

**HAYNSWORTH
SINKLER BOYD**

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May 14, 2020

South Carolina Court of Appeals
1220 Senate Street
Columbia, SC 29201

Re: *Cynthia Holmes v. Haynsworth, et al.*
Case No. 2017-001717
HSB File No.: 04625.1439

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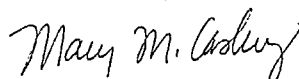
To Whom It May Concern:

This firm represents James Y. Becker, Mary M. Caskey, and Haynsworth Sinkler Boyd (collectively, "Defendants") in the above-referenced matters. I am writing to advise that the Plaintiff, Cynthia Holmes ("Holmes"), received a discharge from her Chapter 7 bankruptcy case, Case No. 19-01644-dd, pursuant to 11 U.S.C. § 727. A copy of the Order dated May 12, 2020 is enclosed. As a result, the stay pursuant to 11 U.S.C. § 362 has been lifted.

Upon review of the docket for this appeal, it appears as though the South Carolina Supreme Court issued its denial of certiorari on April 22, 2019, shortly before the undersigned informed this Court of Holmes' bankruptcy filing. Given that Holmes has received a discharge, Defendants request that this Court lift the stay on these proceedings and conclude this matter.

Thank you for your assistance, and please let me know if you have any questions.

Sincerely yours,



Mary M. Caskey

MMC/hh
Enclosures

cc: Chalmers Carey Johnson

United States Bankruptcy Court
District of South Carolina

Case Number: 19-01644-dd

Chapter: 7

In re:

Cynthia Collie Holmes
aka Cynthia E Collie

Entered By The Court
5/12/20

ORDER DISCHARGING DEBTOR

Filed By The Court
5/12/20
Laura A. Austin
Clerk of Court
US Bankruptcy Court

A discharge under 11 USC § 727 is granted to: Cynthia Collie Holmes,

IT IS SO ORDERED.



United States Bankruptcy Judge

SEE THE BACK OF THIS ORDER FOR IMPORTANT INFORMATION

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Explanation of Bankruptcy Discharge in a Chapter 7 Case

This order does not close or dismiss the case, and it does not determine how much money, if any, the trustee will pay creditors.

Creditors cannot collect discharged debts

This order means that no one may make any attempt to collect a discharged debt from the debtors personally. For example, creditors cannot sue, garnish wages, assert a deficiency, or otherwise try to collect from the debtors personally on discharged debts. Creditors cannot contact the debtors by mail, phone, or otherwise in any attempt to collect the debt personally. Creditors who violate this order can be required to pay debtors damages and attorney's fees.

However, a creditor with a lien may enforce a claim against the debtors' property subject to that lien unless the lien was avoided or eliminated. For example, a creditor may have the right to foreclose a home mortgage or repossess an automobile.

Some debts are not discharged

Examples of debts that are not discharged are:

- ◆ debts that are domestic support obligations;
- ◆ debts for most student loans;
- ◆ debts for most taxes;
- ◆ debts that the bankruptcy court has decided or will decide are not discharged in this bankruptcy case;
- ◆ debts for most fines, penalties, forfeitures, or criminal restitution obligations;
- ◆ some debts which the debtors did not properly list;
- ◆ debts for certain types of loans owed to pension, profit sharing, stock bonus, or retirement plans; and
- ◆ debts for death or personal injury caused by operating a vehicle while intoxicated.

This order does not prevent debtors from paying any debt voluntarily or from paying reaffirmed debts according to the reaffirmation agreement. 11 U.S.C. § 524(c), (f).

Most debts are discharged

Most debts are covered by the discharge, but not all. Generally, a discharge removes the debtors' personal liability for debts owed before the debtors' bankruptcy case was filed.

Also, if this case began under a different chapter of the Bankruptcy Code and was later converted to chapter 7, debts owed before the conversion are discharged.

In a case involving community property: Special rules protect certain community property owned by the debtor's spouse, even if that spouse did not file a bankruptcy case.

Also, debts covered by a valid reaffirmation agreement are not discharged.

In addition, this discharge does not stop creditors from collecting from anyone else who is also liable on the debt, such as an insurance company or a person who cosigned or guaranteed a loan.

This information is only a general summary of the bankruptcy discharge; some exceptions exist. Because the law is complicated, you should consult an attorney to determine the exact effect of the discharge in this case.

Notice Recipients

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Case: 19-01644-dd

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