

The Supreme Court of South Carolina

RE: BOND HEARING PROCEDURES IN SUMMARY COURTS

ORDER

I find that recent events have necessitated my revisiting the previous Order of the Chief Justice dated November 28, 2000, concerning bond hearing procedures and detention facility issues arising in magistrate and municipal courts.

Accordingly, pursuant to Article V, § 4, of the South Carolina Constitution,

IT IS ORDERED that the Chief Magistrate in each county, in cooperation with, and with input from the other magistrates and municipal judges, shall arrange a schedule so that a magistrate or municipal judge will always be available, in person or on-call, to conduct bond proceedings. The Chief Magistrate shall also inform the municipal courts of the details of the County bond schedule, so as to ensure the availability of a magistrate to issue warrants and conduct bond proceedings for the municipal courts when the municipal judge is unavailable. After hours and weekends does not constitute unavailability in and of itself. The Chief Magistrate shall establish a procedure with all municipal courts within the County whereby they provide the Chief Magistrate with a monthly bond schedule indicating their availability for bond court. Nothing in this Order precludes counties and municipalities from entering into agreements whereby magistrates set bond on criminal charges arising from municipalities within their County.

Bond proceedings shall be conducted at least twice daily, once in the morning and once in the evening, at specific times which take into consideration all agencies involved. Should a Chief Magistrate desire to specify a schedule which deviates from the twice daily schedule, the revised schedule and the reason for the deviation must be submitted in writing to the Chief Justice for approval. Any deviations from the twice daily schedule approved prior to the issuance of this Order remain in effect. Nothing in this Order precludes a Chief Magistrate from regularly scheduling bond hearings more than twice daily. If, under extraordinary circumstances, the on-call magistrate or municipal judge is requested to conduct a bond hearing at a time other than the regularly scheduled time, hearings shall be held for the entire jail population eligible for release. The on-call magistrate or municipal judge shall immediately inform the Chief Magistrate that a special bond proceeding was conducted.

All persons incarcerated, booked, and charged with a bailable offense must have a bond hearing within twenty-four hours of their arrest as required by S.C. Code Ann. § 22-5-510, except for those individuals who are released on bond in lieu of recognizance pursuant to S.C. Code Ann. § 22-5-530. Any county or municipality utilizing the provisions of S. C. Code Ann. § 22-5-530 must comply with the Order of the Chief Justice dated December 11, 2003, which addresses procedures required by that statute. All persons incarcerated, booked, and charged with a non-bailable offense must have a first appearance before a magistrate or municipal judge within twenty-four hours of their arrest. Further, in all cases which fall under the purview of this Order, whether bailable or non-bailable, the bonding magistrate or municipal judge must ensure that the procedures set forth in S.C. Code Ann. §§ 16-3-1505 to -1830, regarding victims' rights, are fully observed.

bond hearing conducted by a duly appointed judicial officer prior to their release. Bond hearings shall not be conducted over the telephone and orders of release shall not be transmitted by facsimile from remote locations. The only exception to these requirements is in those counties where videoconferencing of bond hearings is approved by Order of the Supreme Court. All videoconferencing must strictly adhere to the requirements set forth in the Order of the Supreme Court dated May 2, 2006.

Further, any individual initially incarcerated without having been formally charged with the violation of a crime, who remains incarcerated for a maximum of twenty-four hours of delivery by law enforcement to the detention facility without having been formally charged with the violation of a crime, shall be discharged from the detention facility by the magistrate or municipal judge conducting bond hearings. However, if law enforcement or a prosecutorial agency presents compelling written evidence to the bonding magistrate or municipal judge as to why an individual should not be released within twenty-four hours pursuant to this provision of this Order, the bonding magistrate or municipal judge, after considering the evidence, may delay discharge of the defendant for an additional period not to exceed twenty-four hours. Any written evidence presented and accepted by the bonding judge as compelling evidence to delay the release of an uncharged individual must be immediately forwarded to the Chief Magistrate of that county. The Chief Magistrate in each county is responsible for coordinating with the necessary local officials, which includes, but may not be limited to, the custodian of the detention facility, local law enforcement, and any affected prosecutorial agencies, to ensure that the required and proper accounting, notification, and release of individuals under this provision of this Order is fulfilled, regardless of whether the initial detention was initiated by municipal or county law enforcement.

Finally, bond proceedings shall be open to the public and press, and must be conducted in a facility or manner so as to facilitate any parties, including victims, who wish to attend. Allowance of cameras in the courtroom must comply with Rule 605, SCACR, which addresses media coverage in court proceedings. If facilities are not conducive to the allowance of general access, the location of bond hearings must be changed to allow such access. Alternatively, entities may consider videoconferencing of bond hearings to accommodate access of parties where facilities are prohibitive to access.

Any violation of the provisions of this Order shall be reported immediately to the Office of Court Administration. Any preferential treatment in bonding procedures is a violation of this Order and of the Canons and Rules of Judicial Conduct, Rules 501 and 502, SCACR, and shall be treated accordingly.

This Order revokes and replaces the previous Order of the Chief Justice dated November 28, 2000, regarding bond hearings. The provisions of this Order are effective immediately.

S/Jean Hoefler Toal
Jean Hoefler Toal
Chief Justice

September 19, 2007
Columbia, South Carolina

SECTION 17-15-30. Matters to be considered in determining conditions of release; contempt.

(A) In determining conditions of release that will reasonably assure appearance, or if release would constitute an unreasonable danger to the community or an individual, a court may, on the basis of the following information, consider the nature and circumstances of an offense charged and the charged person's:

- (1) family ties;
- (2) employment;
- (3) financial resources;
- (4) character and mental condition;
- (5) length of residence in the community;
- (6) record of convictions; and
- (7) record of flight to avoid prosecution or failure to appear at other court proceedings.

(B) A court shall consider:

- (1) a person's criminal record;
- (2) any charges pending against a person at the time release is requested;
- (3) all incident reports generated as a result of an offense charged;
- (4) whether a person is an alien unlawfully present in the United States; and poses a substantial flight risk due to this status; and
- (5) whether the charged person appears in the state gang database maintained at the State Law Enforcement Division.

(C)(1) Prior to or at the time of a hearing, the arresting law enforcement agency shall provide the court with the following information:

- (a) a person's criminal record;
- (b) any charges pending against a person at the time release is requested;
- (c) all incident reports generated as a result of the offense charged; and
- (d) any other information that will assist the court in determining conditions of release.

(2) The arresting law enforcement agency shall inform the court if any of the information is not available at the time of the hearing and the reason the information is not available. Failure on the part of the law enforcement agency to provide the court with the information does not constitute grounds for the postponement or delay of the person's hearing. Notwithstanding the provisions of this item, when a person is charged with a violation of Chapter 25, Title 16, the bond hearing may not proceed without the person's criminal record and incident report or the presence of the arresting officer. The bond hearing for a violation of Chapter 25, Title 16 must occur within twenty-four hours after the arrest.

(D) A court hearing these matters has contempt powers to enforce the provisions of this section.

HISTORY: 1962 Code Section 17-300.2; 1969 (56) 383; 2005 Act No. 106, Section 8, eff January 1, 2006; 2008 Act No. 280, Section 16, eff June 4, 2008; 2010 Act No. 273, Section 9, eff June 2, 2010; 2012 Act No. 286, Section 1, eff June 29, 2012; 2014 Act No. 144 (S.19), Section 2, eff April 7, 2014; 2015 Act No. 58 (S.3), Pt III, Section 10, eff June 4, 2015.

Effect of Amendment

2014 Act No. 144, Section 2, substituted "person" for "accused" throughout; in subsection (A), substituted "the following information" for "available information"; in subsection (B), deleted ", if available" following "shall consider"; added subsection (B)(5), relating to the state gang database; in subsection (C)(1), deleted ", if available" following "following information"; and made other nonsubstantive changes.

2015 Act No. 58, Section 10, in (A), inserted "or an individual"; and in (C)(2), added the last two sentences relating to Chapter 25, Title 16.

SECTION 16-25-120. Release on bond; factors; issuance of restraining order; notice of right to counsel.

(A) In addition to the provisions of Section 17-15-30, the court must consider the factors provided in subsection (B) when considering release of a person on bond who is charged with a violent offense, as defined in Section 16-1-60, when the victim of the offense is a household member, as defined in Section 16-25-10, and the person:

(1) is subject to the terms of a valid order of protection or restraining order at the time of the offense in this State or another state; or

(2) has a previous conviction involving the violation of a valid order of protection or restraining order in this State or another state.

(B) The court must consider the following factors before release of a person on bond who is subject to the provisions of subsection (A):

(1) whether the person has a history of domestic violence, as defined in this article, or a history of other violent offenses, as defined in Section 16-1-60;

(2) the mental health of the person;

(3) whether the person has a history of violating the orders of a court or other governmental agency; and

(4) whether the person poses a potential threat to another person.

(C) When considering release of a person on bond under this section, the court must consider whether to issue a restraining order or order of protection provided for in Chapter 4 of Title 20 against the person. The court must consider the factors enumerated in subsection (B) of this section, and if it determines in its discretion that a restraining order or order of protection is required, it should issue the order or forward the matter to the appropriate court.

(D)(1) At the bond hearing pursuant to the provisions of this section or another provision of law, the court shall inform in writing the person charged with a violation of Article 1, Chapter 25, Title 16 of his right to obtain counsel and, if indigent, his right to court-appointed counsel along with instructions on how to obtain court-appointed counsel.

(2) If the court decides to release the person pending his trial, the court shall provide the person with a written notice that must conspicuously bear the following language:

"Pursuant to Section 16-25-125 of the South Carolina Code of Laws, it is unlawful for a person who has been charged with or convicted of criminal domestic violence or criminal domestic violence of a high and aggravated nature, who is subject to an order of protection, or who is subject to a restraining order, to enter or remain upon the grounds or structure of a domestic violence shelter in which the person's household member resides or the domestic violence shelter's administrative offices. A person who violates this provision is guilty of a misdemeanor and, upon conviction, must be fined not more than three thousand dollars or imprisoned for not more than three years, or both. If the person is in possession of a dangerous weapon at the time of the violation, the person is guilty of a felony and, upon conviction, must be fined not more than five thousand dollars or imprisoned for not more than five years, or both."

(3) The court shall provide the person with an opportunity to sign the notice evidencing the person's acknowledgment of having received and read the notice.

HISTORY: 2005 Act No. 166, Section 5, eff. January 1, 2006; 2008 Act No. 319, Section 4, eff. June 11, 2008; 2015 Act No. 58 (S.3), Pt III, Section 13, eff. June 4, 2015.

Effect of Amendment

SECTION 22-5-510. Bail; bond hearing; conditions of release; information to be provided to court; contempt.

(A) Magistrates may admit to bail a person charged with an offense, the punishment of which is not death or imprisonment for life; provided, however, with respect to violent offenses as defined by the General Assembly pursuant to Section 15, Article I of the Constitution of South Carolina, 1895, magistrates may deny bail giving due weight to the evidence and to the nature and circumstances of the event, including, but not limited to, any charges pending against the person requesting bail. "Violent offenses" as used in this section means the offenses contained in Section 16-1-60. If a person under lawful arrest on a charge not bailable is brought before a magistrate, the magistrate shall commit the person to jail. If the offense charged is bailable, the magistrate shall take recognizance with sufficient surety, if it is offered, in default whereof the person must be incarcerated.

(B) A person charged with a bailable offense must have a bond hearing within twenty-four hours of his arrest and must be released within a reasonable time, not to exceed four hours, after the bond is delivered to the incarcerating facility.

(C) In determining conditions of release that will reasonably assure appearance, or if release would constitute an unreasonable danger to the community or an individual, a court, on the basis of the following information, may consider the nature and circumstances of an offense charged and the charged person's:

(1) family ties;

(2) employment;

(3) financial resources;

(4) character and mental condition;

(5) length of residence in the community;

(6) record of convictions; and

(7) record of flight to avoid prosecution or failure to appear at other court proceedings.

(D) A court shall consider:

(1) a person's criminal record;

(2) any charges pending against a person at the time release is requested;

(3) all incident reports generated as a result of an offense charged;

(4) whether a person is an alien unlawfully present in the United States, and poses a substantial flight risk due to this status; and

(5) whether the charged person appears in the state gang database maintained at the State Law Enforcement Division.

(E) Prior to or at the time of the bond hearing, the arresting law enforcement agency shall provide the court with the following information:

(1) the person's criminal record;

(2) any charges pending against the person at the time release is requested;

(3) all incident reports generated as a result of the offense charged; and

(4) any other information that will assist the court in determining conditions of release.

(F) The arresting law enforcement agency shall inform the court if any of the information required in subsections (C), (D), and (E) is not available at the time of the hearing and the reason the information is not available. Failure on the part of the law enforcement agency to provide the court with the information does not constitute grounds for the postponement or delay of the person's bond hearing. Notwithstanding the provisions of this subsection, when a person is charged with a violation of Chapter 25, Title 16, the bond hearing may not proceed without the person's criminal record and incident report or the presence of the arresting officer. The bond hearing for a violation of Chapter 25, Title 16 must occur within twenty-four hours after the arrest.

(G) A court hearing this matter has contempt powers to enforce these provisions.

HISTORY: 1962 Code Section 43-241; 1952 Code Section 43-241; 1942 Code Section 939; 1932 Code Section 939; Cr. P. '22 Section 35; Cr. C. '12 Section 36; Cr. C. '02 Section 28; G. S. 2621, R. S. 34; 1838 (11) 22; 1996 Act No. 425, Section 1; 2010 Act No. 273, Section 10, eff June 2, 2010; 2014 Act No. 144 (S.19), Section 3, eff April 7, 2014; 2015 Act No. 58 (S.3), Pt. II, Section 11, eff June 4, 2015.

Effect of Amendment

The 2010 amendment, in subsection (A) inserted "including, but not limited to, any charges pending against the person requesting bail" in the first sentence, and added subsections (C), (D), and (E), relating to information provided to the court by law enforcement and contempt powers of the court.

2014 Act No. 144, Section 3, rewrote the section.

2015 Act No. 58, Section 11, in (C), inserted "or an individual"; and in (F), added the last two sentences relating to Chapter 25, Title 16.

- ✓ **SECTION 16-3-1525.** Arrest or detention of person accused of committing offense; notification to victims; protection of witnesses; notification of bond proceedings; juvenile detention hearings.

(A) A law enforcement agency, upon effecting the arrest or detention of a person accused of committing an offense involving one or more victims, must make a reasonable attempt to notify each victim of the arrest or detention and of the appropriate bond or other pretrial release hearing or procedure.

(B) A law enforcement agency, before releasing to his parent or guardian a juvenile offender accused of committing an offense involving one or more victims, must make a reasonable effort to inform each victim of the release.

(C) A law enforcement agency, upon effecting the arrest or detention of a person accused of committing an offense involving one or more victims, must provide to the jail, prison, or detention or holding facility, including a mental health facility, having physical custody of the defendant, the name, mailing address, and telephone number of each victim. If the person is transferred to another facility, this information immediately must be transmitted to the receiving facility. The names, addresses, and telephone numbers of victims and witnesses contained in the files of a jail, prison, or detention or holding facility, including a mental health facility, are confidential and must not be disclosed directly or indirectly, except as necessary to provide notification.

(D) A law enforcement agency, after detaining a juvenile accused of committing an offense involving one or more victims, must provide to the Department of Juvenile Justice the name, address, and telephone number of each victim. The law enforcement officer detaining the juvenile, regardless of where the juvenile is physically detained, retains the responsibility of notifying the victims of the pretrial, bond, and detention hearings, or pretrial releases that are not delegated pursuant to this article.

(E) Upon detention of a person, other than a juvenile, accused of committing an offense not under the jurisdiction of a summary court, and involving one or more victims, the arresting law enforcement agency must provide, in writing, to the prosecuting agency before a bond or release hearing before a circuit or family court judge the name, address, and telephone number of each victim.

(F) Upon detention of a person, other than a juvenile, accused of committing an offense involving one or more victims and which is triable in summary court or an offense involving one or more victims for which a preliminary hearing may be held, the arresting law enforcement agency must provide, in writing, to the summary court the name, mailing address, and telephone number of each victim.

(G) A law enforcement agency must provide any measures necessary to protect the victims and witnesses, including transportation to and from court and physical protection in the courthouse.

(H) In cases in which a defendant has bond set by a summary court judge:

(1) the arresting agency of the defendant reasonably must attempt to notify each victim of each case for which bond is being determined of his right to attend the bond hearing and make recommendations to the presiding judge. This notification must be made sufficiently in advance to allow the victim to exercise his rights contained in this article;

(2) the summary court judge, before proceeding with a bond hearing in a case involving a victim, must ask the representative of the facility having custody of the defendant to verify that a reasonable attempt was made to notify the victim sufficiently in advance to attend the proceeding. If notice was not given in a timely manner, the hearing must be delayed for a reasonable time to allow notice; and

(3) the summary court judge must impose bond conditions which are sufficient to protect a victim from harassment or intimidation by the defendant or persons acting on the defendant's behalf.

(I) In cases in which a defendant has a bond proceeding before a circuit court judge:

(1) the prosecuting agency reasonably must attempt to notify each victim of each case for which bond is being determined of his right to attend the bond hearing and make recommendations to the presiding judge. This notification must be made sufficiently in advance to allow the victim to exercise his rights contained in this article;

(2) the circuit court judge, before proceeding with a bond hearing in a case involving a victim, must ask the representative of the prosecuting agency to verify that a reasonable attempt was made to notify the victim sufficiently in advance to attend. If notice was not given in a timely manner, the hearing must be delayed for a reasonable time to allow notice; and

(3) the circuit court judge must impose bond conditions which are sufficient to protect a victim from harassment or intimidation by the defendant or persons acting on the defendant's behalf.

(J) In cases in which a juvenile has a detention hearing before a family court judge:

(1) the prosecuting agency reasonably must attempt to notify each victim of each case for which the juvenile is appearing before the court of his right to attend the detention hearing and make recommendations to the presiding judge. This notification must be made sufficiently in advance to allow the victim to exercise his rights pertaining to the detention hearing;

(2) the family court judge, before proceeding with a detention hearing in a case involving a victim, must ask the prosecuting agency to verify that a reasonable attempt was made to notify the victim sufficiently in advance to attend. If notice was not given in a timely manner, the hearing must be delayed for a reasonable time to allow notice; and

(3) the family court judge, if he does not rule that a juvenile must be detained, must impose conditions of release which are sufficient to protect a victim from harassment or intimidation by the juvenile or a person acting on the juvenile's behalf.

(K) Upon scheduling a preliminary hearing in a case involving a victim, the summary court judge reasonably must attempt to notify each victim of each case for which the defendant has a hearing of his right to attend.

(L) A diversion program, except a diversion program administered by the South Carolina Prosecution Coordination Commission or by a circuit solicitor, reasonably must attempt to notify the victim of a crime prior to the defendant's release from the program unless the defendant is released to a law enforcement agency.

(M) In every case when there is a court-ordered or mandatory mental evaluation, which takes place in an inpatient facility, the organization or facility responsible for the evaluation reasonably must attempt to notify the victim of the crime prior to the defendant's release from the facility unless the defendant is released to a law enforcement agency.

(N)(1) Notification of a victim pursuant to the provisions of this section may be by electronic or other automated communication or recording. However, after three unsuccessful attempts to reach the victim in cases involving criminal domestic violence, criminal sexual conduct, and stalking and harassment, and those cases when physical injury has occurred as a result of a physical or sexual assault and in cases where a pattern of conduct exists by the offender or suspected offender that would cause a reasonable person to believe he may be at risk of physical assault the appropriate agency or diversion program shall attempt to make personal contact with the victim, or the victim's guardian, upon the judicial or administrative release or the escape of the offender.

(2) For purposes of this section, "pattern" means two or more acts occurring over a period of time, however short, evidencing a continuity of purpose.

HISTORY: 1997 Act No. 141, Section 3; 1998 Act No. 343, Section 1B; 2005 Act No. 106, Sections 3, 4, eff January 1, 2006; 2006 Act No. 380, Section 4, eff upon approval (became law without the Governor's signature on June 14, 2006).

OCONEE COUNTY, SOUTH CAROLINA FISCAL YEAR 2016-2017 BUDGET CALENDAR

January 2016

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

5	Regular Council Meeting 6:00 P. M.
11	BUDGET PACKETS TO DEPARTMENT HEADS/ELECTED OFFICIALS
19	Regular Council Meeting 6:00 P. M.
29	BUDGET PACKETS DUE FROM DEPARTMENT HEADS/ELECTED OFFICIALS

February 2016

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29					

2	Regular Council Meeting 6:00 P. M.
5	STRATEGIC PLANNING MEETING
16	Regular Council Meeting 6:00 P. M.

March 2016

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

1	Regular Council Meeting 6:00 P. M.
15	Regular Council Meeting 6:00 P. M.
22	Budget Committee [pre budget presentaton by Administrator]

April 2016

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

5	Regular Council Meeting 6:00 P. M.
12	Special Called Council Meeting 6:00 P.M. - Administrator's Recommended Budget presentation - Oconee County School Board Presentation
19	Regular Council Meeting 6:00 P. M. FIRST READING OF BUDGET ORDINANCES
TBD	Special Called Council Meeting - Tri County Technical College Budget Presentation
22	Budget Committee 6:00 P.M.

May 2016

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

3	Regular Council Meeting 6:00 P. M. SECOND READING OF BUDGET ORDINANCES
	Public Hearing Advertisement Submitted To Paper (min. 15 days in Advance)
17	Regular Council Meeting 6:00 P. M.
24	Budget Committee Meeting 6:30 P.M.
31	Special Called Council Meeting 6:00 P.M. PUBLIC HEARINGS REGARDING BUDGET ORDS

June 2016

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	28
28	29	30				

2	Regular Council Meeting 6:00 P. M.
9	Budget Committee Meeting 6:30 P.M. [only if deemed to be required]
16	Regular Council Meeting 6:00 P. M. THIRD & FINAL READING OF BUDGET ORDINANCES

Tri County Technical College Luncheon presentation has not yet been scheduled.
Note: These dates are subject to revision at any time at the discretion of the Administrator.

LEGAL NOTICES

LEGALS

serve a copy of your answer to said Complaint on the persons whose names are subscribed below at Post Office Box 4216, Columbia, South Carolina 29240, within thirty (30) days after the service hereof, exclusive of the day of such service hereof, and if you fail to answer the Complaint within the time aforesaid, judgment by default will be rendered against you for the relief demanded in the Complaint.

CRAWFORD & VON KELLER, LLC

By _____

B. LINDSAY CRAWFORD, III

THEODORE VON KELLER

SARA C. HUTCHINS

Post Office Box 4216

Columbia, SC 29240

(803) 793-2828

Client Financial LLC

August 26, 2015

STATE OF
SOUTH CAROLINA
IN THE COURT
OF COMMON PLEAS
COUNTY OF OCONEE
Case No. 2015-CP-37-00715

Green Tree Servicing LLC

Plaintiff

NOTICE OF FILING

COMPLAINT

vs

Allen D. McElroy & Carolyn A. Shank and any Unknown Occupants being a class designated as John Doe

Defendants

NOTICE IS HEREBY GIVEN that the original Complaint in the above entitled action, together with the Summons, was filed in the Office of the Clerk of Court for Oconee County on September 28, 2015 at 9:05 a.m.

B. Lindsay Crawford, III

Theodore von Keller

Sara C. Hutchins

Crawford & von Keller, LLC

P.O. Box 4216

Columbia, SC 29240

803-793-2828

Attorneys for Plaintiff

Columbia, SC

December 22, 2015.

SUMMONS AND NOTICE
STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
IN THE COURT
OF COMMON PLEAS
Case No. 2015-CP-37-00822

Client Financial Servicing LLC, Plaintiff

vs. Janet W. Manley, Defendants

TO THE DEFENDANT(S) Janet W. Manley, YOU ARE HEREBY SUM-

MONED and required to answer the

Complaint in the above action, a

copy which is herewith served upon

you, and to serve a copy of your

Answer upon the undersigned at

their offices, 2828 Devine Street,

Columbia, South Carolina 29205,

within thirty (30) days after service

upon you, exclusive of the day of

such service, and, if you fail to

answer the Complaint within the time

aforesaid, judgment by default will

be rendered against you for relief

demanded in the Complaint. NOTICE

NOTICE IS HEREBY GIVEN that the

original Complaint in this action was

filed in the office of the Clerk of Court

for Oconee County on November 10,

2015. NOTICE OF PENDENCY OF

ACTION NOTICE IS HEREBY GIV-

EN THAT an action has been

commenced and is now pending or is

about to be commenced in the Circuit

Court upon the complaint of the

above named Plaintiff against the

LEGAL NOTICES

LEGALS

AND/OR MINOR(S) UNDER FOURTEEN YEARS OF AGE AND THE PERSON WITH WHOM THE MINOR(S) RESIDES AND/OR TO PERSONS UNDER SOME LEGAL DISABILITY; YOU ARE FURTHER SUMMONED AND NOTIFIED to apply for the appointment of a Guardian Ad Litem within thirty (30) days after the service of this Summons upon you. If you fail to do so, Plaintiff will apply to have the appointment of the Guardian ad Litem Mr. Arpe Gof East made absolute. IN STATE OF SOUTH CAROLINA IN THE COURT OF COMMON PLEAS COUNTY OF OCONEE DOCKET NO. 15-CP-37-0408 PHH Mortgage Corporation, Plaintiff, FIRST AMENDED LIS PENDENS, Defendant, Against: Waked v. Any Here-A-Live or Devisees of John C. Seter, Jr. aka John C. Seter, Defendant, their heirs, Personal Representatives, Administrators, Successors and Assigns, and all other persons entitled to claim through them, of unknown persons with any right, title or interest in the real estate described herein, and any persons who may be in the military service of the United States of America, being a class designated as John Doe, and any unknown heirs or persons under a disability being a class designated as Richard Roe; South Carolina Department of Revenue, Defendant(s), (311227-01506) NOTICE IS HEREBY GIVEN THAT an action has been or will be commenced in this Court upon complaint of the above named Plaintiff against the above-named Defendant(s) for the foreclosure of a certain mortgage of real estate given by John C. Seter aka John C. Seter, Jr. to Mortgage Electronic Registration Systems, Inc., as nominee for Merrill Lynch Credit Corporation, its successors and assigns, dated August 28, 2003, and recorded in the Office of the HMCROD for Oconee County on September 4, 2003, in Mortgage Book 1745 at Page 122. This Mortgage was assigned to the Plaintiff herein by assignment dated May 12, 2015 and recorded May 19, 2015 in Book 3391 at Page 45. The premises covered and affected by the said mortgage and by the foreclosure thereof were at the time of the filing of this notice, described as follows: ALL that certain piece, parcel or lot of land lying and being situate in the State of South Carolina, County of Oconee, Wagoner Township, being shown and designated as Lot Number TWENTY (20) of DOGWOOD VILLAGE SUBDIVISION, containing 1.00 acres, more or less, as shown and described on a plat thereof prepared by Jerry L. Byrd, RLS 99047, dated July 21, 1994 and recorded in Plat Book A282, page 2, records of Oconee County, South Carolina, reference to which is made to a more complete and accurate description. This being the same property conveyed to John C. Seter, Jr. by deed of Robert J. Hanson and Therese M. Henson, dated August 28, 2003 and recorded September 4, 2003 in Book 1288 at Page 32 in the Office of Registry Deeds for Oconee County; subsequently, John C. Seter, Jr. aka John C. Seter died testate leaving the subject property his heirs and/or devisees. Property Address: 13110 Janda Drive Seneca, SC 29677 TWR# 150-02-01-000

LEGAL NOTICES

LEGALS

Representatives, Administrators, Successors and Assigns, and all other persons entitled to claim through them, of unknown persons with any right, title or interest in the real estate described herein, and any persons who may be in the military service of the United States of America, being a class designated as John Doe, and any unknown heirs or persons under a disability being a class designated as Richard Roe by publication thereof in the Journal Tribune, a newspaper of general circulation in the County of Oconee, State of South Carolina, once a week for three (3) consecutive weeks together with the Summons in the above entitled action. Judge R. Scott Sprouse Oconee County, Wahala, South Carolina 29159-5 Rogers Townsend and Thomas, PC ATTORNEYS FOR PLAINTIFF Robert P. Davis (SC Bar #74030) Andrew W. Montgomery (SC Bar #79895) H. Clayton Ward (SC Bar # 06134) John J. Hoan (SC Bar # 6835) Keith T. Brown (SC Bar # 88123) Nikola Hiltbrunner (SC Bar # 70491) James D. Wymore (SC Bar # 103271) 280 Executive Center Drive Post Office Box 153000 (29202) Columbia, SC 29216 (800) 764-6141 8-4008-158 12/31/2015 31.07.2015 01942016

The Oconee County Council will meet in 2016 on the first and the third Tuesday of each month (excluding July & August which will meet only on the third Tuesday of the month) at 6:00 p.m. in Council Chambers, Oconee County Administrator Office, 415 South Pine Street, Wahala, South Carolina unless otherwise advertised. Oconee County Council will also hold a Planning Retreat in February 2016 (date TBD) in Council Chambers to establish short and long term goals. Additionally, Council will meet on January 3, 2017 at 5:00 p.m. in Council Chambers at which point they will establish their 2017 council and committee meeting schedule. Additional Council meetings, workshops and committee meetings may be added throughout the year as needed. Oconee County Council Committees will meet in 2016 on the following dates/times in Council Chambers: 415 South Pine Street, Wahala, South Carolina unless otherwise advertised. The Law Enforcement, Public Safety, Health & Wellness Committee at 5:00 p.m. and the Transportation Committee at 6:30 p.m. on the following dates: January 12th, April 12th, July 12th and October 11th, 2016. The Real Estate, Facilities & Land Management Committee at 5:00 p.m. and the Budget, Finance & Administration Committee at 8:30 a.m. on the following dates: February 9th, May 24th, 4th, Tuesday, August 8th and November 8th (conference room) 2016. The Planning & Economic Development Committee at 6:30 p.m. on the following dates: March 2nd (conference room), June 14th (conference room), September 19th and December 19th, 2016.

Find Your New Career
in The Classifieds!

STONY

-Oct. 22): Make personal
I boost your happiness.
are trip or getting together
you find inspiring will give
to stop procrastinating and
is on the rise.

3-Nov. 21): You can lend
but don't offer to pay for
mistakes or let anyone take
your kindness. Your effort
making alterations that are
reaching a new project or

iv. 22-Dec. 21): Surprise
of waiting to see who is
our decision. Don't share
g until after the fact. Per-
not please everyone, but
to please yourself.

22-Jan. 19): Generosity
all. Don't fall victim to a
a hard-luck story. You'll
you make an impulsive
they and your skills to
something that will

Feb. 18): A change in
n will turn out well. Set
nd out your resume.
go that will help you
efforts is encouraged.
ance and skills, and
vidence as well.

rch 30): Deal with past
ving forward. Make
that's happened in the
the mistakes you've
ely to be revealed.
tions and government

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PUBLISHER'S AFFIDAVIT

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE

OCONEE COUNTY COUNCIL


IN RE: COUNCIL COMMITTEES- 2016 MEETING SCHEDULE

BEFORE ME the undersigned, a Notary Public for the State and County above named, This day personally came before me, Hal Welch, who being first duly sworn according to law, says that he is the General Manager of **THE JOURNAL**, a newspaper published Tuesday through Saturday in Seneca, SC and distributed in **Oconee County, Pickens County** and the Pendleton area of **Anderson County** and the notice (of which the annexed is a true copy) was inserted in said papers on 01/07/2016 and the rate charged therefore is not in excess of the regular rates charged private individuals for similar insertions.



Hal Welch
General Manager

Subscribed and sworn to before me this
01/07/2016



Jennifer A. White
Notary Public
State of South Carolina
My Commission Expires July 1, 2024

<p align="center">JENNIFER A WHITE NOTARY PUBLIC State of South Carolina My Commission Expires July 1, 2024</p>
