ELECTRONICALLY FILED - 2025 Oct 28 11:07 AM - GREENVILLE - COMMON PLEAS - CASE#2019CP2302758

STATE OF SOUTH CAROLINA COUNTY OF GREENVILLE River Shoals Homeowners Association, Inc., Petitioner/Plaintiff, vs. Ashley R. Johnson a/k/a Ashely Randolph, Respondent/Defendant.	IN THE COURT OF COMMON PLEAS THIRTEENTH JUDICIAL CIRCUIT C.A. No.: 2019-CP-23-02758 **ORDER** **(SUPPLEMENTAL PROCEEDINGS)**

HEARING DATE:	**September 25, 2025**
JUDGE:	**Charles B. Simmons**
ATTORNEY FOR PLAINTIFF:	**Luke A. Burke**
ATTORNEY FOR DEFENDANT:	***Pro Se***

I. PROCEDURAL BACKGROUND

This matter was before the Court for a Supplemental Proceedings Hearing on September 25, 2025, at which Respondent/Defendant, Ashley R. Johnson a/k/a Ashely Randolph, was ordered to answer, under oath, questions concerning her assets and to show cause why her assets should not be applied towards satisfaction of Plaintiff's Judgment against her in this action. The procedural history is as follows:

Petitioner obtained judgment against the Respondent/Defendant Ashley R. Johnson a/k/a Ashley Randolph ("Respondent") in the amount of $66,698.98 by Order of this Court entered on May 2, 2024, in the above-captioned action, *River Shoals Homeowners Association, Inc. vs. Ashley R. Johnson a/k/a Ashely Randolph*, C.A. No.: 2019-CP-23-02758. The Court refers to this Order for a contextual background of the ongoing issues and ligation between the parties. This judgment remains unpaid and unsatisfied. A Writ of Execution was signed by the Clerk of Court on January 29, 2025, instructing the Greenville County Sheriff's Department to seek property to satisfy this

ELECTRONICALLY FILED - 2025 Oct 28 11:07 AM - GREENVILLE - COMMON PLEAS - CASE#2019CP2302758

judgment. Thereafter, the Writ of Execution was returned by the Greenville County Sheriff's Department marked "Nulla Bona."

Petitioner filed a Petition for Supplemental Proceedings on July 31, 2025. This petition was referred to me by a Rule to Show Cause Order and Order of Reference filed August 13, 2025. Respondent was served with a copy of the Rule to Show Cause Order and Order of Reference, and Petition for Supplemental Proceedings on August 18, 2025.

Respondent appeared *pro se* at the hearing of this petition.

II. TESTIMONY AND EVIDENCE

The Court heard testimony from Tamara Mills, president of River Shoals Homeowners Association, Respondent, and Respondent's husband, William Randolph. All three witnesses testified that Respondent is the owner of real property located at 9 Chestatee Court, Simpsonville, South Carolina. Respondent and her husband testified that the property has been vacant since at least March 2025, that they do not reside at the property, and that they currently reside at 105 Lindstrom Court, Simpsonville, SC 29680.

Ms. Mills testified that Section 15.1 of Respondent's Declaration of Protective Covenants, Conditions, and Restrictions states as follows: "In the event of any enforcement action as contemplated herein is brought by the Association, the violating Owner shall be responsible for the actual attorney's fees and costs incurred by the Association in such action." Petitioner presented an Attorney Fee Affidavit evidencing that it has incurred $10,025.00 in attorney's fees and $236.33 in costs, totaling $10,261.33, related to this action as of the date of the hearing.

III. FINDINGS OF FACT AND CONCLUSIONS OF LAW

Based on the testimony and other information presented at the hearing, the Court finds and concludes as follows:

ELECTRONICALLY FILED - 2025 Oct 28 11:07 AM - GREENVILLE - COMMON PLEAS - CASE#2019CP2302758

1. This Court has jurisdiction to hear this case pursuant to the Rule to Show Cause Order and Order of Reference filed August 13, 2025.
2. Respondent was properly served and appeared at this hearing.
3. The amount due and owing on Petitioner's judgment as of the date of this hearing, wither interest at the statutory rate (currently 11.5%), fees, costs, and expenses of collection, exclusive of future costs and attorney fees is as follows:

Judgment as of September 25, 2025:	$78,301.67
Attorney Fees:	$10,025.00
Costs	$236.38
TOTAL AMOUNT DUE:	**$88,563.05**

4. Respondent is the owner of real property located at 9 Chestatee Court, Simpsonville, South Carolina ("Property").
5. Petitioner argues that the Homestead Exemption does not apply to Property and that the Property may be sold to satisfy Petitioner's judgment. *See* S.C. Code § 15-41-30(A)(1)(a). However, the testimony of Johnson establishes that she moved out of the house due to ongoing stress and interactions with representatives of Petitioner and certain of the other property owners in the subdivision. She further testified that this has been done at significant expense to her and that she intended, upon resolution of the issues herein, to either move back into the house with her family or to market the same for sale. As such, and based upon the preponderance of the evidence established through the totality of the litigation between the parties, the Court finds she is entitled to the Homestead Exemption. Further, there is no evidence that she owns any other real property that would negate her ability to claim the Exemption herein.

NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

ELECTRONICALLY FILED - 2025 Oct 28 11:07 AM - GREENVILLE - COMMON PLEAS - CASE#2019CP2302758

1. The property located at 9 Chestatee Court, Simpsonville, South Carolina ("Property") shall be sold at public auction after due advertisement on Sales Day on February 3, 2026 in the Greenville County Courthouse. Plaintiff's attorney shall be responsible for placing the Notice of Sale with The Greenville Journal.
2. Property shall be sold subject to any mortgages, liens, real property taxes, the Homestead Exemption and any other encumbrances of record.
3. The Master-in-Equity for Greenville County, after having duly advertised the subject properties for sale according to the law and custom of this Court, shall sell Property to the highest bidder, at public auction at the Greenville County Courthouse on the next available sales day, during the usual hours of public sale, on the following terms:
    a. the term of this sale shall be cash;
    b. the purchaser shall pay for deed stamps and costs of recording the deed;
    c. each successful bidder, other than Plaintiff, shall be required to deposit with the Master-in-Equity at the time the bid is accepted, cash or certified check in the sum of five percent (5%) of the bid as evidence of good faith;
    d. interest shall accrue on the bid at the statutory rate of 11.5% through the date of compliance;
    e. in the event that the purchaser fails or refuses to comply with the terms of the sale within twenty (20) days of the close of bidding, the deposit shall be forfeited and applied first to the costs, then to Plaintiff's debt, and the Master-in-Equity shall forthwith advertise and resell the property upon the same terms on some subsequent date, as designated by the Court, at the risk of the former purchaser, until obtaining full compliance with the terms of the sale;

ELECTRONICALLY FILED - 2025 Oct 28 11:07 AM - GREENVILLE - COMMON PLEAS - CASE#2019CP2302758

f. upon the purchaser's compliance with the terms of the sale, the Master-in-Equity shall execute a good and sufficient deed of conveyance to the premises, and the purchaser shall thereby be entitled to possession of the premises;

g. in the event the purchaser is other than Defendant(s) in possession herein, the Sheriff of Greenville County is ordered to remove from the premises the occupants of the property sold, together with all personal property located thereon, and put the purchaser or his/her assigns in full, quiet, and peaceable possession of said premises without delay, and to keep said purchaser or his/her assigns in such peaceable possession; and

h. Property will be sold without any warranty or representation as to title or otherwise by Plaintiff or Plaintiff's counsel.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED:

That the proceeds derived from the sale shall be applied to payment of the amount due upon the judgment owned by the Plaintiffs; and if said proceeds satisfy the judgment, then any balance thereafter remaining shall be held by the Master-in-Equity subject to further Order of this Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED:

That if Plaintiff is the successful bidder at the sale, for a sum not exceeding the amount of costs, expenses, and Plaintiff's indebtedness in full, Plaintiff may pay to the Master-in-Equity only the amount of the costs and expenses, crediting the balance of the bid on Plaintiff's indebtedness.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED:

That Property shall be sold subject to any property taxes that are due, past due, or accruing as of the date of sale and/or compliance and that the sale shall be final at the close of bidding on the sales date.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED:

That, in compliance with § 30-9-31 of the Code of Laws of South Carolina, 1976, as amended, any deed of conveyance made pursuant to this sale shall be indexed in the grantor index by the Office of the Register of Deeds for Greenville County in the name of the owner of record of the subject property immediately prior to the execution of the Master-in-Equity's deed, as well as in the name of the Master-in-Equity who executes such deed as grantor.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED:

That in the event there be any amount remaining on the indebtedness due Plaintiff after the proceeds of sale are applied to the indebtedness due as outlined above, then Plaintiff shall have judgment against Defendant for the amount remaining due on the indebtedness.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED: That this action shall remain open for any other proper purpose and shall be handled by the Master-in-Equity

(JUDGE'S ELECTRONIC SIGNATURE PAGE TO FOLLOW)

ELECTRONICALLY FILED - 2025 Oct 28 11:07 AM - GREENVILLE - COMMON PLEAS - CASE#2019CP2302758

ELECTRONICALLY FILED - 2025 Oct 28 11:07 AM - GREENVILLE - COMMON PLEAS - CASE#2019CP2302758

Greenville Common Pleas

Case Caption: River Shoals Homeowners Association Inc vs. Ashley R Johnson , defendant, et al

Case Number: 2019CP2302758

Type: Order/Supplemental Proceedings Order

And It Is So Ordered!

s/ Judge Charles B. Simmons, Jr. (3023)