

STATE OF SOUTH CAROLINA)
)
COUNTY OF LANCASTER)
)
IN THE MATTER OF ESTATE)
OF CHRIS COMBIS,)
)
Desa Ballard, as Personal Representative)
Of the Estate of Chris Combis,)
)
Petitioner,)
)
v.)
)
George Combis, Chris A. Combis,)
Diane Combis,)
)
Respondents.)

IN THE COURT OF COMMON PLEAS
Case No. 2014-CP-29-00306

**ORDER GRANTING MOTION
FOR RECONSIDERATION IN
PART AND DENYING IN PART**

RECEIVED
JAN 06 2020
SC Court of Appeals

Respondents George Combis (hereafter "George") and Chris Combis (hereafter "Chris") have moved this Court to reconsider its order dated October 31, 2019, in which it found both Respondents to be in civil contempt of court and imposed sanctions.

A hearing was held on the motion of December 18, 2019. After hearing argument from counsel for both sides, the Court grants the motion in part and denies it in part.

All of the factual findings of the order dated October 31, 2019 are sufficiently supported by the record, and the Court is not persuaded that any factual error was made in its original order.

The arguments set forth by George and Chris merely confirms this Court's conclusion in its order that both "knew they had additional items that were the subject of this Court's August 9, 2017 order and deliberately withheld the items from Ballard in violation of the Court order." (Order dated October 21, 2019, page 9 ¶ 9).

Nature of Contempt

George and Chris further assert that the nature of the contempt imposed has elements of criminal contempt in it, and the Court agrees.

For that reason, the final two paragraphs of the order of October 21, 2019 are modified to read as follows:

To that end, as a result of George and Chris being held in civil contempt of court, I find and conclude that George and Chris are ordered to pay a sanction in the amount of \$70,000.00 to Desa Ballard, as personal representative of the estate of Chris Combis, no later than December 31, 2019. The amount awarded is awarded as compensatory contempt, and while it is calculated on the basis of the amount of time spent by both Ms. Ballard and MR. Truslow, the award is a sanction. See Miller v. Miller, 357 S. C. 443, 652 S.E.2d 754 (Ct.App. 2007); Poston v. Poston, 331 S.C. 106, 502 S.E.2d 86 (1998).

If not received by Ms. Ballard by December 31, 2019, upon the affidavit of Ballard and Truslow, George and Chris are to report to the Lancaster County Detention Center on or before 01/05/2020 to be held in custody until they purge themselves of the sanction by paying the contempt award to the Estate or for no longer than 90 days, whichever occurs first.

If either fail to purge their contempt as stated above or fail to report to the detention center by 01/05/2020, a bench warrant from this Court shall be issued for their arrest. After issuance of a bench warrant, neither George nor Chris may be released from custody of the Lancaster County Detention Center until further ordered by the Court.

The modification of the order of October 21, 2019 is made to recognize that the nature of the contempt imposed by this order is civil in nature, in that George and Chris hold the keys to the jail cells in their own hands. Clamp v. Hall, 287 S.C. 270, 335 S.E.2d 815 (1985).

In all other instances, the order of October 21, 2019 remains unmodified and is a final order; **AND IT IS SO ORDERED.**

Brian M. Gibbons
Presiding Judge

December ____, 2019

FORM 4

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

JUDGMENT IN A CIVIL CASE
 CASE NUMBER 2014CP2900306

ELECTRONICALLY FILED - 2019-Dec-31 10:00 AM - LANCASTER - COMMON PLEAS - CASE#2014CP2900306

Desa per Rep; Ballard Linda Combis	Estate of Chris Combis	George Combis Diane Combis	Black Horse Run Property Owners Association, Inc. Superior Tile, Mable & Terrazzo Corporation
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PLAINTIFF(S)	DEFENDANT(S)
Submitted by:	Attorney for: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 Rule 43(k), SCRPC (Settled); Other: _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j) SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other: _____
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other: _____

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

IT IS ORDERED AND ADJUDGED: See attached order; (formal order to follow) Statement of Judgment by the Court:
ORDER INFORMATION

This order ends does not end the case.
 Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

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

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

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

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

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

Circuit Court Judge	Judge Code	Date 12/31/2019
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For Clerk of Court Office Use Only

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

Peter John Nosal 852 Gold Hill Road #201 Fort Mill, SC
29708-7206
Douglas Neal Truslow PO Box 1465 Columbia, SC 29202

Ashley D. Tison 401 Hawthorne Lane Suite 110-147
Charlotte, NC 28204
Brian Scott McCoy 378 E. Main St. Rock Hill, SC 29730
Ty Kimmell McTier 2907 Providence Road, Ste. A303
Charlotte, NC 28211

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter

Jeff L. Hammond - Clerk of Court

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRPC.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.



Lancaster Common Pleas

Case Caption: Desa per Rep; Ballard , plaintiff, et al VS George Combis ,
defendant, et al
Case Number: 2014CP2900306
Type: Notice/Other

So Ordered

s/Brian M. Gibbons #2168 Circuit Judge