

MOTION FOR WRIT OF ASSISTANCE

The Motion of the Plaintiff would respectfully show unto this Honorable Court:

1. The Plaintiff above named commenced a foreclosure action against the Defendant(s) above named for the purpose of foreclosing a mortgage covering the following described real property:

Enter legal description here

Property Address:

TMS #

2. That a Master's Report and Judgment of Foreclosure and Sale was issued by this Court on _____, 19__, and the subject property was sold at public auction in accordance therewith on _____, 19__, and the successful bidder at said sale was Plaintiff.

3. The proceedings in regard to the foreclosure action are preserved in the Office of the Clerk of Court/RMC Office for Charleston County.

4. The Defendant(s) or others claiming through them still occupy the subject premises and have within the premises certain items of personal property and furniture which they have failed and refused to remove from the premises, although they have been informed that the property is now owned by the Plaintiff herein.

5. The Plaintiff is informed and believes that it is entitled to possession of the property as the successful bidder at the said sale in accordance with the Master's Report and Judgment of Foreclosure and Sale, which states:

It is further ordered, adjudged and decreed that in the event the successful bidder is other than the defendant(s) in possession herein, the Sheriff of Charleston County is ordered and directed to eject and remove from the premises the occupant(s) of the property sold, together with all personal property located thereon, and to put the successful bidder or his assigns in full, quiet and peaceable possession of said premises without delay, and, to keep said successful bidder or his assigns in such peaceable possession.

6. Jurisdiction to issue a Writ of Assistance was reserved to the Master in Equity in the Master's Report and Judgment of Foreclosure and Sale, which provided:

The undersigned will retain jurisdiction to do all necessary acts incident to this foreclosure including, but not limited to, the issuance of a Writ of Assistance.

7. The Plaintiff is entitled to a Writ of Assistance to remove the said Defendant(s), together with any

and all persons whosoever claiming thereunder, and all their personal belongings from the subject premises, and to put the Movant in full, quiet and peaceable possession thereof, and to keep the Plaintiff in such possession.

WHEREFORE, the Plaintiff prays that this Court do issue its Writ of Assistance to the Sheriff of Charleston County requiring the ejection and removal of said Defendant(s) together with any and all persons whosoever claiming under them, and all of their possessions from the subject property forthwith.

Attorney for Plaintiff