 669
Kingstree, South Carolina

OF RECORD BUT NOT PRESENT:
FOR HARTWELL AND HATTIE
PENDERGRASS

Harriet Huell Lampkin
Lampkin Law Firm, LLC
Post Office Box 843
Blythewood, South Carolina

CONTENTS

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Examination by Mr. Moore	3 - 15
Certificate of Court Reporter	16
Certificate of Deponent	17
Errata Sheet	18

* * * * *

(No exhibits introduced into deposition)

* * * * *

COURT REPORTER'S NOTE: --- INDICATES INTERRUPTION,
INCOMPLETE PHRASE, TRAILING OFF, INCOMPLETE SENTENCE)

1 The deposition of Tamekia Childers is being taken
2 pursuant to Notice and in accordance with the South
3 Carolina Rules of Civil Procedure and Amendments as adopted
4 by the Supreme Court which shall control the taking of said
5 deposition and its use thereof.

6 Counsel, with the specific consent of the witness,
7 does not waive the reading and signing of the deposition
8 prior to the time it is filed with the Court.

9 (Tamekia Childers, having been duly sworn, testifies as
10 follows:)

11 EXAMINATION BY MR. MOORE:

12 Q. How are you doing, ma'am. My name is Dwight Moore.
13 We spoke coming in to the office downstairs. I'm
14 really the good guy. This is the bad guy sitting next
15 to me; okay. I'm going to ask you some questions
16 about -- about your job and about a particular file.

17 A. Okay.

18 Q. If I ask you a question and you don't understand it,
19 please ask me and I'll be glad to rephrase it; okay?

20 A. Okay.

21 Q. I'm not trying to trick you or do anything; I'm just
22 trying to find out some facts, basically, what you
23 know about certain situations.

24 A. Okay.

25 Q. Once the court -- the deposition starts, you can't ask

1 anyone any questions, it's between you and I by way of
2 conversation. Then these other guys get an
3 opportunity to ask you some questions. Have you ever
4 done this before, that is, given a deposition?

5 A. Well, little -- other than divorce, you know, what you
6 go through.

7 Q. Okay. Okay. So, you understand ---

8 A. Yes.

9 Q. -- how the process works?

10 A. Yes.

11 Q. Can you give me your full name for the record?

12 A. Tamekia Childers.

13 Q. Okay. Tamekia, do you live in Williamsburg County?

14 A. Yes.

15 Q. Okay. Did you go to school here?

16 A. Yes.

17 Q. Born and raised?

18 A. Yes.

19 Q. Okay. Kingstree High School?

20 A. C.E. Murray.

21 Q. C.E. Murray?

22 A. Yes.

23 Q. It's in Greeleyville?

24 A. Yes.

25 Q. And what year did you leave Greeleyville High School?

1 A. In 2000.

2 Q. Okay. Have you had any schooling after leaving
3 Greeleyville High School?

4 A. Went to Morris College for a semester.

5 Q. Okay. Anything else?

6 A. And Williamsburg Tech.

7 Q. Okay. Anything else?

8 A. That's it.

9 Q. Any Degrees or Certificates?

10 A. No.

11 Q. Okay. How long have you been working here for
12 Williamsburg County?

13 A. This coming August will be fourteen (14) years.

14 Q. Okay. And have you had any other type of full-time
15 employment prior to coming to work at Williamsburg
16 County?

17 A. Prior to Williamsburg County was the Wise Company in
18 Greeleyville.

19 Q. And what is the Wise Company?

20 A. That's where they make material for boats.

21 Q. Okay. Anything else? How long did you work there?

22 A. At least a year.

23 Q. Okay. Prior to the Wise Company?

24 A. Was Client Logic.

25 Q. And what -- what is Client Logic?

1 A. That's a Call Center.

2 Q. Okay. Where is that; where are they located?

3 A. Kingstree.

4 Q. Okay. How long were you there?

5 A. At least a year.

6 Q. Okay. Prior to Client Logic?

7 A. The Shell Station.

8 Q. Okay. All right. We won't go back any further than
9 that. Are you married, ma'am?

10 A. Currently divorced.

11 Q. Okay. Because this case could go to trial in
12 Williamsburg County, I'm interested in knowing the
13 last names of relatives by blood or marriage in
14 Williamsburg County. That is of your relatives.

15 A. Okay. Currently, I still have both parents.

16 Q. Okay. Last names?

17 A. Childers.

18 Q. Okay. Aunts, uncles, sisters, brothers, cousins?

19 A. Brother.

20 Q. Last name?

21 A. Childers.

22 Q. Okay. Any other than Childers?

23 A. Bright.

24 Q. Okay. Any others?

25 A. And Picard.

1 Q. Picard?

2 A. Uh-huh (affirmative response).

3 Q. Okay. What was your married name?

4 A. My married name, Kinder.

5 Q. Kinder. Okay. You go by Kinder now or Childers?

6 A. Childers.

7 Q. Okay. So, you had your name changed?

8 A. Yes.

9 Q. Okay. All right. What jobs have you held here in
10 Williamsburg County?

11 A. I worked in the Tax Assessor's Office.

12 Q. Okay. Is that what you do now?

13 A. No, sir.

14 Q. Okay.

15 A. Currently, I'm in the Treasurer's Office.

16 Q. Okay. Just in case we got before a jury, what is the
17 difference between the Tax Assessor's Office and the
18 Treasurer's Office?

19 A. The Tax Assessor's Office, that's the office where any
20 name changes as far as a new Deed is coming in,
21 mailing address changes, the acreage; they basically
22 tell you how much acreage you have on your property,
23 what buildings you are currently taxed with. The
24 Treasurer's Office, that's the office where they
25 receive county payments for vehicle, real estate and

1 boats.

2 Q. Okay. And you currently work in the Tax ---

3 A. I'm in the Treasurer's Office.

4 Q. Treasurer's Office now. Okay. And when did you start
5 in the Treasurer's Office?

6 A. August of 2016.

7 Q. Okay. So, you were in the Assessor's Office from when
8 to when?

9 A. 2004 up until August of '16 because I left the Tax
10 Assessor's Office and immediately went to the
11 Treasurer's Office.

12 Q. Okay. And what was your job title in each of those
13 offices?

14 A. My title was to register mobile homes and to also
15 complete address changes and to process legal
16 residence forms.

17 Q. Okay. What is the process of having an address
18 change?

19 A. Well, when we were in the old building, the complex,
20 ---

21 Q. Okay.

22 A. -- anyone can basically just come in the office and
23 request an address change. They can also call in by
24 phone and make a request.

25 Q. Okay. And -- and during what period of time were you

1 in the old building?

2 A. 2004, when I initially started with the county.

3 Q. Okay. And you moved when?

4 A. We moved over to the new building, which is the PSA
5 building, I want to think they moved in in 2012 if I'm
6 not mistaken.

7 Q. Okay. So, from 2004 to 2012, you were in the older
8 building?

9 A. Correct.

10 Q. All right. And when you say that anyone could come
11 in, does that mean any tax or property owner could
12 come in or anybody from anywhere could come in and --
13 and change an address?

14 A. Any individual.

15 Q. Okay. So, I could come in and change the address of
16 your property?

17 A. During that time, but when we moved over to the new
18 building, my supervisor in the Tax Assessor's Office
19 was Betty Etheridge.

20 Q. Okay. And so, ---

21 A. She requested that we receive IDs and you have to be
22 the actual owner or unless you were the Personal
23 Representative over the individual.

24 Q. Okay. So, if someone came in in October of 2010 and
25 requested a change, they could do so without any ---

1 A. Any document ---

2 Q. -- formal notice or formal authorization or any formal
3 documentation?

4 A. Correct.

5 Q. So, you wouldn't need a Power of Attorney during that
6 period of time to change or ---

7 A. At that time, she did not require us to get those
8 documents.

9 Q. Okay. She being your supervisor?

10 A. Supervisor, Betty Etheridge.

11 Q. Okay. Let me show you a document marked as
12 Plaintiff's Exhibit Number Seven I think it is. Is
13 that a document that would come out of your office?

14 A. Correct.

15 Q. Okay. And that document shows a date; is that
16 correct?

17 A. Yes.

18 Q. And that document -- that date being -- I'm looking at
19 about 10 ---

20 A. Yeah, October 20th of 2010..

21 Q. And the next line shows?

22 A. Map Number.

23 Q. Okay. Will you enter that into the record?

24 A. 45-200-016.

25 Q. Okay. And this person came in by the name of Acquana

1 McAlister. Do you know her?

2 A. Now, that one -- if she had not come in personally, it
3 came in by phone, and that's why I made the indication
4 Acquana McAlister, daughter.

5 Q. Okay. But she -- so, if you put -- Acquana McAlister,
6 daughter, that means she didn't come in; she did this
7 by phone?

8 A. By person.

9 Q. Okay. All right.

10 A. Because if they come in personally, they will have to
11 be the one to sign the form.

12 Q. All right. And because she didn't sign this, then
13 this is not her signature here?

14 A. Correct.

15 Q. All right. And whose signature is that?

16 A. That's mine.

17 Q. Okay. And -- and so, the address change on this went
18 from Route 4, Box 274 to PO Box 7555; is that correct?

19 A. Per her request.

20 Q. Okay. And -- and in the process of having this done,
21 she wouldn't have to say that this property belongs to
22 my father, my uncle, my brother or anyone; she can
23 call in and say -- I want to change the address?

24 A. The address.

25 Q. Okay. There's a second document that is -- is

1 Plaintiff's Exhibit Number Eight; is that correct?

2 I'm sorry. That's Number Eight.

3 A. Eight. Uh-huh (affirmative response).

4 Q. And the date of the document is 6/29/11?

5 A. '11.

6 Q. Same Tax Map Number, 45-200-016?

7 A. Correct.

8 Q. Same property owner, Curtis McAlister?

9 A. Correct.

10 Q. And they change the address from P.O. Box 7555 to 2525

11 -- I'm sorry, 2520 Carroll Drive?

12 A. Uh-huh (affirmative response).

13 Q. On the bottom of that document, it says "Change
14 requested by Acquana McAlister by phone;" is that
15 correct?

16 A. Correct.

17 Q. And you note she is the daughter ---

18 A. Correct.

19 Q. -- on the bottom of that?

20 A. And we bill -- and that's where she wanted a new bill.

21 Any time they request a new bill, we have to put "Re-
22 bill".

23 Q. Okay. And -- and this is signed by you; is that
24 correct?

25 A. Correct.

1 Q. And both of these documents are signed by you?

2 A. Yes.

3 Q. If this had happened in person, would you have known
4 that?

5 A. If she had come in ---

6 Q. In person.

7 A. -- in person and said that she wanted to change the
8 address, I would definitely have to let her sign it
9 because she's in my presence.

10 Q. Okay. But you're saying because you signed it, she
11 was not there?

12 A. She was not there personally, but she called in by
13 phone.

14 Q. Okay. Okay. She was not there personally?

15 A. Yeah.

16 Q. She didn't stand before you at a window, at a desk?

17 A. Correct.

18 Q. Right. And -- and that was the case on both the
19 6/29/11 document and the 10/21/10 document?

20 A. Correct.

21 Q. Did you all have problems with persons doing this by
22 telephone that made you change the policy?

23 A. Apparently so. My supervisor in the Tax Assessor's
24 Office, Betty Etheridge, evidently, there was a
25 situation that came about, and she had a staff meeting

1 letting us know -- from this point forward, do not
2 change addresses unless they are the actual property
3 owner or they are Personal Representative over that
4 individual.

5 Q. Okay. Is there -- was -- was there a written policy
6 from 2004 to 2000 -- what year did you leave?

7 A. I left ---

8 Q. To 2000 ---

9 A. '16.

10 Q. '16. Was there a written policy saying that persons
11 could do it by telephone or was that just the way of
12 doing things?

13 A. That's the way it was done when I first started with
14 the county.

15 Q. All right. After -- after the change was made and she
16 said someone had to have authorization, was that a
17 written policy, a County policy or was that just an
18 interoffice directive?

19 A. Personally, I'm pretty sure it was just an in-person
20 that she was actually requiring.

21 Q. Okay. All right. Do you know Ms. Acquana McAlister?

22 A. I do not.

23 Q. Do you know Ms. Shawonder Sabb Scott?

24 A. I do not.

25 Q. Do you know the property owners now that bought the

1 property?

2 A. I do not.

3 Q. Do you know anyone involved in this matter?

4 A. I do not.

5 Q. Okay. Are you familiar with the protocol for the
6 selling of delinquent pro -- delinquent property --
7 property for delinquent taxes?

8 A. No, sir.

9 Q. Are you familiar with that process?

10 A. No.

11 Q. Okay. You just do the changing of the records?

12 A. That's it.

13 Q. Okay. All right.

14 MR. MOORE: Those are all my questions.

15 MR. BRUNSON: I don't have any.

16 MR. REYNOLDS: I don't have any either.

17 (THERE BEING NO FURTHER QUESTIONS, THE DEPOSITION WAS
18 CONCLUDED AT 3:47 P.M.).
19

STATE OF SOUTH CAROLINA)
COUNTY OF SUMTER) CERTIFICATE

I, Doris Tompkins Brown, Certified Verbatim Reporter and Notary Public in and for the State of South Carolina, certify that I did have Tamekia Childers appear before me commencing at 3:30 P.M. on March 5, 2018, at the offices of Jenkinson Jarrett & Kellahan, P.A., 120 West Main Street, Kingstree, South Carolina; that the witness was duly sworn and cautioned to tell the truth; that the foregoing pages constitute a true and accurate transcript of the testimony given at that time and place.

I hereby certify that I am not of counsel or kin to any of the parties to this cause of action, nor am I interested in any manner in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 31st day of March, 2018.

Doris Tompkins Brown, CVR
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission expires: 4-02-2025

STATE OF SOUTH CAROLINA) IN THE COURT OF COMMON PLEAS
) FOR THE THIRD JUDICIAL CIRCUIT
 COUNTY OF WILLIAMSBURG) C/A NO.: 2015-CP-45-00401

Shawonder Scott,
 Plaintiff,
 vs.

Curtis McAlister, Acquana McAlister,
 Norma L. Cyrus, Tax Collector for
 Williamsburg County, the County of
 Williamsburg, an Unincorporated
 Subdivision of the State of South
 Carolina, Hartwell Pendergrass, Sr.,
 and Hattie S. Pendergrass,
 Defendants.

Deposition of RETENA MONTGOMERY, taken by
 Doris Tompkins Brown, Certified Verbatim Reporter
 and Notary Public in and for the State of South
 Carolina, commencing at 2:23 P.M. on March 5,
 2018, at the offices of Jenkinson Jarrett & Kellahan,
 P.A., 120 West Main Street, Kingstree, South Carolina.

Doris Tompkins Brown

COPY

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FOR CYRUS AND THE
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FOR HARTWELL AND HATTIE
PENDERGRASS

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* * * * *

COURT REPORTER'S NOTE: --- INDICATES INTERRUPTION,
INCOMPLETE PHRASE, TRAILING OFF, INCOMPLETE SENTENCE)

EXHIBIT INDEX

Copy of Tax Notice dated March 1, 2012	Pl. Ex. 1
Copy of photograph of home	Pl. Ex. 2
Copy of letter dated January 10, 2013 to Curtis McAlister stamped "Sold for Taxes"	Pl. Ex. 3
Cop of Delinquent Tax Notice showing sent by Certified Mail	Pl. Ex. 4
Notice of Levy dated 8/14/12	Pl. Ex. 5
Copy of Certified Mail Receipt marked "Return Service"	Pl. Ex. 6
Address Change Form dated 10-20-10	Pl. Ex. 7
Address Change Form dated 6/29/11	Pl. EX. 8

* * * * *

1 The deposition of Retena Montgomery is being taken
2 pursuant to Notice and in accordance with the South
3 Carolina Rules of Civil Procedure and Amendments as adopted
4 by the Supreme Court which shall control the taking of said
5 deposition and its use thereof.

6 Counsel, with the specific consent of the witness,
7 does not waive the reading and signing of the deposition
8 prior to the time it is filed with the Court.

9 (Retena Montgomery, having been duly sworn, testifies as
10 follows:)

11 EXAMINATION BY MR. MOORE:

12 Q. Hello, ma'am. My name is Dwight Moore. I spoke to
13 you coming in the building. Can you give me your full
14 name for the record?

15 A. Retena Montgomery.

16 Q. Retena, can you spell that for me, please?

17 A. R-E-T-E-N-A.

18 Q. And Montgomery, M-O-N-T ---

19 A. G-O-M-E-R-Y?

20 Q. Okay. All right. Ms. Montgomery, I appreciate you
21 doing that. I'm here today for the purpose of taking
22 a deposition.

23 A. Uh-huh (affirmative response).

24 Q. Have you ever had that done before?

25 A. No, sir.

1 Q. Okay. Let me explain to you a little bit about it.
2 This lady to my left and your right will be making a
3 record for us of the questions I ask and the answers
4 that you're giving; she will put it in her recording
5 system and make a booklet for us ---

6 A. Uh-huh (affirmative response).

7 Q. -- of the questions asked and answers given.

8 A. Okay.

9 Q. Okay. It will be done under oath.

10 A. Uh-huh (affirmative response).

11 Q. And so, you are subject to the same Rules of Court in
12 terms of telling the truth. I'll be asking you a
13 series of questions. I hope I won't take -- take very
14 long today. As I understand it, you're one of the
15 only ones over here today working?

16 A. Yes, ma'am -- yes, sir. Sorry.

17 Q. That's all right. And if I ask a question and you
18 don't understand it, ---

19 A. Uh-huh (affirmative response).

20 Q. -- please ask me to restate it or re-ask it, and I'll
21 be glad to do so; okay?

22 A. Okay.

23 Q. We're not here to try to trick you, just find out some
24 things about this particular case.

25 A. Right.

1 Q. If you need to take a break, please feel free to do
2 so.

3 A. Uh-huh (affirmative response).

4 Q. And once we've started, you can't ask anyone any
5 questions or seek input from anyone. The conversation
6 is basically between you and I while I'm asking
7 questions; okay?

8 A. All right.

9 Q. Do you have any questions of me before we start?

10 A. No, sir.

11 Q. Okay. You have given us your full name as Retena
12 Montgomery?

13 A. Uh-huh (affirmative response).

14 Q. Ms. Montgomery, where do you live currently?

15 A. Greeleyville, South Carolina.

16 Q. Okay. And how long have you lived there now?

17 A. Almost twenty -- twenty-four (24) years.

18 Q. Okay. Were you born and raised there or born and
19 raised elsewhere?

20 A. No, elsewhere.

21 Q. Where is that?

22 A. Actually, I was born in Connecticut.

23 Q. Okay.

24 A. Hartford, Connecticut.

25 Q. And you moved down here?

1 A. Yes.

2 Q. Okay.

3 A. In 1976.

4 Q. All right. Are you married, ma'am?

5 A. I am.

6 Q. Okay. What is your husband's name?

7 A. Otis Montgomery.

8 Q. Okay. Did you get married here?

9 A. Yes.

10 Q. Okay. Because this case could go to trial, ---

11 A. Uh-huh (affirmative response).

12 Q. -- can you give me the names of all the persons who
13 have -- the last names that live in Williamsburg
14 County who are related to you by blood or marriage?
15 Just the last names.

16 A. Lee.

17 Q. Okay.

18 A. Franklin. Fulton. Montgomery. Pressley's.

19 Q. Okay.

20 A. That's all.

21 Q. That's it. All right. And do yourself -- do you,
22 yourself, have family here?

23 A. Yes.

24 Q. And your maiden name?

25 A. Lee.

1 Q. Lee?

2 A. L-E-E.

3 Q. Okay. So, you were a Lee?

4 A. Uh-huh (affirmative response).

5 Q. Okay. Did you go to high school here?

6 A. Yes.

7 Q. Where?

8 A. Kingstree Senior High.

9 Q. Okay. What year did you graduate?

10 A. 1981.

11 Q. Okay. Any schooling after high school?

12 A. Williamsburg Tech.

13 Q. Okay.

14 A. Technical College.

15 Q. All right. What type of Degree did you get from
16 Williamsburg Tech?

17 A. Associate in Business.

18 Q. Okay. Any other Degrees?

19 A. No.

20 Q. Okay. And I understand you're employed by the
21 Williamsburg County Treasurer's Office?

22 A. Tax Collector's Office.

23 Q. Tax Collector's Office?

24 A. Uh-huh (affirmative response).

25 Q. Okay. And how long have you been employed by them?

1 A. Let's see. For about twenty-four (24) or twenty-five
2 (25) years.

3 Q. Okay. Any -- any work before going to work for the
4 Tax Collector's Office?

5 A. The Tax Assessor's Office.

6 Q. Tax Assessor's Office?

7 A. Yes. I was there for eight years.

8 Q. So, you were there at the Tax Assessor's Office for
9 eight years and then went to the Tax Collector's ---

10 A. That's right.

11 Q. -- Office after that?

12 A. Uh-huh (affirmative response).

13 Q. So, you have been a full-time employee of the County
14 for over twenty-five (25) years?

15 A. Yes.

16 Q. Okay. Any job before that?

17 A. What you would call a temporary job.

18 Q. Okay. But this is your first major full-time job?

19 A. Right. Exactly.

20 Q. Now, has the County offered you any training in tax
21 assessment or tax collection? Have you gotten any
22 training since you've been employed?

23 A. You know, on the job, you know.

24 Q. On the job?

25 A. Just like that, yes.

1 Q. Okay. Are these on-the-job workshops or seminars?

2 A. I have -- I have gone to workshops and seminars, yes.

3 Q. Okay. And how many of those do you do -- have you
4 done in say the last five years?

5 A. About maybe two, you know, each year within the last
6 five years.

7 Q. Two per year?

8 A. Right. Right. Right.

9 Q. And what kind of things are talked about at this
10 seminar class?

11 A. With the Tax Collector's, basically, a better way of
12 trying to have the tax payers to come in, you know, in
13 a timely manner to collect taxes -- well, to pay taxes
14 rather before additional penalties, more additional
15 penalties, going back to them.

16 Q. Okay. Any classes on tax assessment, in particular,
17 to sales, taxes on -- I'm sorry -- sales of properties
18 that have been delinquent in the payment of taxes by
19 any residents, any special classes in terms of how to
20 handle that?

21 A. Yes. Yes.

22 Q. Can you tell me when the last -- the last class would
23 be?

24 A. The last class on -- let's see -- this is '18; that
25 would have been in 2016.

1 Q. Okay. Any classes before 2016?

2 A. Yeah. Like '12, '13, you know.

3 Q. And do you get ---

4 A. Basic classes.

5 Q. Okay. Do you get Certificates for completion of these
6 classes?

7 A. I've gotten some, yes.

8 Q. Okay.

9 A. Uh-huh (affirmative response).

10 Q. Have you had the opportunity to look at a file that
11 you have given to me regarding some property owned by
12 Curtis McAlister here in Williamsburg County?

13 A. I have.

14 Q. You have looked through the file?

15 A. Yes.

16 Q. And did you look through it prior to today?

17 A. Yes.

18 Q. Okay. Can you tell me when you started looking into
19 the file or looking at the file?

20 A. When we first got notice that the tax sale -- the
21 previous tax payer had questions -- had questions on
22 -- on the sale and everything about the sale.

23 Q. Do you recall who the previous taxpayer was?

24 A. Ms. Sabb. I think she's a Sabb.

25 Q. Okay. Shawonder ---

1 A. Shawonder Sabb.

2 Q. Shawonder Sabb?

3 A. Yeah.

4 Q. Okay.

5 A. Uh-huh (affirmative response).

6 Q. Any other conversations with anyone in your office
7 other than the attorney regarding this file?

8 A. My supervisor, my boss, Ms. Norma Cyrus, we discussed
9 it.

10 Q. Okay. And when did you talk to Ms. Cyrus about it?

11 A. When Ms. Sabb first came in ---

12 Q. Okay.

13 A. -- with questions.

14 Q. What was the basis of your discussion with Mrs. Cyrus?

15 A. Ms. Sabb was trying to pay taxes on the -- on this
16 property like a year or two after everything went
17 through. And I told Ms. Cyrus, you know, well, she
18 want to know what she could do about it which I
19 explained to her what -- what she could have done ---

20 Q. Okay.

21 A. -- to Ms. Sabb, you know. And I let my supervisor
22 know.

23 Q. And so, you had discussions with Ms. Sabb and then
24 Mrs. Cyrus had discussion with Ms. Sabb?

25 A. Not with Ms. Sabb. Not -- with the attorney, the --

1 our County attorney.

2 Q. Okay.

3 A. But after our direct discussion.

4 Q. All right. Is there a checklist or protocol that your
5 office has that tells you or any employee in your
6 office what to do when a person has become -- when a
7 person becomes delinquent in the payment of taxes and
8 that property is then put up for sale; is there a
9 checklist or a -- a protocol?

10 A. We have a guide.

11 Q. Okay.

12 A. We have a guide.

13 Q. And what's -- what is the name of that guide?

14 A. Actually, it's in the Code of Law, South Carolina Code
15 of Law.

16 Q. So, you -- you -- you're referring to the Statute?

17 A. Right. Exactly.

18 Q. I think it's Section 12-51-40 ---

19 A. Right.

20 Q. -- that deals with ---

21 A. With delinquent taxes.

22 Q. Okay.

23 A. The process.

24 Q. Okay. Is that something you have in a -- in a book in
25 your office or you just reference -- reference the

1 Code on how to do it?

2 A. Both it's in a book and, basically, you know, we
3 reference it.

4 Q. Okay. All right. Is it -- and I say in a book, you
5 have a -- it's in a county tax collection book that
6 you put together -- I say you, your office, ---

7 A. Uh-huh (affirmative response). Right.

8 Q. -- or is it just something that you all refer to by
9 way of the Statute?

10 A. We refer to by way of the Statute.

11 Q. Okay. All right. This property, ---

12 A. Uh-huh (affirmative response).

13 Q. -- and you've given me a file, and I want to make sure
14 before I get started with this, can you go through
15 this file right quickly and tell me whether or not
16 everything that you gave me before the deposition
17 started is in that file except for some correspondence
18 that was taken out?

19 A. Right. Okay. That's -- repeat that, please.

20 Q. Can you go through your file ---

21 A. Uh-huh (affirmative response).

22 Q. -- and make sure that everything that you gave me
23 prior to the deposition started is in that file?

24 A. It was in this file?

25 Q. Yes, ma'am.

1 A. Yes. Sure. Okay. Yes. Yes, sir.

2 Q. Okay.

3 MR. MOORE: And at the appropriate
4 time, if these gentlemen don't mind, I
5 would like to make a copy of it for the
6 court reporter.

7 MR. REYNOLDS: I can get that done.

8 Q. Okay. All right. There's a document here, Ms.
9 Montgomery, which is dated 12/27/1979. Can you tell
10 us what that document is?

11 A. Okay. This document is what our office uses, Ms.
12 Loretta Richardson, the form she uses. That date
13 there refers to this Deed here as you found.

14 Q. Okay. And this Deed basically shows that Mr. George
15 McAlister, et al, conveyed the property to Curtis
16 McAlister for Six Hundred Dollars (\$600.00); is that
17 -- is that correct?

18 A. Yes, sir.

19 Q. Okay. All right. And so, when the Deed is -- is --
20 is done, do you automatically get a copy of it from
21 the RMC's office? How did that work when the Deed is
22 filed?

23 A. When the -- when any Deed is filed -- yes, we get a
24 copy from there or else I can go on the website, US
25 Land Records.com ---

1 Q. Okay.

2 A. -- and pull it from there.

3 Q. And based upon this transfer, then you assess Mr.

4 Curtis McAlister, now the grantee, with the taxes paid

5 on this property; I think this property was actually

6 located at Route 3, Box 258, Kingstree. Is that the

7 property address? Or can you give -- can you tell me

8 -- tell me from that document what the address of the

9 property that was conveyed from Mr. McAlister --

10 McAlister -- one McAlister to the other McAlister?

11 A. At -- well, at the time this document was done, it was

12 at -- this address is the one they used.

13 Q. Okay.

14 A. Uh-huh (affirmative response). At the time we did

15 this one.

16 Q. All right. But you don't have an actual street

17 address on this document; is there an actual street

18 address at all?

19 A. There is.

20 Q. Okay. Can you ---

21 A. It's in -- it's in the file.

22 Q. Okay. All right. It's in the file?

23 A. Where the actual street address?

24 Q. Yes, ma'am, for that property.

25 A. Okay. Let me, we have the mailing address. That --

1 now that would be from the Tax Assessor's Office.

2 Q. Okay.

3 A. The actual ---

4 Q. Street address?

5 A. Right. Where the property is.

6 Q. Okay. Now, in this attachment, and this is paper-
7 clipped, it has four documents in it. There is a
8 photograph of the house; is that correct?

9 A. Correct.

10 Q. Can you tell me when that photograph may have been
11 taken? Let me ask a better question. On the
12 photograph that's in there, is there a date that that
13 photograph would have been taken?

14 A. There's no date on here.

15 Q. Okay. There is a Tax Map Number; is that correct?

16 A. Correct.

17 Q. Can you read that Tax Map Number in the record for me?

18 A. Sure. 45-200-016.

19 Q. Okay. Is this the same property then that was
20 transferred from Mr. George McAlister to Mr. Curtis
21 McAlister?

22 A. Yes.

23 Q. Okay. All right. Can you reattach that for me?

24 A. Yes.

25 Q. And according to the -- the documents you have in --

1 what is the date of the documents you have in your
2 hand that that is attached to?

3 A. The date -- well, the last known date for this
4 property card, copy of the property card, September
5 5th of '07.

6 Q. Okay. Would -- would that picture then be taken in
7 '07?

8 A. And it's since '07? I -- I feel as though it's since
9 '07.

10 Q. So, you said since '07?

11 A. Uh-huh (affirmative response).

12 Q. So, it was taken after '07?

13 A. After '07.

14 Q. So, even though it's attached to -- to these documents
15 that make reference to an '07 date, it is your
16 testimony that this picture was taken after 2007?

17 A. Yes.

18 Q. Okay. What do you base this -- that -- that testimony
19 on?

20 A. What I base it on?

21 Q. Yes, ma'am.

22 A. As far as when the picture was taken -- with the Levy
23 Notice.

24 Q. Okay.

25 A. Right here (witness indicates).

1 Q. Okay. So, even though it's attached to this document,
2 you're saying the Levy Notice is a document that gives
3 you some assurance that the photograph was taken about
4 the same day of the Levy Notice?

5 A. Yes, sir.

6 Q. Okay. Is it customary that you take -- you have
7 pictures taken on or about the date that the Levy
8 Notice is issued?

9 A. Yes, sir.

10 Q. And according to this document, it was issued on
11 8/14/12?

12 A. Yes, sir.

13 Q. Okay. Do you know who would have taken the
14 photograph?

15 A. Mr. Joshua -- Mr. Joshua Gaskins. I think it was him.

16 Q. Okay.

17 A. Yeah, because he did the levy.

18 Q. Okay. So, the person who did the Levy would be the
19 person who would take the photograph?

20 A. Uh-huh (affirmative response).

21 Q. And this person, Mr. Joshua -- what is his last name?

22 A. Gaskins.

23 Q. Is he an employee of the -- of the -- of the County?

24 A. No. Not any more.

25 Q. Was he an employee at the time this photograph was

1 taken on about -- on or about the time that the Levy
2 was done?

3 A. About the time it was taken, yeah.

4 Q. When I say "taken," I -- the actual Levy Notice is
5 8/14 of 2012. Would he have taken that picture on or
6 about the date of the Levy Notice?

7 A. Yes, sir.

8 Q. And was he employed by the county on the date of the
9 Levy Notice?

10 A. I'm not sure because I think he retired. I'm not
11 sure.

12 Q. Okay.

13 A. No, I'm not sure.

14 Q. So, you're not sure who took the picture, basically?

15 A. Well, I knew he took the picture.

16 Q. Okay.

17 A. Yeah, he took the picture.

18 Q. All right. But there is nothing on the picture that
19 says he took the picture?

20 A. Right.

21 Q. All right. And so, explain to me what the process is
22 when a person becomes delinquent with their taxes as
23 far -- as far as what happens in Willliamsburg County.

24 A. After March 16th, once the books close, once the tax
25 books close in the Treasurer's Office, on March 16th,

1 except if it falls on the weekend, a day or two
2 afterwards, but once the tax books are closed, our
3 office, Tax -- Delinquent Tax Collector's Office, we
4 get the books -- I say "books," but it's on the
5 computer, you know. Okay. We send out two Delinquent
6 Notices. The first one is a regular Execution Notice,
7 regular mail. After thirty (30) days from the time
8 it's mailed, the customer has thirty (30) days to pay.
9 After that -- shortly after that thirty (30) days, the
10 -- we send out a Certified Restricted Notice. Another
11 thirty (30) days for that -- for the bill to be paid.
12 After that, we start the levying process. Okay. We
13 start that. So, customers are generally, you know,
14 they're coming and paying the tax. The levying
15 process is still going on, but taxes are being paid.
16 After that, we get ready to advertise the names in --
17 in our local newspaper for three weeks. That's State
18 mandated. Three weeks. And after that, it's the tax
19 sale.

20 Q. Okay. In this particular instance where this property
21 was owned by Curtis McAlister, ---

22 A. Uh-huh (affirmative response).

23 Q. -- there's a -- a -- according to this Notice, they're
24 delinquent in their taxes; is that correct?

25 A. Yes, sir.

1 Q. Okay. Can you give me the date of the first
2 delinquency?

3 A. Well, this is after the tax sale.

4 Q. Okay. This is after sale?

5 A. Right. After the -- let's see, we sold this December
6 3rd of 2012.

7 Q. Okay. Can you tell me in your file or show me in your
8 file where you served him the first Notice of
9 Delinquency by regular mail?

10 A. Okay.

11 Q.. Let me give that to you.

12 A. Okay. Right here. This is our copy (witness
13 indicates).

14 Q.. Okay. And so, this is what you send to Mr. McAlister?

15 A. Right. Of course, in a Notice form, but ---

16 Q. Okay. Do you have a copy of the exact Notice that was
17 sent to him in your file?

18 A. No, sir, not in our file.

19 Q. Okay.

20 A. Not in ---

21 Q. Would that -- would that be housed in some other file
22 or by some other agency in Williamsburg County?

23 A. In our -- in our storage.

24 Q. Okay. So, this is not -- this is not your full file
25 here?

1 A. Not -- with the exception of this -- of the actual
2 bill because they could have gotten their bills. The
3 bill -- the Notice -- why I say the bill -- the
4 Notice. But the Notices are returned, we, you know,
5 box them up or put them in ---

6 Q. Okay. So -- so, you -- you've identified the Notice
7 that's sent to him, and this was dated 17th of March
8 2012 for assessments that were due since December 31,
9 2010; is that correct?

10 A. Okay. Right. It was after the 17th of March of '12
11 that the Notices went out, maybe about two weeks or so
12 after.

13 Q. So, if he were delinquent in 2010, tax year 2010,
14 would he have gotten a Notice in 2011?

15 A. Yes.

16 Q. Okay.

17 A. Uh-huh (affirmative response).

18 Q. But that's not in this file, is it?

19 A. Not the original Notices, no, sir.

20 Q. Is any -- is any Notice at all in this file where he
21 would have gotten Notice for 2010 sent to him in 2011?

22 A. Would he have gotten it in Two Thousand and that ---

23 Q. Right. He was late in 2010; he didn't pay his taxes
24 according to what I see in your documents for the year
25 of 2010. He was -- he didn't pay those taxes; is that

1 correct?

2 A. Okay. Now, 2011.

3 Q. Okay. But this document says that the taxes due from
4 the tax year beginning 2010. So, if it's dated -- and
5 correct me if I'm wrong because I could be
6 interpreting it wrong ---

7 A. Uh-huh (affirmative response).

8 Q. -- that he didn't pay the taxes for 2010 or was -- or
9 was it that he didn't pay the taxes for 2011?

10 A. For 2011.

11 Q. Okay. So, even though this is dated December 31,
12 2010, you're saying that he didn't pay the taxes for
13 Two Thousand and ---

14 A. '11.

15 Q. '11?

16 A. Right.

17 Q. Okay.

18 A. It's actually referring to the 2011 taxes.

19 Q. Okay. Even though it doesn't say that on here, you're
20 saying that that is what this Notice is about?

21 A. Right.

22 Q. Okay. All right. And so, did he get a Notice in 2012
23 for the delinquency of taxes in 2011?

24 A. He would have gotten one in 2012 ---

25 Q. Okay.

1 A. -- from the Treasurer's Office.

2 Q. Okay. And -- but that's not in this file?

3 A. No.

4 Q. Okay.

5 A. Uh-uh (negative response).

6 Q. Okay.

7 MR. MOORE: Can I go off the record
8 for a second?

9 (OFF THE RECORD).

10 EXAMINATION BY MR. MOORE CONTINUED:

11 Q. All right. When we came off the record, Ms.
12 Montgomery, we were talking about a Tax Collector
13 Notice from Norma L. Cyrus with a tax year beginning
14 December 31, 2010; is that correct?

15 A. Yes.

16 Q. If you'll look at that document.

17 A. Uh-huh (affirmative response).

18 Q. And that -- that -- at the end of that first paragraph
19 says for the tax year beginning December 31, 2010, the
20 same not being -- not -- the same not having been
21 paid. Does that mean in December of 2010, that tax
22 year, he had not paid taxes on this property; is that
23 -- is that what that means?

24 A. For the 2011 tax year.

25 Q. Okay. So, that doesn't mean that he was not -- he had

1 not paid taxes for 2010?

2 A. No, it doesn't.

3 Q. Okay. And this is dated March 17th, 2012?

4 A. Correct.

5 Q. And -- and if you would find that photograph for me
6 again. I'm going to make sure we're on the same page.

7 A. Okay.

8 Q. The Tax Map Number on that photograph, is it the same
9 on this document that being 45-200-016?

10 A. Yes.

11 Q. That is the same number?

12 A. Same number.

13 Q. So, that is the same property?

14 A. Yes.

15 Q. Okay.

16 MR. MOORE: I would like to have this
17 marked, please.

18 COPY OF TAX NOTICE MARKED PLAINTIFF'S
19 EXHIBIT NUMBER ONE.

20 MR. MOORE: And Madam Court Reporter,
21 this is the Tax Map Number that's referenced
22 here and have that marked as well; okay?

23 COPY OF PHOTOGRAPH OF PROPERTY MARKED
24 PLAINTIFF'S EXHIBIT NUMBER TWO.

25 MR. MOORE: Okay. I'm going to unstaple

1 this; is that okay because it's stapled?

2 MR. REYNOLDS: Yeah.

3 MR. MOORE: There we go.

4 Q. Now, the next document, ma'am, Ms. Montgomery, is a
5 document that is dated January 10, 2013; is that
6 correct?

7 A. Correct.

8 Q. And if you look at the bottom of that document, it --
9 it -- it gives these dates, March 4th, June 4th,
10 September 4th, December 4th, and these are all in the
11 year 2013; is that correct?

12 A. Correct.

13 Q. And this denotes that the property was sold for taxes?

14 A. Yes.

15 Q. All right. Now, do you have anywhere in the file,
16 again, in your file, ----

17 A. Uh-huh (affirmative response).

18 Q. -- that shows where Notice was sent to Mr. Curtis
19 McAlister evidencing the regular mail correspondence
20 showing a thirty (30) day delinquency; do you have
21 anything in that file showing that?

22 A. No, besides this one.

23 Q. Yes, ma'am.

24 A. Now, we sent this Notice out, this Notice that was
25 sent and returned.

1 Q. Okay. Let's stop before you get there. You said you
2 -- you're required by Statute to send a regular --
3 regular mailing out to him; would that ---

4 A. Which would have been this one (witness indicates).

5 Q. Okay. But you don't have anything showing that that
6 was sent, like the letter, the cover letter?

7 A. Right. No, not in the file.

8 Q. Okay. So, you just have a copy of this Exhibit Number
9 One, you just have a copy of that Notice, but no proof
10 that it was sent?

11 A. Right.

12 Q. Okay. All right.

13 MR. MOORE: Now, the document I was
14 referring to just now is -- is a document
15 showing that it was sold for taxes. I would
16 like to have this marked as Number Three,
17 Plaintiff's Number Three.

18 COPY OF SOLD FOR TAXES NOTICE MARKED
19 PLAINTIFF'S EXHIBIT NUMBER THREE.

20 Q. And again, this -- this document showed that -- that
21 -- and this document being Plaintiff's Number Three
22 simply showed that it was sold for taxes; is that
23 correct?

24 A. Yes.

25 Q. Now, you were -- you had in your hand a document that

1 was sent certified; is that correct?

2 A. Yes.

3 Q. And the date of that certified mailing was when?

4 A. We mailed this out June 6th of 2012.

5 Q. Okay.

6 MR. BRUNSON: Can I see that?

7 MR. MOORE: Yeah, sure.

8 Q. Okay. Can you tell me whether this document is the
9 same as that document you have in your hand?

10 A. It is.

11 Q. Okay. And this is one, two -- two pages; is that
12 correct?

13 A. Yes.

14 Q. Okay.

15 A. Yes.

16 Q. Okay.

17 MR. MOORE: I would like to have this
18 marked as Number Four, please.

19 COPY OF DOCUMENT SENT CERTIFIED

20 MARKED PLAINTIFF'S EXHIBIT NUMBER FOUR.

21 Q. Okay. Thank you. Ms. Montgomery, if you could put
22 that back in your hand. This you're referring to is
23 a certified mailing that was sent to Mr. McAlister; is
24 that correct?

25 A. Correct.

1 Q. And if he's -- and who -- whose name is on the actual
2 envelope?

3 A. Curtis McAlister.

4 Q. And what is the actual address for the -- for Mr.
5 McAlister?

6 A. 2520 Carroll Drive, Columbia, South Carolina.

7 Q. Okay. And this was sent by UPS?

8 A. By UPS, no.

9 Q. Yes, ma'am, if you look at the -- can you look at the
10 back? Or if you flip that over, is that a UPS
11 tracking ---

12 A. Well, -- well, United States Postal Service.

13 Q. Oh, I'm sorry. United -- I'm sorry. United Postal
14 Service, regular Postal Service, Certified mailing?

15 A. Right.

16 Q. And this would -- this was Restricted Delivery to Mr.
17 McAlister?

18 A. Yes.

19 Q. And I think you testified that this was not picked up?

20 A. It was not.

21 Q. Okay. So, you have an envelope on your document
22 showing that it was returned to you?

23 A. Yes.

24 Q. What was the date of the actual mailing?

25 A. June 6th of 2012.

1 Q. When did you receive it back?

2 A. September 4th, 2012.

3 Q. Okay. Now, there's an 8/31/12 date. What is that
4 date on that document? It shows and I think that's an
5 eight -- is that 8/31/2012?

6 A. I -- I don't know.

7 Q. Okay. But that's written on your -- on your document;
8 is that correct?

9 A. Right.

10 Q. So, you received it back on 9/14 of 2012?

11 A. Correct.

12 Q. Not signed for?

13 A. Right.

14 Q. Okay.

15 A. That's right.

16 Q. What -- what is the process after you send a regular
17 mailing, after thirty (30) days, you send a Certified
18 mailing, Restricted Delivery ---

19 A. Uh-huh (affirmative response).

20 Q. -- and it comes back unclaimed, ---

21 A. Uh-huh (affirmative response).

22 Q. -- what is the process at that point?

23 A. After this comes back with the returned mail and
24 everything, that's when we send -- we levy.

25 Q. Okay.

1 A. That's the levying.

2 Q. All right. Let me find that Levy letter; okay. Okay.

3 Let me back up for a second.

4 A. Uh-huh (affirmative response).

5 Q. Can you identify that document for me?

6 A. Now, this is after the tax sale is held.

7 Q. Okay. So, that's after the tax sale?

8 A. Right.

9 Q. Okay. Is that the document you're referring to?

10 A. Yes, sir.

11 Q. Okay.

12 A. Uh-huh (affirmative response).

13 Q. And this document is titled Notice of Levy; is that
14 correct?

15 A. Yes, sir.

16 Q. Okay.

17 MR. MOORE: I would like to have that
18 marked, please.

19 COPY OF NOTICE OF LEVY MARKED PLAINTIFF'S
20 EXHIBIT NUMBER FIVE.

21 Q. Thank you. Now, when is this document actually sent
22 to a person who has not paid their taxes and are not
23 responding to a Restricted Delivery mailing?

24 A. Thirty (30) days after the -- normally, it's thirty
25 (30), forty-five (45) days after this is sent.

1 Q. Okay.

2 A. After this is sent out.

3 Q. Now, this is sent to the 2520 Carroll Drive address in
4 Columbia?

5 A. No, it goes to the physical address.

6 Q. Okay. What on this document tells me where it was
7 sent and who sent it?

8 A. The Tax Map Number, 45-200-016.

9 Q. Okay. Is there an address on that Tax Map Number?

10 A. No.

11 Q. Okay. And this was sent to that address?

12 A. It was placed -- the person who levies, he physically
13 went to that.

14 Q. Okay. And where is it placed?

15 A. It's normally placed -- they have to do it in a
16 conspicuous place. So, it could be on the front door,
17 the whole, you know, hall or whatever, on the porch,
18 something.

19 Q. What proof in your file do you have that evidences
20 that in fact it was done?

21 A. Well, I don't see -- well, I mean, it's -- it's ---

22 Q. Okay. And you are showing -- you're showing a picture
23 of the property; is that correct?

24 A. Correct.

25 Q. And that for our purpose, that's Plaintiff's Exhibit

1 Number Two; is that correct?

2 A. Yes. Right.

3 Q. And looking at that photograph, does it show on the
4 document, that is a photograph, Number Two, any
5 display of this Notice of Levy on this property?

6 A. None that I can see.

7 Q. Okay.

8 A. Uh-uh (negative response).

9 Q. And you -- you testified that this would -- Notice
10 would be put on the post or the front door?

11 A. Right.

12 Q. Okay. And your testimony is that you don't -- you
13 cannot tell if there is such a Notice on the door or
14 the anywhere located on the ---

15 A. Right.

16 Q. -- front of the property where -- where this picture
17 is ---

18 A. Right.

19 Q. -- displays the front of the house?

20 A. Right.

21 Q. Let me start and do that again.

22 A. Okay.

23 Q. This photograph doesn't show this Notice being placed
24 anywhere conspicuously on the property, does it?

25 A. No, sir.

1 Q. Okay. And for the record, on this Plaintiff's Number
2 Two, there is no date on that document, is there?

3 A. No.

4 Q. Okay. And Joshua Gaskins, is that who that person is?

5 A. Yes.

6 Q. And -- and it says that he has seized -- that
7 Williamsburg County has seized and taken -- took
8 possession of the following property, Lot One, known
9 as Tax Map Number 45-200-016, and that's it; is that
10 correct?

11 A. Yes.

12 Q. It doesn't show what he did, how he did it?

13 A. No.

14 Q. Or when he did it?

15 A. By the date this is ---

16 Q. Okay. But it doesn't -- it's signed that date, but it
17 doesn't say he actually attached this on that date,
18 does it?

19 A. No.

20 Q. Okay. All right. And you said this gentleman is now
21 retired?

22 A. Yes.

23 Q. Is he still in the area?

24 A. I think he is in the area.

25 Q. Okay.

1 A. I think so.

2 Q. Now, you -- you had -- I gave you this document
3 earlier. What is that document?

4 A. This document is -- is what we sent out the Redemption
5 Letter. The second Redemption Letter we sent out,
6 Certified Restricted to Mr. McAlister. This was after
7 the sale.

8 Q. Okay. So, after the sale is -- is complete, someone
9 bids on the property, and they have a year to redeem
10 the property; is that correct?

11 A. Correct.

12 Q. And this letter is sent out during that one year's
13 period to the owner to say the property has been sold,
14 you can come back and redeem it within a year's
15 period?

16 A. Correct.

17 Q. All right. May I have that back, please?

18 A. Uh-huh (affirmative response).

19 MR. MOORE: I would like to have
20 that marked.

21 COPY OF REDEMPTION LETTER MARKED
22 PLAINTIFF'S EXHIBIT NUMBER SIX.

23 Q. Thank you. And now, was this sent, also sent
24 Certified?

25 A. Yes, Certified Restricted.

1 Q. Okay. Was it ever picked up?

2 A. No.

3 Q. Okay. And -- and if a document, for a second time,
4 it's been sent and not picked up, is there a process
5 that the tax collector undertakes to make sure that
6 notice is given to the -- to the owner of the
7 property?

8 A. After the second Notice is sent out?

9 Q. And that's -- that's a second Notice. The first
10 Notice was sent prior to the sale. Two Notices were
11 sent prior to the sale ---

12 A. Right.

13 Q. -- as you testified. A third Notice is sent after the
14 sale which is the right to redeem the property marked
15 as our Number Six here?

16 A. Uh-huh (affirmative response).

17 Q. What happens if this document is not picked up; is
18 there something you do after that?

19 A. No.

20 Q. Okay. So -- so, if a person doesn't have Notice they
21 have the right to redeem the property, is that where
22 your responsibility as a tax collector stops or is
23 there something else you do?

24 A. No, it stops there as far as this.

25 Q. Okay. And can you give me the dates that this letter

1 was sent again, ma'am?

2 A. Yes. October 21st, 2013.

3 Q. And when did you receive it back?

4 A. December 28th, '13.

5 Q. Okay. Now, ---

6 MR. REYNOLDS: I'm sorry, December
7 what?

8 MS. MONTGOMERY: 28th of '13.

9 Q. Is there any document that you can point to that shows
10 Mr. McAlister that he was delinquent for the tax year
11 of 2011? Is there anything in your file that shows he
12 was delinquent for that tax year?

13 A. You mean besides this?

14 Q. Yes, ma'am, besides that.

15 A. The first Execution Notice and the certified.

16 Q. And these -- these two documents you're referring to,
17 you're not sure that he got notice of, because one, he
18 -- one, we're not sure it was sent in the regular mail
19 and the second one, he didn't pick it up; is that
20 correct?

21 A. Correct. I don't think so.

22 Q. And if I could refer you back to Number Five, the
23 document says that the property was sold or the
24 delinquency was for the year 2011; is that correct?

25 A. Correct.

1 Q. All right. And now if I could point you back to
2 Number Six, which is the document that you sent after
3 the sale ---

4 A. Uh-huh (affirmative response).

5 Q. -- that was not picked up, ---

6 A. Okay.

7 Q. -- this is advising that the property was put up for
8 sale on December 3rd, 2012; is that correct?

9 A. Right.

10 Q. Okay. And again, you don't know that he received
11 Notice for the problem for the tax year of 2011; is
12 that correct?

13 A. Correct.

14 Q. So, you're saying he wasn't delinquent in 2010, he was
15 delinquent in 2011, the property was sold in 2012, ---

16 A. Uh-huh (affirmative response).

17 Q. -- and then the last Notice was sent to him in 2013?

18 A. Correct.

19 Q. Okay. That's -- that's Number, Plaintiff's Exhibit
20 Number Six?

21 A. Uh-huh (affirmative response).

22 Q. Okay. Now, this property, the old address is what we
23 referred to earlier that must have changed, but would
24 -- the Tax Map Number is the same, and I want you to
25 look at that document and see if you can pull it out

1 of your file for me; okay?

2 A. Okay. Let's see, which one is it?

3 Q. This Change of Address form.

4 A. Okay. Yes, sir.

5 Q. Okay.

6 MR. MOORE: I'd like to have that
7 marked, please, ma'am.

8 COPY OF CHANGE OF ADDRESS FORM MARKED
9 PLAINTIFF'S EXHIBIT NUMBER SEVEN.

10 Q. Thank you. Now, correct me if I'm wrong, but you have
11 a process that if someone wants to change the address,
12 they can do that; is that correct?

13 A. Yes. Through another office.

14 Q. Okay. Was this -- is this document done in your
15 office?

16 A. No, sir.

17 Q. Okay. But you received this document?

18 A. Correct.

19 Q. Okay. Who -- who is office personnel -- who is that
20 person? Can you read that name?

21 A. T. Kinder.

22 Q. Okay. Is she here today?

23 A. Yes.

24 Q. Okay. All right. According to this, there was an
25 address change; is that correct?

1 A. Correct.

2 Q. And the address was changed from Route 4, Box 274 or
3 PO Box 7555 to the -- I'm sorry -- the old address was
4 Route 4, Box 274, Tax Map Number 45-200-016; is that
5 correct?

6 A. Yes.

7 Q. Okay. And the new address is P.O. Box 7555, Columbia;
8 is that correct?

9 A. Yes.

10 Q. Now, does that address, P.O. Box 7555, correspond with
11 the addresses shown on the Notice? For example, on
12 Exhibit Number Six. That is the last document that
13 you had.

14 A. No.

15 Q. Okay. And on that -- on that document, it was 2520
16 Carroll Drive; is that correct?

17 A. Correct.

18 Q. Where did you get the 25 -- 2520 Carroll Drive address
19 from as far as corresponding with Mr. -- Mr.
20 McAlister?

21 A. That came from the Tax Assessor's Office.

22 Q. Okay. It would have come -- how would it have gotten
23 to you that the address had changed other than with a
24 Change of Address Form? Was there some document inter
25 -- interagency or any intercounty document that would

1 have notified you to send the -- send the information
2 to 2520 Carroll Drive instead of -- instead of to
3 Route 4, Box 274 or the new address, PO Box 7555?

4 A. Other than the Assessor's Office, no.

5 Q. Okay. So, you have nothing in your file that showed
6 that this should be sent to 2520 Carroll Drive?

7 A. Repeat that, please.

8 Q. Is there anything in your file other than this Change
9 of Address Form that says that the address to notify
10 Mr. McAlister is now 2520 Carroll Drive?

11 A. No.

12 Q. Okay.

13 A. No.

14 Q. So, is there any way to know that that 2520 Carroll
15 Drive is the right address?

16 A. This right here (witness indicates).

17 Q. Ma'am?

18 A. By this. By this (witness indicates).

19 Q. Then what is that there?

20 A. You asked me if there is any way to know that that's
21 the correct address?

22 Q. Okay.

23 A. From the information given by the daughter.

24 Q. Okay.

25 A. By Mr. McAlister's daughter.

1 Q. Okay. So -- so -- so, we have a Change of Address
2 Form dated 10/20/10; is that correct?

3 A. Correct.

4 Q. Okay. And that address is Route -- is Route 4, Box
5 274, new address P.O. Box 7555. Is that correct?

6 A. Correct.

7 Q. And this -- this Change of Address was done by Acquana
8 McAlister, daughter; is that correct?

9 A. Correct.

10 Q. On the 10/20/10; is that correct?

11 A. Uh-huh (affirmative response).

12 Q. Okay. And then there's a second Change of Address
13 Form that's dated 6/29/11?

14 A. Uh-huh (affirmative response).

15 Q. Is that correct?

16 A. Correct.

17 Q. Okay. And then it has the old address as P.O. Box
18 7555, the new address being 2520 Carroll Drive?

19 A. Correct.

20 Q. And that was done 6/29/11; is that correct?

21 A. Correct.

22 Q. And this Change of Address was requested by Acquana
23 McAlister by phone?

24 A. Correct.

25 Q. Okay.

1 MR. MOORE: Let me have this marked,
2 please.

3 COPY OF CHANGE OF ADDRESS FORM
4 DATED 6/29/11 MARKED PLAINTIFF'S
5 EXHIBIT NUMBER EIGHT.

6 Q. Is it the County's policy to allow an address change
7 to be done by phone?

8 A. At that time, it was.

9 Q. At the time it was?

10 A. Right.

11 Q. Okay. When did that change?

12 A. I'm not sure.

13 Q. You're not sure?

14 A. That was the Assessor's Office.

15 Q. Okay. All right. How do you know -- and this --
16 maybe you can't answer this question, but I'm going to
17 ask anyway. How do you know if the person on the
18 phone is the person who -- who they represent to be?
19 I mean, how do you know that that -- that's the person
20 who they say -- that they say they are? Is there --
21 as a practical matter, is there any way to know that?

22 A. That's an Assessor's office issue.

23 Q. Okay. And if you can't answer, I understand.

24 A. I can't answer that.

25 Q. You can't answer?

1 A. I can't.

2 Q. Okay. All right. So, as far as your -- your
3 procedures is concerned, if the -- if the Notices are
4 sent by regular mail and they're not picked up, by
5 certified mailing, they're not picked up, and there is
6 no way from your file that you can tell if the Notice
7 was placed on the door and there's a third Notice
8 that's sent that's not picked up, is there any
9 provision as far as the County is concerned to make
10 sure that the property owner or the person living in
11 the house has Notice? Anything else you're required
12 to do?

13 A. No.

14 Q. Is there anything else you can do?

15 A. Yes.

16 Q. What is that?

17 A. If -- well, That we can do, no.

18 Q. How many -- how many tax sales do you have a year,
19 ma'am, on the average?

20 A. How many sales we have per year?

21 Q. Yes, ma'am, on average?

22 A. One. One tax sale per year.

23 Q. Okay. How many houses do you -- delinquent tax sales?

24 A. Oh, okay, okay, okay.

25 Q. Not the sale itself ---

1 A. Okay.

2 Q. -- but how many houses do you normally have go up for
3 sale about for reasons of delinquent taxes?

4 A. Okay. Maybe six to seven hundred parcels.

5 Q. Every year?

6 A. Yes.

7 Q. Okay.

8 A. But that includes mobile homes as well.

9 Q. Okay.

10 A. Yeah.

11 Q. I had one more question and I just lost it. If it
12 comes back to me, I'll ask you. I think those are all
13 my questions, ma'am. Okay?

14 A. Okay.

15 Q. All right. One more. Have you ever met with Ms.
16 McAlister, Acquana McAlister, have you ever seen her?

17 A. No, sir.

18 Q. Do you know her?

19 A. No, sir.

20 Q. Do you know Ms. -- Ms. Shawonder Sabb Scott?

21 A. When she came in the office, you know, she identified
22 herself.

23 Q. Okay. What did she tell you?

24 A. She wanted to know how her property got sold, you
25 know, how the property got sold.

1 Q. Okay.

2 A. And I explained to her, you know, went over the
3 process and everything.

4 Q. Okay. Do you have any -- anything in your file that
5 shows that the actual publication was made by
6 newspaper?

7 A. Right.

8 Q. You testified earlier that it takes three weeks or the
9 Statute requires three weeks of public notice?

10 A. Not in the file.

11 Q. Okay.

12 A. Not in the file.

13 Q. Okay. Is there any other file that has stuff related
14 to this particular case in it? This property with the
15 Tax Map Number 45-200-016, is there any other file
16 that you have that has correspondence dealing with
17 this case?

18 A. No, sir.

19 Q. Okay. Is there any file in the -- in the Assessor's
20 Office relative to this particular case?

21 A. I don't know.

22 Q. Okay. Do you have a Treasurer's Office?

23 A. Do we have a Treasurer's Office?

24 Q. Yes, ma'am.

25 A. Yes, sir.

1 Q. Is there any file in the Treasurer's Office relative
2 to this case?

3 A. I don't think so.

4 Q. Okay.

5 MR. MOORE: Those are all of my
6 questions. I appreciate it.

7 MR. BRUNSON: So, these are the only
8 three documents from her file that aren't
9 made a part of this?

10 MR. MOORE: Right. Before you came in,
11 there was some correspondence I sent giving
12 her Notice of a deposition ---

13 MR. BRUNSON: Yeah. In that file?

14 MR. MOORE: That was in the file that was
15 taken out.

16 MR. BRUNSON: Okay.

17 MR. MOORE: But the -- and we asked that
18 that file be pure as far as their correspondence
19 relative to the property. So, this is -- this
20 is all that was in the file relative to the
21 property.

22 MR. BRUNSON: Oh, this too?

23 MR. MOORE: This, too. And that.

24 MR. BRUNSON: But that's all you wish to
25 mark?

1 MR. MOORE: That's all I wish to mark.

2 MR. BRUNSON: So, you have not -- you don't
3 plan on marking what -- you -- you don't want to
4 mark the rest of it?

5 MR. MOORE: I don't -- I don't plan on
6 marking the rest of it.

7 MR. BRUNSON: Okay. All right. Who sent
8 me this whole file?

9 MR. REYNOLDS: Did I? I -- I doubt I did,
10 but I can find out if it was sent by her. I'll
11 be right back.

12 MR. BRUNSON: Actually, let me see, I've
13 got the answer to it right here. Yeah. I
14 don't have any questions.

15 (THERE BEING NO FURTHER QUESTIONS, THE DEPOSITION WAS
16 CONCLUDED AT 3:25 P.M.).

17

1 STATE OF SOUTH CAROLINA)
) CERTIFICATE
COUNTY OF SUMTER)

I, Doris Tompkins Brown, Certified Verbatim Reporter and Notary Public in and for the State of South Carolina, certify that I did have Retena Montgomery appear before me commencing at 2:23 P.M. on March 5, 2018, at the offices of Jenkinson Jarrett & Kellahan, P.A., 120 West Main Street, Kingstree, South Carolina; that the witness was duly sworn and cautioned to tell the truth; that the foregoing pages constitute a true and accurate transcript of the testimony given at that time and place.

I hereby certify that I am not of counsel or kin to any of the parties to this cause of action, nor am I interested in any manner in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 31st day of March, 2018.

Doris Tompkins Brown, CVR
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission expires: 4-02-2025

✓ NORMA L. CYRUS, TAX COLLECTOR

WHEREAS, the party whose name appears below has been duly assessed the sum shown below, the same being, State, County, School and Special Taxes for the tax year beginning December 31, 2010, the same not having been paid.

THESE ARE, THEREFORE in the name of the State strictly to charge and command you to levy by distress and sale of the property, real or personal, of the taxpayer whose name appears below, out of which to make and collect the taxes, costs and charges as shown.

GIVEN under by hand and seal, this 17th day of March, 2012

Kimber W. Cooper
KIMBER W. COOPER
COUNTY TREASURER

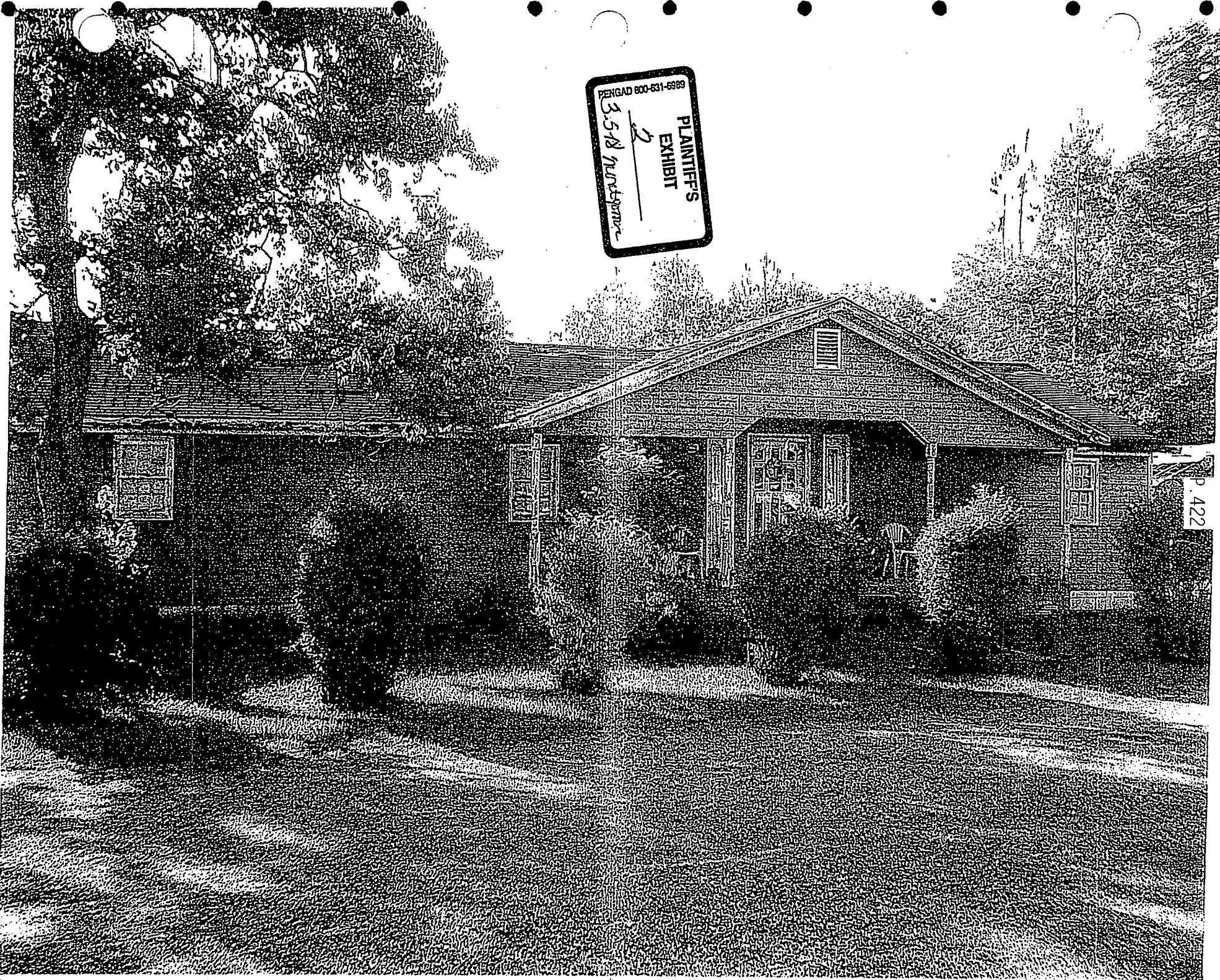
Receipt: 018842-11-3
TAXPAYER: MCALISTER CURTIS
MAP NUMBER: 45-200-016
DISTRICT: 00
NET DUE: 288.35

PEN/040 800-531-5369
PLAINTIFF'S
EXHIBIT
3.5.13
H. Cooper

710-002-547 # 101

PENGAD 800-631-6889
3.518 number
2
PLAINTIFFS
EXHIBIT

P. 422



WILLIAMSBURG COUNTY
DELINQUENT TAX OFFICE
P.O. BOX 477
KINGSTREE, SC 29556
843 - 355 - 9321 EXT 559



DATE: JANUARY 10, 2013

TO: MCALISTER CURTIS

2520 CARROLL DR

COLUMBIA SC 29204-0000

Sold For Taxes

FROM: NORMA CYRUS
WILLIAMSBURG COUNTY TAX COLLECTOR

RE: SALE OF PROPERTY FOR DELINQUENT TAXES

MAP # 45-200-016 DISTRICT 00

RECEIPT # 0018785123 ITEM# 12-01651

 **COPY**

This letter is to advise you that the property listed above was sold at public auction for delinquent taxes on DECEMBER 03, 2012. Section 12-51-90 of the South Carolina Code of Laws provides that the defaulting taxpayer, any grantee from the owner or any mortgage or judgement creditor may redeem the above property within (12) months from the date of the delinquent tax sale by paying to this office delinquent taxes penalties, and costs together with the appropriate percent of interest on the total bid price at the tax sale. If you wish to redeem the above described property, the redemption amount will be as listed below:

\$ 473.35 (03%) due on or before MARCH 04, 2013

\$ (06%) due on or before JUNE 04, 2013

\$ (09%) due on or before SEPTEMBER 04, 2013

\$ (12%) due on or before DECEMBER 04, 2013

FINAL DATE TO REDEEM THE ABOVE PROPERTY IS BY DECEMBER 04, 2013 !!!!!

If you fail to redeem the property by said date, a tax deed will be issued the successful bidder.

06/06/12
YEAR 2011 - 2011

P.426

0.....018842-11-3
.....MCALISTER CURTIS
2520 CARROLL DR
COLUMBIA SC 29204

REFERENCE NUMBER....45-200-016
ASSESSMENT RATIO %.....4%
RICT/TOWN.....00
ASSED VALUE.....583

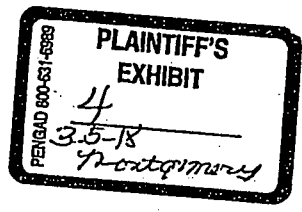
FINAL TAX.....244.65
PENALTY.....36.70
S.....18.00
TOTAL AMOUNT NOW DUE....299.35

PROPERTY DESCRIPTION....

LOT = 1 BLDG = 2

NO.....7100 5868 2454 5112 6759

AGE......45
DEFERRED FEE.....2.95
ANNUAL RECEIPT FEE.....2.35
RESTRICTED DELIVERY FEE.....4.55
POSTAGE & FEES...10.30



MARK BELOW

018842-11-3
45-200-016
VORMA L. CYRUS
WILLIAMSBURG COUNTY TAX COLLECTOR
P.O. BOX 477
WINGSTREE, S.C. 29556-0477

CERTIFIED MAIL



PRESORTED
FIRST-CLASS MAIL
U.S. POSTAGE PAID
COLUMBIA, S.C.
PERMIT NO. 738

RETURN SERVICE REQUESTED

7100 5868 2454 5112 6759

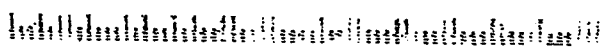
RECEIVED 8/31/12
9/4/12

MCALISTER CURTIS
2520 CARROLL DR
COLUMBIA SC 29204

RETURN RECEIPT REQUESTED
RESTRICTED DELIVERY

NIXIE 2012 DE 1 00 08/28/12
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
BC: 29556047777 *2480-05775-28-41

EXPWSP1 295560477



P.427

English

Customer Service

USPS Mobile

Register / Sign In



Search USPS.com or Track Packages Subr

Quick Tools

Ship a Package

Send Mail

Manage Your Mail

Shop

Business Solutions

USPS Tracking™

Customer Service ›
Have questions? We're here to help.

Tracking Number: 71005868245451126759

Product & Tracking Information

Available Actions

Postal Product:

Features:
Certified Mail™

DATE & TIME	STATUS OF ITEM	LOCATION
June 14, 2012, 4:55 pm	Notice Left (No Authorized Recipient Available)	COLUMBIA, SC 29240

We attempted to deliver your item at 4:55 pm on June 14, 2012 in COLUMBIA, SC 29240 and a notice was left because an authorized recipient was not available.

June 12, 2012 5:26 pm	Processed through USPS Sort Facility	COLUMBIA, SC 29205
June 12, 2012, 4:53 pm	Notice Left	COLUMBIA, SC 29204
June 12, 2012 8:08 am	Arrival at Unit	COLUMBIA, SC 29204
June 12, 2012, 4:35 am	Depart USPS Sort Facility	COLUMBIA, SC 29201
June 12, 2012, 3:11 am	Processed through USPS Sort Facility	COLUMBIA, SC 29201

Track Another Package

What's your tracking (or receipt) number?

Track It

LEGAL

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[Terms of Use ›](#)
[FOIA](#)
[No FEAR Act EEO Data](#)

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[National Postal Museum ›](#)

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P. 429
**NOTICE OF
LEVY**



**STATE OF SOUTH CAROLINA
COUNTY OF WILLIAMSBURG**

**IT IS ILLEGAL TO REMOVE UNTIL TAXES ARE PAID. VIOLATORS WILL
BE PROSECUTED.**

MCALISTER CURTIS
2520 CARROLL DR
COLUMBIA SC 29204

NOTICE IS HEREBY GIVEN, that pursuant to tax execution issued to WILLIAMSBURG
County Tax Collector, officially charged with the collection of delinquent taxes for the
County of WILLIAMSBURG State of South Carolina,

has seized and taken exclusive possession of the following described property

LOT = 1

Recorded on County Records as map # 45-200-016

Unless said taxes, penalties, and costs are paid in full, all property described will be
sold after legal advertisement, on NOVEMBER 5, 2012
or the year(s) 2011 to satisfy said execution.

A/C _____ LOT 1 BLDG 2

M/H SIZE _____ M/H SERIAL # _____

Joshua Haskins
DEPUTY TAX COLLECTOR

1/4/12
DATE

By NORMA CYRUS
TAX COLLECTOR, WILLIAMSBURG COUNTY
PSA BUILDING
201 W. MAIN ST.
KINGSTREE, SOUTH CAROLINA 29556
843-355-9321 EXT. 5800



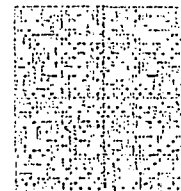
Norma L. Cyrus
Delinquent Tax Collector

P.O. Box 477
Kingstree, SC 29556



7013 1710 0000 0096 8966

12/28/13



TO:

MCALISTER CURTIS

2520 CARROLL DR

COLUMBIA SC 29204-0000

RETURN SERVICE REQ

NOTICE

292 SE 1009

0012/26/13

RETURN TO SENDER
TEMPORARILY AWAY
UNABLE TO FORWARD

EC 29556047777

*1454-06047-25-42

295560477
29204227321

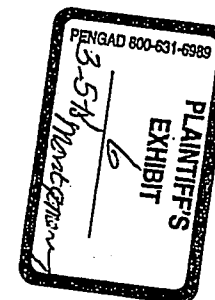
U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information visit our website at www.usps.com

9968 9600 0000 0121 E107

Postage	\$ 4.46
Certified Fee	3.10
Return Receipt Fee (Endorsement Required)	2.55
Restricted Delivery Fee (Endorsement Required)	4.75
Total Postage & Fees	\$ 10.86

Postmark
Here

Sent to
Mcalister, Curtis
Street, Apt. No.,
or PO Box No. 2520 Carroll Dr.
City, State, ZIP+4
Columbia, SC 29204
PS Form 3800, August 2008



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

McAlister, Curtis
2520 Carroll Ave
Columbia, SC 29204

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ YesIf YES, enter delivery address below: ☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☒ Yes

7013 1710 0000 0096 8966

PS Form 3811, February 2004

Domestic Return Receipt

45-200-016

102595-02-M-1540

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)
For delivery information, visit our website at www.usps.com

Postage	\$ 4.66
Certified Fee	3.10
Return Receipt Fee (Endorsement Required)	\$ 2.55
Restricted Delivery Fee (Endorsement Required)	4.75
Total Postage & Fees	\$ 10.86

Postmark
Here

Sent to
McAlister, Curtis
Street, Apt. No.,
or PO Box No. 2520 Carroll Dr.
City, State, ZIP+4
Columbia, SC 29204

9968 9600 0000 0121 ET02

WILLIAMSBURG COUNTY
DELINQUENT TAX OFFICE
P.O. BOX 417
KINGSTREE, SC 29556
843 - 355 - 9321 EXT 559

DATE: OCTOBER 21, 2013

TO: MCALISTER CURTIS
2520 CARROLL DR
COLUMBIA SC 29204-0000

FROM: NORMA CYRUS
WILLIAMSBURG COUNTY TAX COLLECTOR

RE: SALE OF PROPERTY FOR DELINQUENT TAXES

MAP # 45-200-016 DISTRICT 00

RECEIPT # 0018785123 ITEM# 12-01651

NO FURTHER ACTION REQUIRED

This letter is to advise you that the property listed above was sold at public auction for delinquent taxes on DECEMBER 03, 2012. Section 12-51-90 of the South Carolina Code of Laws provides that the defaulting taxpayer, any grantee from the owner or any mortgage or judgement creditor may redeem the above property within (12) months from the date of the delinquent tax sale by paying to this office delinquent taxes penalties, and costs together with the appropriate percent of interest on the total bid price at the tax sale. If you wish to redeem the above described property, the redemption amount will be as listed below:

\$ <u>473.35</u>	(03%) due on or before <u>MARCH 04, 2013</u>
\$ <u> </u>	(06%) due on or before <u>JUNE 04, 2013</u>
\$ <u> </u>	(09%) due on or before <u>SEPTEMBER 04, 2013</u>
\$ <u>877.41</u>	(12%) due on or before <u>DECEMBER 04, 2013</u>

FINAL DATE TO REDEEM THE ABOVE PROPERTY IS BY DECEMBER 04, 2013 !!!!!

If you fail to redeem the property by said date, a tax deed will be issued to the successful bidder.

ADDRESS CHANGE FORM

DATE: 10-20-10 DATE OF CHANGE 10-21-10

TAX MAP# 45-200-016 CHANGED BY TSK

NAME: Curtis Mcalister

C/O _____

OLD ADDRESS: Rt 4 Box 274

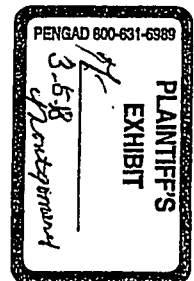
NEW ADDRESS: P O Box 7555

CITY: Columbia STATE SC ZIP 29020-29202

CHANGE REQUESTED BY: Agayna Mcalister (Daughter)

OFFICE PERSONNEL: T. J. J. J.

P.435



P. 437
ADDRESS CHANGE FORM



DATE: 06/29/11 DATE OF CHANGE: _____

TAX MAP#: 45-200-014 CHANGED BY: _____

NAME: Curtis Mcalister

C/O: _____

OLD ADDRESS: P O Box 7555

NEW ADDRESS: 2520 Carrell Dr

CITY: Columbia STATE: SC ZIP: 29204

CHANGE REQUESTED BY: Aquana Mcalister by phone

OFFICE PERSONNEL: J. Kinder

* She is his daughter *
(Rebill)

No. _____

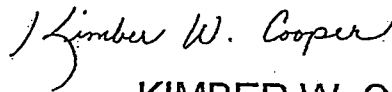
TAX COLLECTOR
WILLIAMSBURG COUNTY, S.C.

TO NORMA L. CYRUS, TAX COLLECTOR

WHEREAS, the party whose name appears below has been duly assessed the sum shown below, the same being, State, County, School and Special Taxes for the tax year beginning December 31, 2010, the same not having been paid.

THESE ARE, THEREFORE in the name of the State strictly to charge and command you to levy by distress and sale of the property, real or personal, of the taxpayer whose name appears below, out of which to make and collect the taxes, costs and charges as shown.

GIVEN under by hand and seal, this 17th day of March, 2012



KIMBER W. COOPER
COUNTY TREASURER

Receipt:	018842-11-3
TAXPAYER:	MCALISTER CURTIS
MAP NUMBER:	45-200-016
DISTRICT:	00
NET DUE:	288.35

WILLIAMSBURG COUNTY DELINQUENT CERTIFIED POSTMAP.439.E COPY
DATE 06/06/12
TAX YEAR 2011 - 2011

PAGE 2,675

RECNO.....018842-11-3

NAME.....MCALISTER CURTIS
2520 CARROLL DR
COLUMBIA SC 29204

MAP REFERENCE NUMBER....45-200-016
ASSESSMENT RATIO %.....4%
DISTRICT/TOWN.....00
ASSESSED VALUE.....583

ORIGINAL TAX.....244.65
15% PENALTY.....36.70
COSTS.....18.00
TOTAL AMOUNT NOW DUE.....299.35

PROPERTY DESCRIPTION....

LOT = 1

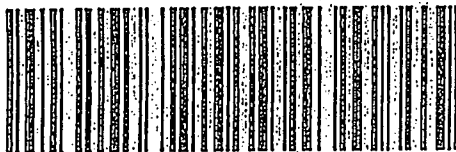
BLDG = 2

OCR NO.....7100 5868 2454 5112 6759

POSTAGE......45
CERTIFIED FEE.....2.95
RETURN RECEIPT FEE.....2.35
RESTRICTED DELIVERY FEE.....4.55
TOTAL POSTAGE & FEES...10.30

POSTMARK BELOW

018842-11-3
45-200-016
NORMA L. CYRUS
WILLIAMSBURG COUNTY TAX COLLECTOR
P.O. BOX 477
KINGSTREE, S.C. 29556-0477



PRESORTED
FIRST-CLASS MAIL
U.S. POSTAGE PAID
COLUMBIA, S.C.
PERMIT NO. 738

RETURN SERVICE REQUESTED

7100 5868 2454 5112 6759

RECEIVED

8/31/12

9/4/12

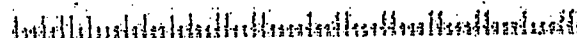
MCALISTER CURTIS
2520 CARROLL DR
COLUMBIA SC 29204

RETURN RECEIPT REQUESTED

RESTRICTED DELIVERY

NIXIE 292 DE 1 08 08/28/12
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
EC: 29556047777 *2480-05776-28-41

EXPENSE 295560477



REMOVE BOTH SIDE STUBS FIRST

FOLD, CREASE AND REMOVE THIS STUB AT PERFORATION

POSTMAN

STEP 1: TEAR ALONG PERFORATION

REMOVE STUBS AT BOTH ENDS FIRST
THEN FOLD, CREASE AND REMOVE THIS STUB AT PERFORATIONPOSTMAN
STEP 2: DETACH CARD HERE

SENDER: COMPLETE THIS SECTION

- ☒ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- ☒ Print your name and address on the reverse so that we can return the card to you.
- ☒ Attach this card to the back of the mail piece, or on the front if space permits.

018842-11-3

Article Addressed to:

45-200-016
MCALISTER CURTIS
2520 CARROLL DR
COLUMBIA SC 29204

COMPLETE THIS SECTION ON DELIVERY

A. Received by: (Please Print Clearly)

B. Date of Delivery

C. Signature

☐ Agent☐ Addressee

☒ Is delivery address different from Item 1? If YES, enter delivery address below.

☐ Yes☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☐ Registered☐ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☒ Yes

Article Number (Copy from service label)

7100 5868 2454 5112 6759

REMOVE BOTH SIDE STUBS FIRST
FOLD, CREASE AND REMOVE THIS STUB AT PERFORATION

NOTICE OF LEVY

STATE OF SOUTH CAROLINA

COUNTY OF WILLIAMSBURG

IT IS ILLEGAL TO REMOVE UNTIL TAXES ARE PAID. VIOLATORS WILL
BE PROSECUTED.

MCALISTER CURTIS
2520 CARROLL DR
COLUMBIA SC 29204

NOTICE IS HEREBY GIVEN, that pursuant to tax execution issued to WILLIAMSBURG
County Tax Collector, officially charged with the collection of delinquent taxes for the
County of WILLIAMSBURG State of South Carolina,

has seized and taken exclusive possession of the following described property

LOT = 1

Recorded on County Records as map # 45-200-016

Unless said taxes, penalties, and costs are paid in full, all property described will be
sold after legal advertisement, on NOVEMBER 5, 2012
for the year(s) 2011 to satisfy said execution.

A/C _____ LOT 1 BLDG 2

M/H SIZE _____ M/H SERIAL # _____

Joshua Hastine
DEPUTY TAX COLLECTOR

8/14/12

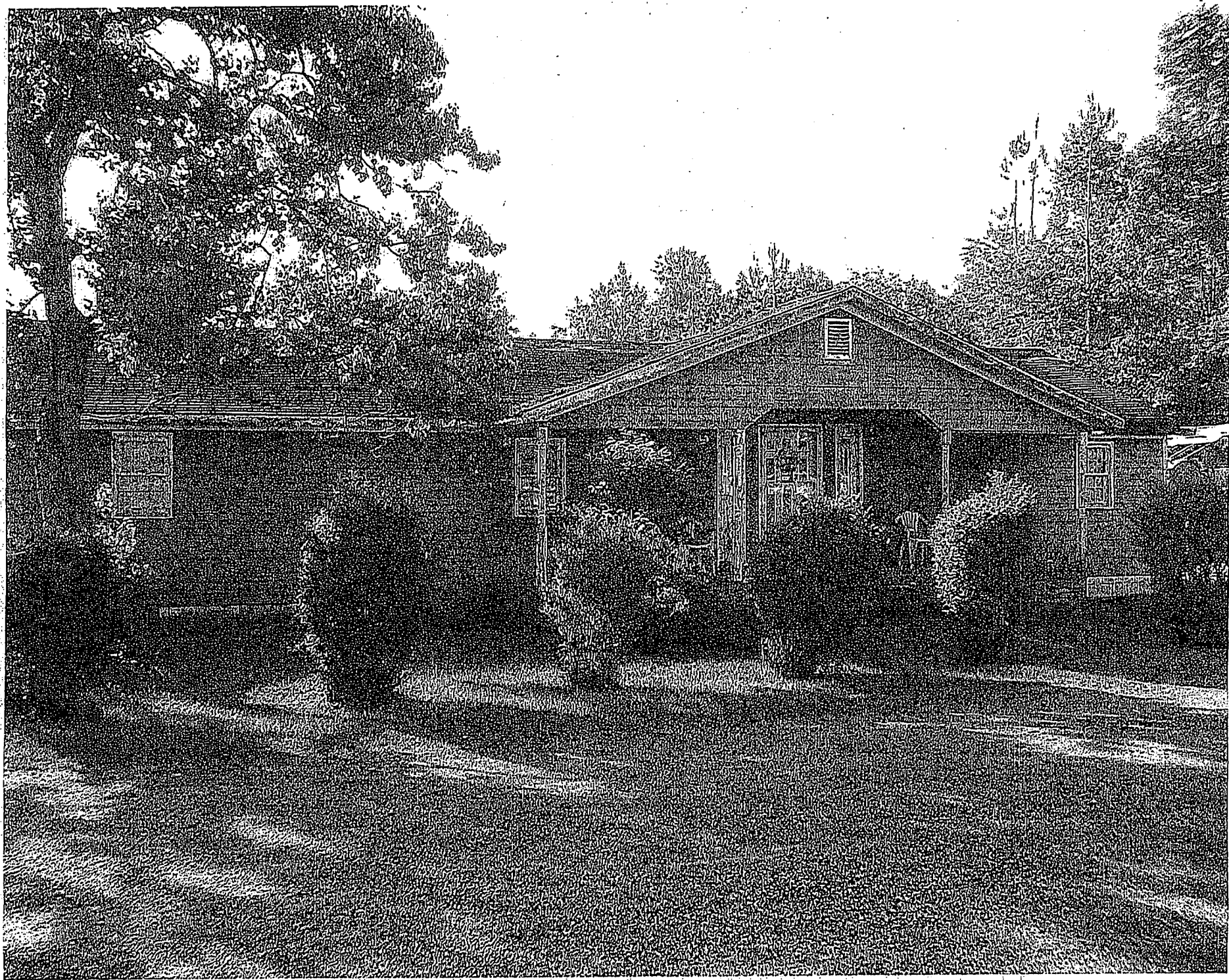
DATE

By NORMA CYRUS

TAX COLLECTOR, WILLIAMSBURG COUNTY
PSA BUILDING
201 W. MAIN ST.
KINGSTREE, SOUTH CAROLINA 29556
843-355-9321 EXT. 5800

P. 443

TRM # 45-200-016



The Law Office of

DOWARD KEITH HARVIN, L.L.C.

417 West Broad Street
Hemingway, South Carolina 29554

(843) 558-9000
keith@dkharvinlaw.com

October 29, 2014

Norma Cyrus
Tax Collector
201 W. Main Street
Kingstree, SC 29556

Re: Tax Map No.: 45-200-016

Dear Ms. Cyrus:

I have reviewed the information related to the property listed above. As you may recall, this property was sold to Ms. Hattie Pendergrass at a tax auction. The owner was not aware that this took place until recently and as such, we requested a copy of your file for our review.

From reviewing the file, there seems to have been an unauthorized change of address by someone claiming to be the daughter of owner. The owner, Mr. Curtis McAlister, did not give anyone any authorization to handle any business at anytime. In fact, the file does not include any type of Power of Attorney document that would give a person the ability to handle such affairs for Mr. McAlister.

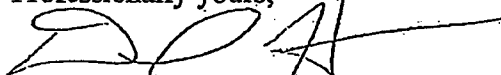
This unauthorized change of address took place at a time that Mr. McAlister was hospitalized and was still engaged in a contractual arrangement with Ms. Shawonda Sabb to pay taxes related to the property. By the tax notices being sent to an erroneous address without the owner's authorization, the owner nor his tenant was able to receive any of notices sent from your office.

In addition, there seems to be no proof that a notice was placed on the property being levied. I saw no affidavit or a picture showing where the notice was placed on the property as required by law. The tenant, Ms. Sabb, never saw a notice on the property as well.

Based on the above, we are asking that the Tax Collector's office do what is right and just by rescinding the property transfer that occurred because of an unauthorized change of address and the lack of notice being placed on the property.

With kind regards, I am,

Professionally yours,



Doward Keith Harvin

"Fighting for JUSTICE, In and Out of Season"



Jenkinson, Jarrett & Kellahan, PA

ATTORNEYS AT LAW

120 WEST MAIN STREET • POST OFFICE DRAWER 669 • KINGSTREE, SOUTH CAROLINA 29556
TELEPHONE (843) 355-2000 • FACSIMILE (843) 355-2010 • TOLL FREE 1-888-354-7417
www.jenkinsonlaw.com

W. E. Jenkinson, III
Ernest J. Jarrett*
Jennifer R. Kellahan**

J. Thomas Thompson

*Certified Family Court Mediator
**Certified Circuit Court Mediator

December 18, 2014

Doward Harvin, Esquire
The Law Office of Doward Keith Harvin, LLC
Post Office Box 520
Hemingway, SC 29556

RE: TMS# 45-200-016
Your Client: Curtis McAllister
Tax sale to Hattie Pendergrass

Dear Doward:

I have been asked by Mrs. Cyrus to respond to your letter of October 29, 2014. She has reviewed her file at your request to determine if she can find anywhere that the proper procedures to sell property at a tax sale were not followed. I can assure you that in the past where there has been an error, she has taken corrective action. Here, a review of her file does not indicate where she has not followed the law.

Mrs. Hattie Pendergrass purchased the property at auction, and after the redemption period, the property having not been redeemed, was transferred by tax deed to Mrs. Pendergrass. As we see it, the only remedy your client has is to file a suit against Mrs. Pendergrass, the current owner, alleging that the tax deed should be set aside. Williamsburg County and Mrs. Cyrus, as Tax Collector, would necessary parties, even though they will take no serious position one way or another other than to relate the facts from their file. Any decision as to the case will be up to a judge based upon the factual considerations, as well as the law.

I wish there was something else that could be done, but where property has been sold and conveyed, the right to take corrective action for the most part is non-existent as far as the Tax Collector is concerned. I trust that this answers your question and if you need anything further, please do not hesitate to let me know.

With kindest regards and best wishes for a happy holiday season, I am

Very truly yours,

JENKINSON, JARRETT & KELLAHAN, PA


W.E. Jenkinson, III
billy@jenkinsonlaw.com

WEJ/sm
cc: Norma Cyrus

RESIDENTIAL APPRAISAL CARD

SOUTH CAROLINA
WILLIAMSBURG COUNTY

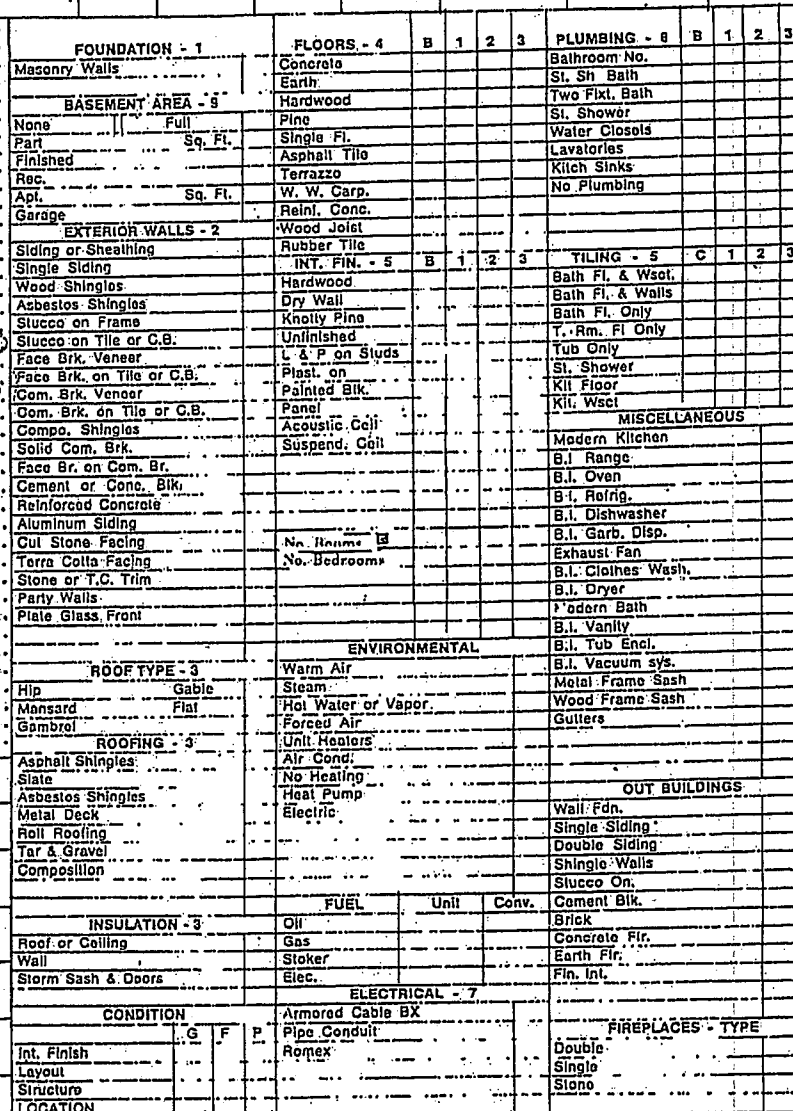
CARD _____ OF _____ CARDS

9-807

Bl-210

TAX MAP 45-200-016		DISTRICT King		DATE OF APPRAISAL 6-23-04		APPRAISER Bl-210											
Owner's Name and Address Curtis McAlister 2520 Canwell Dr. Columbia SC 29204		TRANSFERRED FROM George + Pauline S. McAlister		Deed Book	Deed Page	Acres or Lots	Plat Book	Plat Page	Date of Sale	SALES PRICE							
		Curtis McAlister		A145	699		19	16	12/27/79	\$600.00							
PROPERTY LOCATION		GENERAL DATA		COST DATA		MOBILE HOME		INCOME APPROACH									
St., Rt. & No.		Yr. Built		Land		Make		Monthly Rental									
City		Economic Life		Imp.		Model		G. M. M.									
Use		Condition		L. H.		Yr. Built		Indicated Value									
Subdivision		Quality		Total		Condition											
Legal Description		Annual Rent		Stamps		Size											
		Bldg. Permit		Old Map Ref 360-41													
		Mort.		File No.													
STANDARD CLASSIFICATION		PROPERTY DATA		LAND CLASSIFICATION													
NEIGHBORHOOD		TRANSPORTATION		LAND IMP.		UTILITIES		TOPOGRAPHY		LAND CLASS		NO. OF ACRES		VALUE PER ACRE		VALUE PER CLASS	
Progressive		Paved Road		Buildings		Electricity		Level		Open Land							
Static		Earth Road		Payement		Water		High									
Regressive		Railroad		Fence		Gas		Low									
Old		Water		Landscaping		Sewer		Rolling									
New		Airport		Well		All Utilities		Swampy									
W.P. 5-14-04		LAND 12.0		LOT SIZE		FRONT		DEPTH		REAR		OTHER					
Number of Acres		Number of Lots 1		10/20/10 Change of Address requested by his daughter													
Per Acre Value		Number of Front Ft.		Remarks & Description													
Value for Acres		Per Lot Value \$12194-A		Agriana McAlister													
Returned Area		Per Front Ft. Value		2012													
Legal Area		Value for Lots		.5 X 5500 = 2750													
Planimetered Area		Value for Fr. Ft.		2 wells 12 septic 5000													
Total Land Value		well + septic		7750													
ESTIMATED MARKET VALUE mtl located on this lot																	
Land Acres or Lots		Improvement		Total													
mtl + 1 bldg																	
Number 3000		7434		10434													
Cost Approach 3000		11576		14576													
Market Approach 7750		9567		17317													
Income Approach																	
Correlated Value																	
Assessed %																	
Reviewed by				Date													

Zoning



SALE NO. 810 5%				
Adt.	Additions	2.	3.	4.
Sales Price	6x26x10.00x.95=1482			
	14x56x11.00x.95=6468			
Time	6x14x11.00x.95=878			
Location				
Physical Characteristics				
Size				
Adjusted Sales Price				

[illegible]

DATE _____

~~Addition
 $14 \times 56 \times 10 = 7840$
 $6 \times 14 \times 10 = 840$
 $10 \times 36 \times 10 = 1560$~~

ADDRESS CHANGE FORM

DATE: 10-20-10 DATE OF CHANGE 10-21-10

TAX MAP# 45-200-016 CHANGED BY TOL

NAME: Curtis Mcalister

C/O _____

OLD ADDRESS: Rt 4 Box 274

NEW ADDRESS: P O Box 7555

CITY: Columbia STATE SC ZIP 29202

CHANGE REQUESTED BY: Amyna Mcalister (Daughter)

OFFICE PERSONNEL: T. Anderson

ADDRESS CHANGE FORM

DATE: 06/29/11 DATE OF CHANGE: _____TAX MAP#: 45-200-016 CHANGED BY: _____NAME: Curtis Mcalister

C/O: _____

OLD ADDRESS: P O Box 7555NEW ADDRESS: 2520 Carrell DrCITY: Columbia STATE: SC ZIP: 29204CHANGE REQUESTED BY: Angela Mcalister by phoneOFFICE PERSONNEL: J. Kinder

* She is his daughter *
(Reddit)

WILLIAMSBURG COUNTY
DELINQUENT TAX OFFICE
P.O. BOX 477
KINGSTREE, SC 29556
843 - 355 - 9321 EXT 559

DATE: JANUARY 10, 2013

TO: MCALISTER CURTIS

2520 CARROLL DR

COLUMBIA SC 29204-0000

Sold For Taxes

FROM: NORMA CYRUS
WILLIAMSBURG COUNTY TAX COLLECTOR

NO PERSONAL CHECKS ACCEPTED

RE: SALE OF PROPERTY FOR DELINQUENT TAXES

MAP # 45-200-016 DISTRICT 00

RECEIPT # 0018785123 ITEM# 12-01651

 **COPY**

This letter is to advise you that the property listed above was sold at public auction for delinquent taxes on DECEMBER 03, 2012. Section 12-51-90 of the South Carolina Code of Laws provides that the defaulting taxpayer, any grantee from the owner or any mortgage or judgement creditor may redeem the above property within (12) months from the date of the delinquent tax sale by paying to this office delinquent taxes penalties, and costs together with the appropriate percent of interest on the total bid price at the tax sale. If you wish to redeem the above described property, the redemption amount will be as listed below:

\$ <u>473.35</u>	(03%) due on or before	<u>MARCH 04, 2013</u>
\$ <u> </u>	(06%) due on or before	<u>JUNE 04, 2013</u>
\$ <u> </u>	(09%) due on or before	<u>SEPTEMBER 04, 2013</u>
\$ <u> </u>	(12%) due on or before	<u>DECEMBER 04, 2013</u>

FINAL DATE TO REDEEM THE ABOVE PROPERTY IS BY DECEMBER 04, 2013 !!!!!

If you fail to redeem the property by said date, a tax deed will be issued to the successful bidder.

P.451
WILLIAMSBURG COUNTY
DELINQUENT TAX OFFICE
P.O. BOX 477
KINGSTREE, SC 29556
843 - 355 - 9321 EXT 559

COPY

DATE: OCTOBER 21, 2013

TO: MCALISTER CURTIS
2520 CARROLL DR
COLUMBIA SC 29204-0000

SOLD FOR TAX
YEAR 2011

FROM: NORMA CYRUS
WILLIAMSBURG COUNTY TAX COLLECTOR

RE: SALE OF PROPERTY FOR DELINQUENT TAXES

MAP # 45-200-016 DISTRICT 00

RECEIPT # 0018785123 ITEM# 12-01651 NO PERSONAL CHECKS ACCEPTED

This letter is to advise you that the property listed above was sold at public auction for delinquent taxes on DECEMBER 03, 2012. Section 12-51-90 of the South Carolina Code of Laws provides that the defaulting taxpayer, any grantee from the owner or any mortgage or judgement creditor may redeem the above property within (12) months from the date of the delinquent tax sale by paying to this office delinquent taxes penalties, and costs together with the appropriate percent of interest on the total bid price at the tax sale. If you wish to redeem the above described property, the redemption amount will be as listed below:

\$ <u>473.35</u>	(03%) due on or before	<u>MARCH 04, 2013</u>
\$ _____	(06%) due on or before	<u>JUNE 04, 2013</u>
\$ _____	(09%) due on or before	<u>SEPTEMBER 04, 2013</u>
\$ <u>877.41</u>	(12%) due on or before	<u>DECEMBER 04, 2013</u>

FINAL DATE TO REDEEM THE ABOVE PROPERTY IS BY DECEMBER 04, 2013 !!!!!

If you fail to redeem the property by said date, a tax deed will be issued to the successful bidder.

018842-11-3
45-200-016
NORMA L. CYRUS
WILLIAMSBURG COUNTY TAX COLLECTOR
P.O. BOX 477
KINGSTREE, S.C. 29556-0477

UNITED STATES MAIL



PRESORTED
FIRST-CLASS MAIL
U.S. POSTAGE PAID
COLUMBIA, S.C.
PERMIT NO. 738

RETURN SERVICE REQUESTED

7100 5868 2454 5112 6759

RECEIVED

8/31/12

9/4/12

RETURN RECEIPT REQUESTED

RESTRICTED DELIVERY

MCALISTER CURTIS
2520 CARROLL DR
COLUMBIA SC 29204

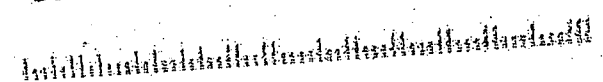
NIXIE

292 DE 1
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

08 08/28/12

EC: 29556047777 *2480-05776-28-41

EXPENSE 295560477



T. P. 452

REMOVE BOTH SIDE STUBS FIRST

FOLD, CREASE AND REMOVE THIS STUB AT PERFORATION

POSTMAN
STEP 1: TEAR ALONG PERFORATIONREMOVE STUBS AT BOTH ENDS FIRST
THEN FOLD, CREASE AND REMOVE THIS STUB AT PERFORATIONPOSTMAN
STEP 2: DETACH CARD HERE

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
1. Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. 2. Print your name and address on the reverse so that we can return the card to you. 3. Attach this card to the back of the mail piece, or on the front if space permits. Article Addressed to: 45-200-016 MCALISTER CURTIS 2520 CARROLL DR COLUMBIA SC 29204		A. Received By (Please Print Clearly) B. Date of Delivery C. Signature D. Is delivery address different from item 1? If YES, enter delivery address below: E. Agent Addressed: F. Service Type 3. Service Type ☒ Certified Mail ☐ Express Mail ☐ Registered ☐ Return Receipt for Merchandise ☐ Insured Mail ☐ C.O.D. 4. Restricted Delivery? (Extra Fee) ☒ Yes	
1. Article Number (Copy from service label) 7100 5868 2454 5112 6759		102595-99-M-1789	

PS Form 3811, July 1999

Domestic Return Receipt

REMOVE BOTH SIDE STUBS FIRST
FOLD, CREASE AND REMOVE THIS STUB AT PERFORATION

9968 9600 0000 0717 E102

U.S. Postal Service	
CERTIFIED MAIL RECEIPT	
(Domestic Mail Only. National and Coverage Provided)	
For additional information, visit us at usps.com	
OFFICIAL USE	
Postage	\$ 4.16
Certified Fee	3.10
Return Receipt Fee (Endorsement Required)	2.55
Restricted Delivery Fee (Endorsement Required)	4.75
Total Postage & Fees	\$ 10.86
Postmark Here	
Sent by <u>McAlister, Curtis</u>	
Street, Apt. No., or P.O. Box No. <u>2520 Carroll Dr.</u>	
City, State, ZIP+4® <u>Columbia SC 29204</u>	

SENDER: COMPLETE THIS SECTION

- ☒ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- ☒ Print your name and address on the reverse so that we can return the card to you.
- ☒ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

McAlister, Curtis
2520 Carroll Ave
Columbia, SC 29204

COMPLETE THIS SECTION ON DELIVERY

A. Signature:

X

☐ Agent☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail☐ Express Mail☒ Registered☒ Return Receipt for Merchandise☐ Insured Mail☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☒ Yes

7013 1710 0000 0096 8966

PS Form 3811, February 2004

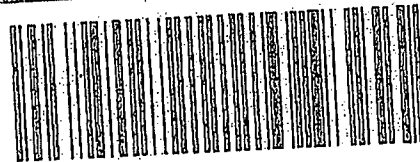
Domestic Return Receipt

45-200-016

102595-02-M-1540

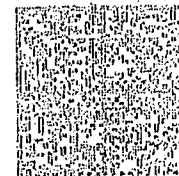


Norma L. Cyrus
Delinquent Tax Collector
P.O. Box 477
Kingstree, SC 29556



7013 1710 0000 0096 8966

12/28/13



Nesler

TO: MCALISTER CURTIS

2520 CARROLL DR

COLUMBIA SC 29204-0000

RETURN SERVICE

NIXIE

292 SE 1000

0012/25/12

RETURN TO SENDER
TEMPORARILY AWAY
UNABLE TO FORWARD

RF: 29556047777

*1454-05047-25-43

295560477
2920422702

P. 456

LEGAL DESCRIPTION: _____
 PLAT BOOK 19 AT PAGE 0699
 DEED BOOK A145 PAGE 0699 DATED 12/27/1979 RECORDED 12/27/1979

GRANTEE'S NAME

JUDGEMENTS, TAX LIENS, OR UCC: YES OR NO

DATE:

T.M. 系

EXCEPTIONS:

1.)

2.)

3.)

4.)

5.)

6.)

For other-see back

Taxes-County

Present year

Computers Checked

ABSTRACT OF THE TITLE OF

OT

[illegible]

State of South Carolina,

WILLIAMSBURG

51
90
01
0.

KNOW ALL MEN BY THESE PRESENTS, THAT

we, George McAllister and Pauline McAllister, of the County of Williamsburg,

in the State aforesaid _____ in consideration of the sum of
SIX HUNDRED AND NO/100 (\$600.00)-----DOLLARS,

to _____ in hand paid at and before the sealing of these presents by Curtis McAllister

in the State aforesaid _____ the receipt whereof is hereby
acknowledged, have granted, bargained, sold and released, and by these Presents do grant, bargain, sell and
release unto the said Curtis McAllister, his heirs and assigns, forever:

All that certain lot of land situate in King Township, County of Williamsburg, State of South Carolina, bounded and measuring on the North by an access road, a distance of 2.22 chains; East by Carrie P. Pressley, a distance of 2.25 chains; South by Mary P. Fulton, a distance of 2.22 chains; on the West by Willie B. Scott, et al, a distance of 2.25 chains. All of which will more fully appear on a map of said lot made by J. D. Brockington, R.L.S., on February 25, 1971, and recorded in the office of the Clerk of Court for Williamsburg County in Plat Book 19, at page 16.

This is the same lot conveyed to us by deed of Lewis James Pressley dated March 8, 1959, and recorded in Deed Book A-92, at page 4, Office of the Clerk of Court for Williamsburg County.

Grantee's address: Route 3, Box 250-A
Kingstree, S. C. 29556

0706

TOGETHER with all and singular, the Rights, Members, Hereditaments and Appurtenances to the said Premises belonging, or in anywise incident or appertaining.

TO HAVE AND TO HOLD, all and singular, the said Premises before mentioned unto the said Curtis McAllister, his Heirs and Assigns forever.



Doc-A145 PAGE 700

AND we do hereby bind ourselves and our Heirs,
Executors and Administrators, to warrant and forever defend, all and singular, the said Premises unto the said
Curtis McAllister, his

Heirs and Assigns, against us and our Heirs, and all persons whomso-
ever lawfully claiming, or to claim the same or any part thereof.

WITNESS our Hand and Seal on, this twenty-seventh day of December
in the year of our Lord one thousand nine hundred and seventy-nine and in the two hundred and
fourth year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

LaNue Floyd Pauline McAllister (L. S.)
Bettie D. Andrews George McAllister (L. S.)

The State of South Carolina,
WILLIAMSBURG County.

PERSONALLY appeared before me Bettie D. Andrews

and made oath that she saw the within named George McAllister and Pauline
McAllister sign, seal, and as their act and deed, deliver the within written Deed,
and that she with LaNue Floyd

witnessed the execution thereof.

SWORN to before me, this 27th

day of December, A.D. 1979.

LaNue Floyd (SEAL)
Notary Public of South Carolina
My Commission Expires: 2-22-88.

Bettie D. Andrews

RENUNCIATION OF DOWER

The State of South Carolina,
WILLIAMSBURG County.

I, LaNue Floyd, a Notary Public for South Carolina

do hereby certify unto all whom it may concern, that Mrs. Pauline McAllister,
the wife of the within named George McAllister,
did this day appear before me, and upon being privately and separately examined by me, did declare that she does
freely, voluntarily, and without any compulsion, dread or fear of any person or persons whomsoever, renounce, re-
lease and forever relinquish unto the within named Curtis McAllister, his

Heirs and assigns, all her interest and estate, and also all her right and claim of dower, of, in or to all and singular
the premises within mentioned and released.

LaNue Floyd (SEAL) Pauline McAllister
Notary Public of South Carolina
My Commission Expires: 2-22-88.

0702

298
118

L. 7.

State of South Carolina,

COUNTY OF WILLIAMSBURG

GEORGE McALLISTER AND PAULINE

McALLISTER

TO

CURTIS McALLISTER

TITLE TO REAL ESTATE

Filed DEC 27 1979 4 day

of A.D. 19

at o'clock M.

and recorded in Book A-145

Page 699 Fee, \$

William P. Jones
 R. M. C. or Clerk County P. & G. S.
 Williamsburg County, S.C.

Recorded this day

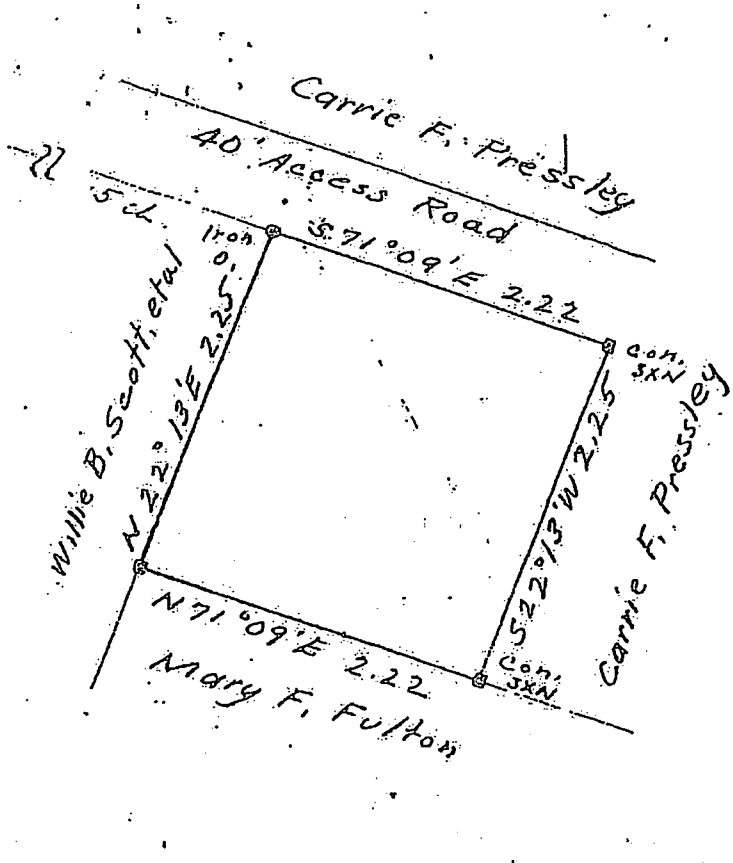
of DEC 27 1979 4 PM, 19

in Book 11 Page 297

Fee, \$ *H. J. Montgomery*

Auditor Williamsburg County, S. C.

Box A145 Dec 702



OF SOUTH CAROLINA
OF WILLIAMSBURG

of a Lot in King Township owned
Carrie F. Pressley and about to be
sold to George McAlister and Pauline
McAlister.

1" = 1 chain = 66 feet

Dated: Feb. 25, 1971

J. D. Brockington
Reg. Land Surveyor 1031
Kingstree, S.C.

MAR 9 1971

AGE 16

ONES

COURT

CO., S. C.

T-A-2547

Aug. 27, 2014 4:40PM

P. 464

No. 2801 P. 1/1

FORM 4

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

JUDGMENT IN A CIVIL CASE

CASE NO 2007-CP-45-322

PLAINTIFF(S) McAllister

DEFENDANT(S) Sabb

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), SCRCP; ☐ Rule 41(a), SCRCP (Vol. Nonsuit); ☐ Rule 43(k), SCRCP (Settled); ☐ Other



ACTION STRICKEN (CHECK REASON): ☐ Rule 40(j), SCRCP; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other

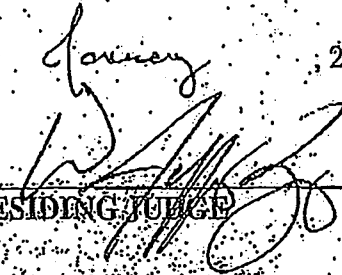
IT IS ORDERED AND ADJUDGED: ☐ See attached order; ☐ Statement of Judgment by the Court.

Mag Court Appeal - Dismissed
failure to prosecute

Dated at Kingstree, South Carolina, this

7th day of January

2010


PRESIDING JUDGE

This judgment was entered on the

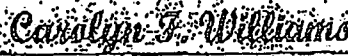
day of

20

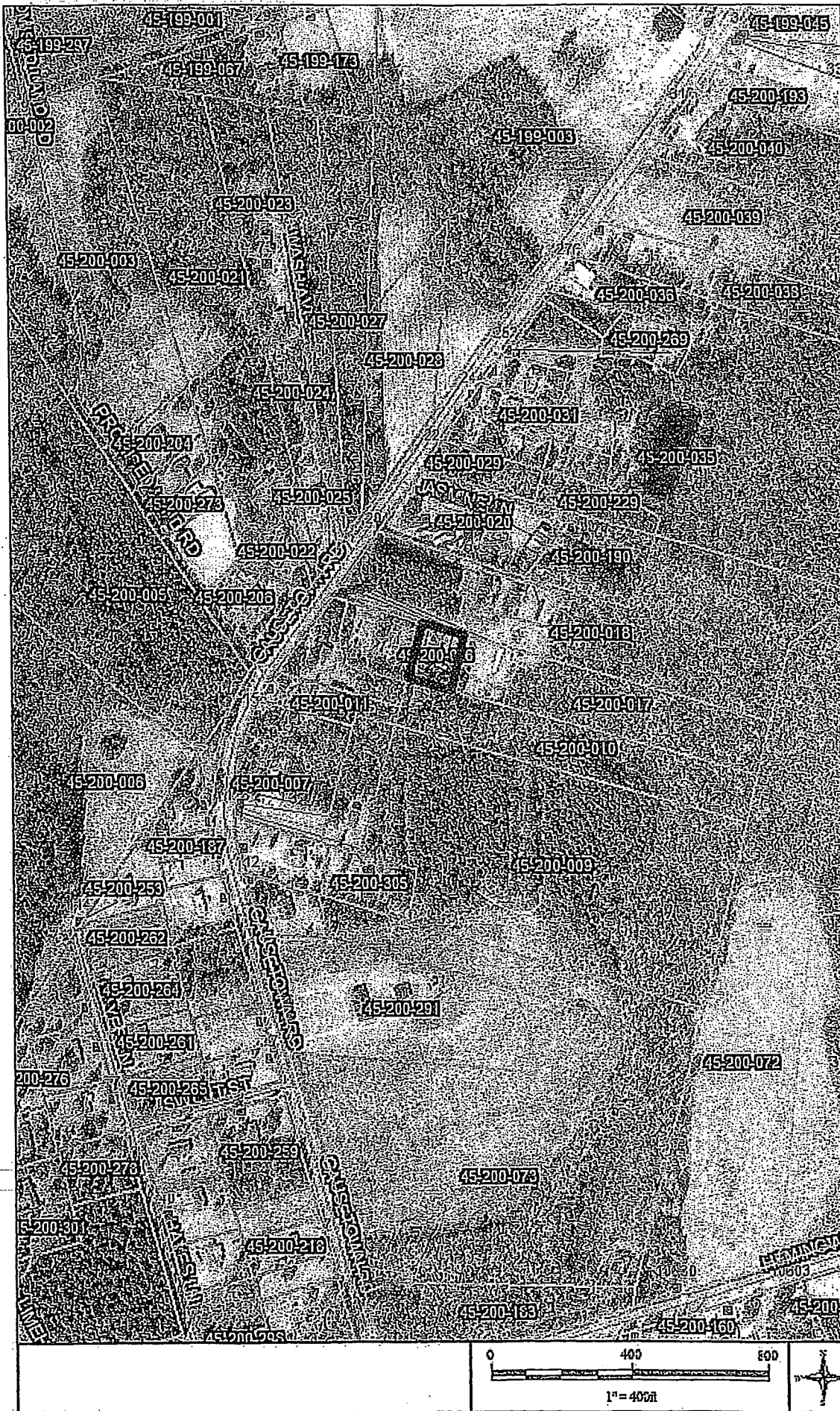
this day of 2010 and a copy mailed first class to attorneys of record or to parties (when appearing pro se) as follows:

ATTORNEY(S) FOR THE PLAINTIFF(S)

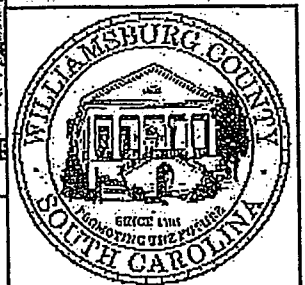
ATTORNEY(S) FOR THE DEFENDANT(S)


CLERK OF COURT

FILED
10 FEB -5 AM 10:24
CAROLYN J. WILLIAMS
CLERK OF COURT
KINGSTREE, S.C.



The Williamsburg County Government makes no claims as to the completeness, accuracy or content of any data contained hereon, and makes no representation of any kind, including, but not limited to, the warranty of the accuracy or fitness for a particular use, nor are any such warranties to be implied or inferred with respect to the information or data furnished herein.



140----- HISTORY FILE ----- ACTIVITY DATES P.466 MS STATUS -----08/11/2015
Function...

MAP#..45-200-016

R 00015508 2011

Other Map..200-00-00-016.000

Prev Ownr..GEORGE & P S MCALISTER

Name..MCALISTER CURTIS

Adr1..2520 CARROLL DR

Adr2..COLUMBIA SC

Adr3..

Desc.....

Dist/Town..10

Activity:

Current.. 06/29/2011 TSK

Previous.. 10/20/2010

New Constr: Appraisal Assessment

Legl Res:

Other:

Forms:

Owner Occ...

Agric Use...

Reappr Notc.

ATI Cert....N Printed..00/00/0000

Returned.00/00/0000 Nat. Person.Y

File Status:

Transfer Date..NONE

Addition Date..NONE

Change Date....06/29/2011

Split Date.....NONE

Addr Change....06/29/2011

ATI Exempt Base Value

Last Year Ag..

DateNONE

Mkt..

14576

Reason for Chg..

Scroll By: MAP#

TAX INQUIRY - ASSESSOR ASSESSOR DESCRIPTIVE DATA - 2012

DATE: 06/20/12

A100

Enter Function...

Map #: 45-200-016

R-00015508

MCALISTER CURTIS

2520 CARROLL DR

COLUMBIA SC

Bldg... 9,567

Land.. 9,500

Mkt... 19,067

Acres. .50

Tax.. 19,067

29204

Deed Ref... A145 699 12/22/1979

Plat Ref... 19 16

Dist: 10

Town:

Fire: 10

Homestead... .00

Desc:

Lender....

O Class...

Locn:

Prev Own. GEORGE & P S MCALISTER

Prev Deed Ref.

00/00/0001

2nd Prev...

2nd Prev Deed.

00/00/0001

Legal Desc1..012x060 FR

Legal Desc2..66 FLEET TRU DL5M DL5MS5636

PLS-0001 Search Functions: M=Map# N=Name L=Location F2=Values F12=Help

TMS: 45-200-016
 NAME: Curtis McAlister

CHECKLIST FOR TAX DEED

1.	Warrant/Execution Notice (regular mail)	3-17-12
2.	Notice to Defaulting Taxpayer (certified – restricted delivery – RRR/green card in file or envelope with green card still attached) <i>Unclaimed</i>	6-6-12
3.	Notice of Levy posted on property (original signature)	8-14-12
4.	First Notice of Opportunity to Redeem Property (regular mail) (sometimes they send two of these)	1-10-13
5.	Final Notice of Opportunity to Redeem Property (certified – restricted delivery – RRR/green card in file or envelope with green card still attached) <i>Unclaimed</i>	10-21-13
6.	Notice to any lienholder/mortgagee (certified – restricted delivery – RRR/green card in file or envelope with green card still attached) <i>There is a judgment on title work - No one</i>	<i>Dismissed</i>
7.	Verify Information on Deed Form • Name of Defaulting Taxpayer ✓ • Name of Purchaser ✓ • Legal Description ✓ • TMS ✓ •	<i>Notified</i>
8.	Review Title Examiner's Notes	

Paralegal Review: RJ

Attorney Review: [Signature]

Date: 8-15-15

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STATE OF SOUTH CAROLINA)
)
COUNTY OF WILLIAMSBURG)

TITLE NOT EXAMINED

TITLE TO REAL ESTATE

TO ALL WHOM THESE PRESENT MAY CONCERN:

WHEREAS, the Statute Laws of South Carolina provide that upon the expiration of the time allowed by law for payment of taxes in any year, the County Treasurer of each County is authorized and directed, to issue in the name of the State a warrant or execution, in duplicate, against each defaulting taxpayer(s) in his County, signed by him in his official capacity, directed to the Official or Officer of his County, or his lawful Deputy, charged with responsibility for collection of taxes, requiring and commanding him to levy the same by distress and sale of so much of the defaulting taxpayer's estate, real or personal, or both, as may be sufficient to satisfy the taxes of such defaulter(s), specifying therein in the aggregate amount of all his taxes, penalties and costs as provided by Law; and

WHEREAS, it is further provided by said Statutes that under and by virtue of said warrant or execution the appropriate Officer or Official, or his lawful Deputy, shall seize and take exclusive possession of so much of the defaulting taxpayer's estate, real or personal, or both, as may be necessary, to raise a sum or money named therein, and the charges thereon, and after due advertisement, to sell the same before the Court House door of the County, on a sales day, within the usual hours for public sales as fixed by the applicable Statute, for cash, and to give the purchaser (upon his complying with the terms of sale) a receipt for the purchase money, and to give a title to the purchaser if the property be not redeemed within the time provided by the Statute; and

WHEREAS, the property which is the subject of this conveyance was sold at public auction by Williamsburg County to the highest bidder(s) to satisfy the unpaid taxes of the defaulting taxpayer(s), all after giving the required notices and complying in all other respects with the applicable Statutes including, but not limited to those incorporated into the 1962 Code of Laws of South Carolina as Sections 65-2815 through 2815.16 and Act No. 207 of the General Assembly of 1971 and Acts amendatory thereto; and the time allowed for redemption of the subject property by the defaulting taxpayer(s) has expired without the conditions for redemption having been met; and

WHEREAS, the following pertinent information is here furnished as a part of this conveyance, as is required:

Name of the Defaulting Taxpayer(s) (and record owner(s) against whom warrant was issued): McAlister, Curtis

Date of issuance and signing of the warrant or execution: March 24, 2012

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Date of subject property was posted and by whom: (Date) Certified mail sent as
(Name of Title of Official authorized by statute (If not applicable, so state))

DATE OF MAILING TO DELINQUENT TAXPAYER(S)

1. Notice by certified mail of Delinquent Taxes, amount due, etc. and impending sale to:

McAlister, Curtis

(DATE) June 8, 2012

(SIGNED) Unclaimed

2. The posting of the notice as required by Section 12-51-40(G) at one or more conspicuous places on the property on August 14, 2012 posted by Joshua Gaskins.

3. Final notice of opportunity to redeem the subject property after this sale:

(DATE) October 25, 2013

(SIGNED BY) Unclaimed

The year(s) the warrant or execution for Delinquent Taxes covered: 2011

The total amount of taxes, penalties, charges and cost: \$449.35 and

WHEREAS, the undersigned, acting for Williamsburg County, failed to find sufficient personal property to sell to make the amount required to satisfy the execution, did on the 3rd day of December 2012 sell the within described property to the Hattie S. Pendergrass, the actual purchaser(s) and highest bidder(s) at such sale for the sum of \$800.00 Dollars being the least amount of said taxes, penalties, cost, charges;

NOW, THEREFORE, I, Norma L. Cyrus/Tax Collector in the State and County aforesaid, for and in consideration of sum of \$800.00 Dollars to me in hand at and before the sealing of these present by Hattie S. Pendergrass, the State aforesaid (the receipt whereof is hereby acknowledge) have granted, bargained, sold and released, and by these present do grant, bargain, sell and release unto the said the Hattie S. Pendergrass, the subject property which is described and identified as follows:

All that certain piece, parcel or lot of land situate in King Township, County of Williamsburg, State of South Carolina and designated as one lot, and shown on a map by J. D. Brockington, R.L.S., dated February 25, 1971 and recorded in Plat Book 19 at Page 16.

Source of Title: The same being conveyed to the defaulting taxpayer, Curtis McAlister, by deed of George McAllister & Pauline McAllister, dated December 27, 1979, and recorded on December 27, 1979 in the Office of the Clerk of Court for Williamsburg County in Deed Book A145 at Page 699.

GRANTEE'S ADDRESS:

11090 Hemingway Hwy.
Kingstree, SC 29556

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This property is further identified upon the County's tax records by District #45
Map #200 Parcel #016.

THIS PROPERTY SOLD DECEMBER 3, 2012 FOR 2011 DELINQUENT AND
BACK TAXES.

SIGNED, SEALED AND DELIVERED THIS 9th DAY OF September 2014.

Norma L. Cyrus
TAX COLLECTOR WILLIAMSBURG COUNTY

WITNESSES

S. Retena Montgomery
Karla S. Joe

201400001939
SHARON W STAGGERS
CLERK OF COURTS
WILLIAMSBURG COUNTY SC
09-10-2014 11:51 am.
REC FEE: 10.00
State Tax \$ 2.60
Local Tax \$ 1.10

STATE OF SOUTH CAROLINA)

AFFIDAVIT

COUNTY OF WILLIAMSBURG)

PERSONALLY appeared before me S. Retena Montgomery and made oath that she saw the within-named Norma L. Cyrus, Tax Collector, sign, seal and as her act and deed, deliver the within-written Deed for the uses and purposes therein mentioned and that she, with Karla S. Joe, witnessed the execution thereof.

S. Retena Montgomery

SWORN to before me this 9th

Day of September, 20 14

Karla S. Joe (L.S.)
Notary Public for South Carolina
My Commission Expires 4/1/2021

SCANNED
9/15/14

RECORDED 9/11/14 148
SALLY M. MOUZON
AUDITOR
WILLIAMSBURG CO., S. C.

STATE OF SOUTH CAROLINA)

COUNTY OF WILLIAMSBURG)

Showander Scott,)

Plaintiff,)

vs.)

Curtis McAlister, Acquana McAlister,)

Norma L. Cyrus, Tax Collector for)

Williamsburg County, the County of)

Williamsburg, an Unincorporated)

Subdivision of the State of South Carolina,)

Hartwell Pendergrass, Sr., and)

Hattie S. Pendergrass,)

Defendants.)

IN THE COURT OF COMMON PLEAS
THIRD JUDICIAL CIRCUIT

CIVIL ACTION NO.: 2015-CP-45-401

CERTIFICATE OF MAILING

I HEREBY CERTIFY that Defendant's Responses to Plaintiff's First Set of Interrogatories and First Set of Requests for Production in the above captioned matter was served upon the Plaintiffs by emailing and mailing a copy thereof, US Mail, postage prepaid, on this 20th day of November, 2017 to:

moorelawfirm@ftc-i.net
Dwight C. Moore, Esquire
Moore Law Firm, LLC
PO Box 1229
Sumter, SC 29151-1229
Attorney for Plaintiff

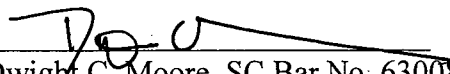
Sheree Matthews
Sheree Matthews
Legal Assistant to W. E. Jenkinson, III

CERTIFICATE OF COUNSEL

The undersigned hereby certifies that the Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

Respectfully submitted,

MOORE LAW FIRM, L.L.C.


Dwight C. Moore, SC Bar No: 63008
26 North Main Street
Post Office Box 1229
Sumter, South Carolina 29151-1229
Telephone (803) 778-6520
Fax (803) 775-6365
Email: moorelawfirm@ftc-i.net
Attorney for Appellant

June 18, 2019

RECEIVED
JUN 21 2019
SC Court of Appeals