

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF BEAUFORT )  
 )  
 GEORGIA HARRISON, BARBARA )  
 HARRISON, JOYCE ELLEN )  
 HARRISON, WILLIAM S. )  
 HARRISON, III, STANLEY )  
 ROBERTS, and DIANA MENDHEIM, )  
 individually and as agent and attorney )  
 in fact, )  
 )  
 Plaintiffs, )  
 vs. )  
 )  
 STEPHANIE LORRAINE )  
 KIRKLAND, GARY LAMONT )  
 KIRKLAND, KEITA NICOLE )  
 WHITE, and CHERYL KIRKLAND, )  
 )  
 Defendants )  
 )  
 \_\_\_\_\_ )

IN THE COURT OF COMMON PLEAS  
 FOURTEENTH JUDICIAL CIRCUIT  
 CIVIL ACTION NO. 2020-CP-07-02301

**RECEIVED**  
**Mar 09 2022**  
 SC Court of Appeals

**ORDER**

THIS MATTER CAME BEFORE THE COURT for a status conference and consideration of the Defendants’ recently filed three motions, on January 6, 2022 via a WebEx hearing. Present at the hearing via video conference were Thomas C. Taylor and Chester C. Williams, counsel for the Plaintiffs, Charles Houston, counsel for the Defendants, Plaintiff Georgia Harrison, Plaintiff Diana Mendheim, Plaintiffs’ consultant Andre White, and Defendant Keita Nicole White. Also on the video hearing were Earsa Jackson, of the Texas Bar, who according to Mr. Houston, is representing the Defendants in negotiations with one or more potential third-party developers, and Robert Brennen, Jr., who represents one or more potential third party developers that the Defendants have contacted. Also present on the video hearing were Luke Lopatka, of Singerman Real Estate and Nick Bergelt of Nassau Investments HHI, LLC, both identified by Mr. Houston as “Financial Partner/Developer” for the Defendants.

Mr. Taylor advised the Court that Beaufort County Clerk of Court Jerri Ann Roseneau had confirmed that no funds were tendered by the Defendants by 5:00 p.m. December 22, 2021, in

payment of the Defendants' apportioned prices pursuant to this Court's Order of October 20, 2021, pursuant to S.C. Code Section 15-61-370 (D)(2). Mr. Houston also confirmed to the Court that none of the Defendants had paid in money to the Court by 5 p.m. December 22, 2021.

Mr. Houston then argued in support of his Motion For Relief of Judgment and For Extension of Time to Tender Purchase Price Under Right of First Refusal and Motion for Realignment of Parties as filed on December 22, 2021 at 7:54 p.m.; the Defendants' Supplemental Motion For Relief Of Judgment and For Extension of Time to Tender Purchase Price Under Right of First Refusal filed January 5, 2022; and the Defendants' Amended Supplemental Motion for Relief Of Judgment And For Extension of Time To Tender Purchase Price Under Right of First Refusal, filed later in the day on January 5, 2022. All counsel were then heard in reply.

Having heard the arguments of counsel and considered the pleadings and Orders of record, I deny the Defendants' pending Motions identified above. The October 20, 2021 Order in this case, which set a date of December 22, 2021 for the Defendants to pay their apportioned prices into the Court, was not appealed nor was a timely Motion to Alter or Amend pursuant to Rule 59 SCRCP filed. Therefore, the October 20, 2021 Order is final and I am without jurisdiction to reconsider or amend that Order, even if I desired to do so. To the extent that any of the three Motions identified above are construed to seek relief or remedy from this Court in addition to reconsideration or amendment to my October 20, 2021 Order, I also respectfully deny those requests.

THEREFORE, IT IS ORDERED AND ADJUDGED that the Defendants' Motions are denied.

AND IT IS SO ORDERED this \_\_\_\_ day of January, 2022.

s/\_\_\_\_\_  
Marvin Dukes, III  
Master In Equity and Special Circuit  
Court Judge of Beaufort County



Beaufort Common Pleas

**Case Caption:** Georgia Harrison , plaintiff, et al VS Stephanie Lorraine Kirkland ,  
defendant, et al  
**Case Number:** 2020CP0702301  
**Type:** Master/Order/Other

So Ordered:

s/Marvin H. Dukes III #3069