

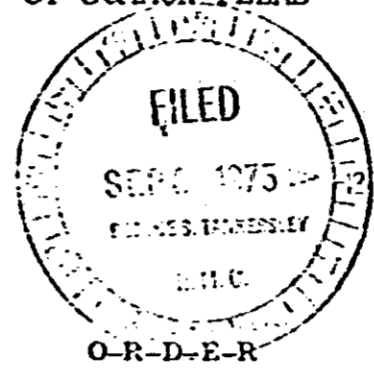
STATE OF SOUTH CAROLINA)
:)
COUNTY OF SPARTANBURG)

IN THE COURT OF COMMON PLEAS

Peoples Automobile Association, Inc.,)
)
Plaintiff,)

-VS-

Furman D. Rochester, Brady H.)
Rochester, Frederick W. Rochester,)
James E. Rochester, Ronnie W.)
Rochester and Marion Wooten,)
)
Defendants.)



This action was instituted by the service of a
Summons and Complaint against the above-named Defendants and
is essentially a tort action by a corporation against former
officers, stockholders and employees.

The matter came before me as a result of a Rule to
Show Cause returnable on July 21, 1975, and by virtue of a
motion to dismiss the Attachment served with the Summons and
Complaint made by T. E. Walsh, Attorney for the Defendants,
Furman D. Rochester, Brady H. Rochester, James E. Rochester and
Ronnie W. Rochester and Matthew A. Henderson, Attorney for the
Defendant, Frederick W. Rochester.

The motion to dismiss and dissolve the Attachment
alleges that the Affidavit upon which the Warrant of Attachment
was issued failed to comply with the laws of South Carolina.
After hearing arguments, the Court is of the opinion that the
Plaintiff's Affidavit, on which the Attachment was issued, fails
to show that this action is one in which the extraordinary remedy
of Attachment can be used. It is clear that the Defendants are
citizens and residents of Spartanburg County, Greenville County
and Cherokee County, that they are regularly employed here and
that they have made no effort to evade creditors or conceal
assets. This is not a proper case in which an Attachment is
available to the Plaintiff. ACCORDINGLY,

IT IS ORDERED, That the Attachment issued in the
above entitled action be and the same is hereby dismissed,

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