

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON)
)
 James B. Nutter & Company,)
)
 Plaintiff,)
)
 vs.)
)
 The Estate of Mable F. Hamilton,)
 deceased; The Estate of Benjamin)
 Franklin Hamilton, deceased; Tamika)
 Beaton, Aruthrine Bryant, and any other)
 Heirs, Personal Representatives,)
 Successors, Assigns, Spouses, Creditors,)
 and all others claiming any right, title or)
 interest in the real estate known as 7662)
 Stonehaven Drive, North Charleston, SC)
 29420; any unknown adults or persons in)
 the Military Service of the United States)
 of America, being a class designated as)
 John Doe, and any unknown minors or)
 persons under legal disability, being a)
 class designated as Richard Roe; THI of)
 South Carolina at Charleston, LLC d/b/a)
 Driftwood Nursing & Rehabilitation; and)
 South Carolina Department of Mental)
 Health,)
)
 Defendants.)
 _____)

IN THE COURT OF COMMON PLEAS
 C/A No.: 2012-CP-10-7443
 ANSWER
 (Non-Jury Mortgage Foreclosure)

FILED
 2013 SEP 18 PM 2:13
 JULIE J. ARMSTRONG
 CLERK OF COURT
 @

Defendant, South Carolina Department of Mental Health (hereinafter, also referred to as "SCDMH"), answering the Complaint of Plaintiff, would hereby show the Court as follows:

1. Defendant, SCDMH, is without sufficient information to admit or deny the allegations of the Complaint not hereinafter admitted, denied, or explained;

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2. Defendant SCDMH admits the allegations of paragraph 29 (b) of the Complaint that SCDMH is made a party by virtue of a Notice of Lien against Benjamin Hamilton in the amount of Three Thousand One Hundred Four and 33/100 (\$3,104.33) Dollars. However, SCDMH issued a Receipt and Satisfaction (SCDMH Exhibit A) to both the Clerk of Court and the Probate Court for Charleston County on August 23, 2013. Therefore, the SCDMH lien is satisfied, and is no longer attached to the property that is the subject of this action.

WHEREFORE, Defendant SCDMH requests:

- a. That the petition be approved as prayed for by Plaintiff;
- b. That the court finds: the Department's lien against Benjamin Hamilton is satisfied, and this lien is no longer attached to the property that is subject to this action;
- c. For such other and further relief as this Court deems just and proper.

Respectfully Submitted,

South Carolina Department of Mental Health

BY: Monique Montgomery

Monique Montgomery
SC Bar # 68429

BY: _____

[Handwritten signature]

Randolph E. Carothers, IV
SC Bar # 100565

Attorneys for Defendant
South Carolina Department of Mental Health
2414 Bull Street, Post Office Box 485
Columbia, South Carolina 29202
(803) 898-8557

Columbia, South Carolina
September 17, 2013

STATE OF SOUTH CAROLINA)
) RECEIPT AND SATISFACTION
COUNTY OF CHARLESTON)

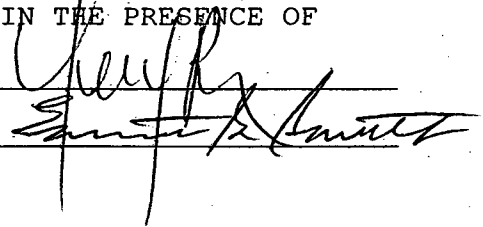
The South Carolina Department of Mental Health hereby acknowledges receipt of the sum \$3,104.33 in satisfaction in full of the maintenance and medical care filed against Benjamin F. Hamilton, #10144048.

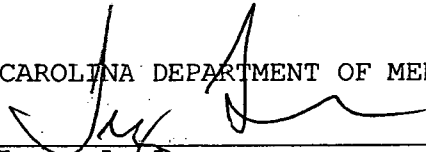
Recorded in Probate Court
2008-M1-01

Recorded in RMC Office
C654 page 895

IN WITNESS WHEREOF, The South Carolina Department of Mental Health has hereunto set its hand and seal this 23rd day of August, 2013.

IN THE PRESENCE OF



SOUTH CAROLINA DEPARTMENT OF MENTAL HEALTH
By: 

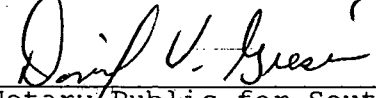
Tracy L. Turner
Director of Reimbursement

* * * * *

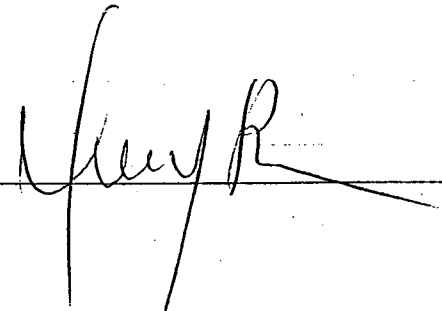
STATE OF SOUTH CAROLINA)
) PROBATE
COUNTY OF RICHLAND)

PERSONALLY appeared before me Terry Rowson who, after being sworn, says that she saw the within named South Carolina Department of Mental Health by Tracy L. Turner sign, seal and execute that foregoing Receipt and Satisfaction this 23rd day of August, 2013 and that she with Emmett Smith witnessed the execution thereof.

SWORN to before me
David V. Giesen
this 23rd day of August, 2013



(Seal)
Notary Public for South Carolina
My commission expires January 18, 2023



STATE OF SOUTH CAROLINA)
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 COUNTY OF CHARLESTON)
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 James B. Nutter & Company,)
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 The Estate of Mable F. Hamilton,)
 deceased; The Estate of Benjamin)
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 South Carolina at Charleston, LLC d/b/a)
 Driftwood Nursing & Rehabilitation; and)
 South Carolina Department of Mental)
 Health,)
)
 Defendants.

IN THE COURT OF COMMON PLEAS
 C/A No.: 2012-CP-10-7443
**CERTIFICATE OF SERVICE BY
 MAIL**
 (Non-Jury Mortgage Foreclosure)

FILED
 2013 SEP 18 PM 2:14
 JULIE J. ARMSTRONG
 CLERK OF COURT

The undersigned hereby certifies that he is an employee of the South Carolina Department of Mental Health, and is a person of such age and discretion as to be competent to serve papers. That on September 17, 2013, he served a copy of the Answer to the Plaintiff depositing the same in the United States Mail, with sufficient postage, to the Attorney for the Plaintiff at the following address:

Andrew M. Wilson, Esq.
 Finkel Law Firm, L.L.C.
 Post Office Box 71727
 Charleston, South Carolina 29415

Signature Block on next page.



Randolph E. Carothers, IV
Attorney for Defendant
South Carolina Department of Mental Health
Post Office Box 485
Columbia, South Carolina 29202
(803) 898-8557

September 17, 2013



State of South Carolina
Department of Mental Health

MENTAL HEALTH COMMISSION:

Alison Y. Evans, PsyD, Chair
Joan Moore, Vice Chair
Beverly Cardwell
Jane B. Jones
Everard Rutledge, PhD
J. Buxton Terry
Sharon L. Wilson

2414 Bull Street • P.O. Box 485
Columbia, SC 29202
Information: (803) 898-8581

John H. Magill
State Director of Mental Health

September 17, 2013

The Honorable Julie J. Armstrong
Charleston County Clerk of Court
100 Broad Street, Suite 106
Charleston, South Carolina 29401-2210

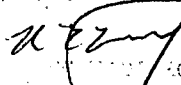
RE: James B. Nutter & Co. vs. The Estate of Mable F. Hamilton, *et al.*
Case No.: 2013-CP-10-7443

Dear Ms. Armstrong:

The original and one copy of DMH's Answer and Certificate of Service in the above referenced case are enclosed for filing. Please clock in the copy and return it to our office in the enclosed postage-paid envelope.

If you have any questions or concerns, please contact me at (803) 898-8557. Thank you for your assistance and attention to this matter.

Sincerely,


Randolph E. "Chip" Carothers
Staff Counsel

Enclosures

MISSION STATEMENT

To support the recovery of people with mental illnesses.

