

## **PRO SE PLAINTIFF'S INSTRUCTIONS FOR FILING SUPPLEMENTARY PROCEEDING DOCUMENTS**

**PLEASE NOTE: IF THE PLAINTIFF (PERSON REQUESTING HEARING) IS A BUSINESS OR CORPORATION, IT MUST BE REPRESENTED BY AN ATTORNEY.**

1. After you receive your *Nulla Bona* return from the Sheriff's office, prepare a Rule to Show Cause/Order, Affidavit and a Motion Information Cover Sheet. (The Motion Information Cover Sheet is a fill-in-the-blank form and is available in the Clerk of Court's office when you go to file the papers.) The other forms attached here are not fill-in-the-blank forms – **YOU MUST TYPE THEM**. Please note, the case caption on the Motion Cover sheet and the below Rule to Show Cause Order needs to match the caption on the Execution.

2. Include your original nulla bona return which you received back from the Sheriff's office and your original Execution if you have not already filed them with the Clerk of Court.

3. Take the original of this paperwork to the Clerk of Court's office (1<sup>st</sup> floor, County Courthouse). Include \$25 for the filing fee. The Clerk's office will not accept personal checks for this fee so you should either bring cash to the Clerk's office to file or include a Money Order or Cashier's Check made payable to the "Clerk of Court".

4. Include a \$25 check payable to the "Pickens County Master in Equity" for the hearing fee. Cash is acceptable. You will leave this with the Clerk of Court, and they will send it to Judge Lambert's office for processing.

5. Include a stamped, self-addressed, return envelope.

6. Once the Clerk's office processes the paperwork, they will send it to the Master's office, and the Master's office will set a date and time for the hearing

7. Once you get the clocked copy back from the Clerk's office by mail, take a copy of the documents to the Sheriff's Office (Civil Division) or an independent process server and ask them to **serve** the Defendant with the paperwork and give you an **Affidavit of Service** once they get it served. You should either bring the Affidavit of Service to the hearing or file it before the hearing date with the Clerk of Court's office. **(IF IT IS NOT SERVED IT WILL NOT BE HEARD)**

8. You **MUST** attend the hearing! At the hearing, **you will be expected** to question the Defendant about assets, etc. (the items you requested the person to bring to the hearing). You will need to bring a Supplemental Proceedings Order to the hearing so that the Judge can fill it out and sign it. The one in this packet IS a fill-in-the-blank form which you may go ahead and fill in (case #/Plaintiff/Defendant only) before the hearing. **The Judge will fill in the rest at the hearing.**

**STATE OF SOUTH CAROLINA**

**COUNTY OF PICKENS**

\_\_\_\_\_

Plaintiff

v.

\_\_\_\_\_

Defendant(s)

**IN THE COURT OF COMMON PLEAS**

Case No.: \_\_\_\_\_

**RULE TO SHOW CAUSE / ORDER**

**TO: \_\_\_\_\_, DEFENDANT(S)**

**WHEREAS**, the aforesaid judgment was obtained against the Defendant(s) as appears by the judgment roll listed above; and

**WHEREAS**, Execution thereon was duly lodged with the Sheriff of Pickens County for handling and was later returned Nulla Bona, as appears by reference to a copy of said Execution attached hereto.

**NOW, THEREFORE, IT IS ORDERED** that you do appear before the Honorable Adam B. Lambert, Master in Equity, at the Pickens County Courthouse, 214 E. Main Street, Pickens, South Carolina on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ o'clock a.m./p.m. and bring with you your books and records including:

1. Federal and state income tax returns, including all schedules, for the last three years;
2. Bank records (including checking and savings) for the last twelve months, showing all deposits and withdrawals in any and all bank accounts, wherever they may be located. Please also bring your check stubs and check registers covering this period;
3. Copies of all Deeds and Titles to assets owned by you;
4. Copies of all security agreements reflecting security interests over any of your assets;
5. (Other) \_\_\_\_\_

to testify under oath as to your property and income, and to show cause before Judge Lambert, if any you can, why a Receiver should not be appointed by this Court under §15-39-310 of the South Carolina Code of Laws, as amended, to take charge and to dispose of your property for the satisfaction of the aforesaid judgment. Any appeal of the Master's Order shall be directly to the South Carolina Supreme Court.

This Order shall be personally served on the Defendant(s) by any person competent to serve a summons and complaint pursuant to Rule 4(c), SCRPC.

**IT IS SO ORDERED.**

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JUDGE, THIRTEENTH JUDICIAL  
CIRCUIT

\_\_\_\_\_, 20\_\_\_\_

**STATE OF SOUTH CAROLINA**

**AFFIDAVIT**

**COUNTY OF PICKENS**

I, \_\_\_\_\_ Plaintiff, deposes and says that the judgment against \_\_\_\_\_ Defendant(s), evidenced by Case No. \_\_\_\_\_, now of record in the Office of the Clerk of Court for Pickens County, South Carolina, is unpaid; that the Sheriff has returned the Execution on the judgment marked Nulla Bona and that Deponent has reason to believe that Defendant(s) has/have property which he/she/it unjustly refuses to apply to said judgment.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

SWORN TO before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public for South Carolina  
My Commission Expires: \_\_\_\_\_

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF \_\_\_\_\_ )  
 )  
 \_\_\_\_\_ )  
 ) Plaintiff,  
 )  
 vs. )  
 )  
 \_\_\_\_\_ )  
 ) Defendant. )

IN THE COURT OF COMMON PLEAS  
 \_\_\_\_\_ JUDICIAL CIRCUIT  
 CASE NO.: \_\_\_\_\_-CP-\_\_\_\_\_ - \_\_\_\_\_

**MOTION AND ORDER INFORMATION  
 FORM AND COVERSHEET**

Plaintiff's Attorney: _____, Bar No. _____ Address: _____ Phone: _____ Fax _____ E-mail: _____ Other: _____	Defendant's Attorney: _____, Bar No. _____ Address: _____ Phone: _____ Fax _____ E-mail: _____ Other: _____
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- MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)**  
 **FORM MOTION, NO HEARING REQUESTED (complete SECTIONS II and III)**  
 **PROPOSED ORDER/CONSENT ORDER (complete SECTIONS II and III)**

**SECTION I: Hearing Information**

Nature of Motion: \_\_\_\_\_  
 Estimated Time Needed: \_\_\_\_\_ Court Reporter Needed:  YES/ NO

**SECTION II: Motion/Order Type**

- Written motion attached  
 Form Motion/Order  
 I hereby move for relief or action by the court as set forth in the attached proposed order.

\_\_\_\_\_  
 Signature of Attorney for  Plaintiff /  Defendant Date submitted

**SECTION III: Motion Fee**

- PAID – AMOUNT: \$ \_\_\_\_\_  
 EXEMPT: \_\_\_\_\_  
 (check reason) \_\_\_\_\_  
 Indigent Status  State Agency v. Indigent Party  
 Sexually Violent Predator Act  Post-Conviction Relief  
 Motion for Stay in Bankruptcy  
 Motion for Publication  Motion for Execution (Rule 69, SCRCF)  
 Proposed order submitted at request of the court; or,  
 reduced to writing from motion made in open court per judge's instructions  
 Name of Court Reporter: \_\_\_\_\_

**JUDGE'S SECTION**

- Motion Fee to be paid upon filing of the attached order.  
 Other: \_\_\_\_\_  
 JUDGE CODE \_\_\_\_\_  
 Date: \_\_\_\_\_

**CLERK'S VERIFICATION**

Collected by: \_\_\_\_\_ Date Filed: \_\_\_\_\_  
 MOTION FEE COLLECTED: \$ \_\_\_\_\_  
 CONTESTED – AMOUNT DUE: \$ \_\_\_\_\_

**STATE OF SOUTH CAROLINA**

**COUNTY OF PICKENS**

\_\_\_\_\_ ,

Plaintiff

v.

\_\_\_\_\_ ,

Defendant(s)

**IN THE COURT OF COMMON PLEAS**

Case No.: \_\_\_\_\_

**SUPPLEMENTAL PROCEEDINGS  
ORDER**

A hearing was held in the above-captioned case on \_\_\_\_\_

- \_\_\_\_\_ 1. No assets were discovered.
- \_\_\_\_\_ 2. The case was continued until \_\_\_\_\_.
- \_\_\_\_\_ 3. The Defendant agreed to pay \_\_\_\_\_.
- \_\_\_\_\_ 4. An Order confirming the agreement will be prepared by:  
\_\_\_\_\_

The hearing scheduled for \_\_\_\_\_ was not held.

- \_\_\_\_\_ 1. The Defendant was not served.
- \_\_\_\_\_ 2. The Defendant was served but did not appear.
- \_\_\_\_\_ 3. The parties requested the hearing be rescheduled for  
\_\_\_\_\_.
- \_\_\_\_\_ 4. The Plaintiff elected not to proceed.
- \_\_\_\_\_ 5. \_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_  
Pickens, SC

\_\_\_\_\_  
Adam B. Lambert  
Master in Equity, Pickens County