

EXAMPLE

STATE OF SOUTH CAROLINA

COUNTY OF LEXINGTON

[REDACTED]

Plaintiff,

-vs-

[REDACTED]

Defendant.

IN THE COURT OF COMMON PLEAS

[REDACTED]

ORDER OF REFERENCE

For Supplemental Proceeding

Plaintiff above named, as judgment creditor, moves to have a supplementary examination of the Defendant, [REDACTED], to discover sufficient property and for an Order to require the Sheriff to levy upon Execution or to appoint a Receiver of Defendant property so discovered for the purpose of carrying Plaintiff's Judgment into effect, and for such other relief as may be deemed proper based upon the said examination.

NOW, THEREFORE, on Motion of Plaintiff,

IT IS ORDERED that the said examination be, and it is hereby referred to Honorable James O. Spence, Master-In-Equity for Lexington County, to take sworn testimony and evidence and to make findings of fact and render conclusions of law, with full authority to enter a final order disposing of all issues before him, including, but not limited to, issuing Orders to appropriate property, directing sale of property, issuing writs of assistance, enforcing Orders and matters of Contempt, which authority includes issuing a fine, ordering incarceration, or both.

AND IT IS FURTHER ORDERED that any appeal of an Order will be directly to the South Carolina Supreme Court or South Carolina Court of Appeals.

AND IT IS SO ORDERED.

Presiding Judge, Eleventh Judicial Circuit

[SIGNATURE PAGE TO FOLLOW]

I SO MOVE.

[REDACTED]

By _____

[REDACTED]

EXAMPLE

STATE OF SOUTH CAROLINA

COUNTY OF LEXINGTON

[REDACTED]

Plaintiff,

-vs-

[REDACTED]

Defendant

) IN THE COURT OF COMMON PLEAS

)

)

)

)

)

)

)

)

)

)

)

)

)

[REDACTED]

ORDER AND RULE TO SHOW CAUSE

For Supplemental Proceeding

This matter was referred to the Court for purposes of holding a supplemental hearing.

NOW THEREFORE, IT IS ORDERED that [REDACTED] proper officer and registered agent for the Defendant, [REDACTED], is hereby required to appear before the said Court on May 24, 2018 at 9:30 am at the Lexington County Judicial Center, 205 E. Main Street, Courtroom 2A, 2nd Floor, Lexington, South Carolina and then and there submit to examination by Plaintiff and truly testify and answer concerning any and all of Defendant's assets in which the Defendant could claim any interest or entitlement whatsoever, whether legal, equitable, custodial, possessory or otherwise.

AND IT IS FURTHER ORDERED that [REDACTED], proper officer and registered agent for the Defendant, [REDACTED] herein is **SUMMONED AND REQUIRED** then and there to bring complete copies of all books and records pertaining to Defendant's assets of whatsoever kind, nature or location, including all intangible and tangible property, personal, corporate (business), real, personal, or mixed, including, but not limited to the following:

1. All complete State and Federal income tax returns, with all attachments, including W-2 and 1099 Forms for the two (2) preceding tax years for which a return was filed by Defendant.
2. The last (12) twelve monthly statements concerning all bank and/or credit union accounts, either checking, savings, IRA accounts, Certificates of Deposit, and/or other similar savings instruments of the Defendant.
3. All complete insurance policies, including life, homeowners, property and/or casualty, with all endorsements, riders and/or all other documents related to property that Defendant has insured.
4. All deeds and mortgages, whether as Grantor or Grantee or Mortgagor or Mortgagee, and data pertaining to same, of any real property in which Defendant has any interest whatsoever and the current balance due on any liens / encumbrances.
5. The titles and/or bills of sale for all vehicles and equipment of any kind or description of the Defendant with the current balance due on any liens/encumbrances and name and address of lienholder.

6. A list of Defendant's tools and equipment with specific description and liens thereon.
7. All jewelry of any kind or description.
8. All collectible items, such as coins, antiques, heirlooms or similar property.
9. All stocks, bonds or similar investment instruments.
10. All of Defendant's financial statements, loan applications and /or balance sheets as were completed within the last two (2) calendar years.
11. All accounts receivable to and payable by Defendant.
12. A list of the furniture, fixtures and business equipment used in Defendant's business with liens and current balances due.
13. A list of inventory sold in Defendant's business in the last twelve (12) months prior to and as of the date of the hearing.
14. A list of all property of the Defendant that is leased, loaned or otherwise in the possession of any person other than Defendant or stored or remains in any other location than in Defendant's immediate possession.
15. A list and specific description of all personal properties including vehicles and equipment with identification of liens thereon and balance due.

AND IT IS FURTHER ORDERED that at said time and place [REDACTED], proper officer and registered agent for the Defendant [REDACTED], herein will be required to **SHOW CAUSE** why, upon discovery of property by Plaintiff, the Court should not enter its appropriate order either requiring the Sheriff to levy upon Execution of Plaintiff's judgment or appointing a Receiver of all of the said property so discovered in order to satisfy the said judgment or grant such other relief as is requested at the time of the examination.

AND IT IS FURTHER ORDERED that any appeal in this case will be directly to the South Carolina Supreme Court or the South Carolina Court of Appeals.

AND IT IS FURTHER ORDERED that [REDACTED], proper officer and registered agent for Defendant [REDACTED], be, and is hereby placed on actual notice by the service hereof that should you not appear or otherwise produce the documents as ordered, that you may, without just cause shown, be considered to be in Contempt of this Court's Order, which violation could result in a fine, incarceration, or both.

Columbia, South Carolina
[REDACTED]

[REDACTED]
Honorable James O. Spence
Master-In-Equity, Lexington County

[SIGNATURE PAGE TO FOLLOW]