

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF KERSHAW )  
  
Jimmy Boykin, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
Zady Burton, individually and as )  
Personal Representative of the )  
Estate of Helen L. Burton and )  
Sandy Boykin a/k/a Sandy H. )  
Boykin, Jr., )  
 )  
Defendants. )  
 )

IN THE COURT OF COMMON PLEAS  
FOR THE FIFTH JUDICIAL CIRCUIT  
Circuit Court Case No. 2013-CP-28-00876  
Probate Court Case No. 2006-ES-28-00391

ORDER

**RECEIVED**  
SEP 05 2019  
SC Court of Appeals

The Rule to Show Cause filed July 19, 2018 on behalf of the Plaintiff, Jimmy Boykin, was heard on Wednesday, May 22, 2019 by the undersigned at the Richland County Courthouse. Present at the hearing were the Plaintiff and his attorney, Moultrie B. Burns, Jr. The attorneys for Zady Burton, Roger B. Jellenik and Spencer Andrew Syrett were present with Zady Burton's wife, Regina Burton.

Based upon the record, pleadings, arguments and exhibits, I find and conclude that Defendant is in contempt of Judge Alison Lee's Order dated May 14, 2015. As a consequence, it is the Order of this Court as follows:

1. Zady Burton shall comply with Judge Lee's Order by Friday, May 31, 2019; failing which, the undersigned may schedule a hearing to consider appropriate remedies.
2. Plaintiff's deed is released from the conditions imposed by Mr. Jellenik's letter of transmittal to Mr. Burns dated May 14, 2018 which is clearly contrary to and in conflict with Judge Lee's Order. Plaintiff may record his deed as if it were delivered pursuant to the terms of Judge Lee's Order only.

3. Plaintiff is awarded attorney fees and costs in the amount of \$4,067.23 based upon Mr. Burns' attached affidavit which is approved.

4. Further, the Plaintiff is entitled to interest paid beginning 90 days after certiorari was denied, the amount of \$2,138.34 based upon Plaintiff's affidavit filed March 13, 2019 and Mr. Burns' attached affidavit.

5. In addition to the \$1,050.81 of costs awarded by the Court of Appeals, the \$12,000.00 originally due to Defendant under Judge Lee's Order shall be reduced by the amounts specified in paragraphs 3 and 4 above, leaving a net of \$4,743.62 to be paid to Defendant individually and as PR pursuant to Judge Lee's Order.

**AND IT IS SO ORDERED.**

\_\_\_\_\_  
Robert E. Hood

\_\_\_\_\_, 2019.



Kershaw Common Pleas

**Case Caption:** Jimmy Boykin , plaintiff, et al VS Zady R Burton , defendant, et al

**Case Number:** 2013CP2800876

**Type:** Order/Other

So Ordered

s/ R.E. Hood #2164

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