

FILED
GREENVILLE CO. S. C.
FEB 12 9 06 AM '80
DENISE W. HATTON
CLERK

BOOK 13 PAGE 397

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE) IN THE COURT OF COMMON PLEAS

DALEY ENGINEERING & SALES COMPANY,
INC. and CAMCO, INC.,)

Plaintiffs)

vs.)

KAY M. BRANTLEY,)

Defendant.)

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GREENVILLE CO. S. C.
COURT HOUSE
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80-CP-23-397
ORDER

This matter is before me upon the verified Petition, Affidavits, Summons and verified Complaint of the Plaintiffs. After carefully examining all the facts involved, I find that Plaintiffs could suffer irreparable harm if they are not allowed to immediately attach the assets of Plaintiff upon service of the Summons and Complaint. Under the circumstances, the exigency of the matter allows Plaintiffs to have the sought-after attachment, notwithstanding the fact that Defendant has been denied notice or an opportunity to be heard. The petition states that Plaintiff has stolen some One Hundred Seventy Thousand (\$170,000.00) Dollars from Plaintiffs and that at this time she is not even present in the State. To give Defendant notice of the actions contemplated by Plaintiffs would only allow her the possibility of further hiding or secreting the funds they attempt to recover. I am fully aware that ex parte orders are reserved for those rare instances when there is no adverse interest or where exigent circumstances clearly require that action be taken before there is time for a full hearing. For the reasons stated hereinabove, I specifically find this is an instance that requires that action be taken before allowing Defendant the right to a full hearing. See Thornton v. Alford, 260 S.E. 2d 179; Herring v. Retail Credit Co., 266 S. C. 455, 224 S.E. 2d 663.

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