

I Probably Be
in Columbia on
Thursday. I gotta see DSS

I Am A Fighter

No Lies

It Take A Person Like
Me To Call People out & get
But You Haven't got you can't
my. Remember that
Jew

Ins

JOSEPH P. CERATO, P.A.

ATTORNEY AT LAW

215 EAST BAY STREET, SUITE 501
POST OFFICE BOX 881
CHARLESTON, SOUTH CAROLINA 29402
EMAIL: JOSEPH@JPCERATO.COM

TELEPHONE
(843) 577-4725

FACSIMILE
(843) 723-8324

Please note new email address: joseph@jpcerato.com

November 20, 2015

Julia Fludd
768 3rd St.
Mt. Pleasant, SC 29464

Re: *SCDSS v. Ashley C. Fludd, Chris Montero, Dennis Brown, Anthony Heyward, Case Number 2011-DR-10-3410*

Dear Julia:

Enclosed please find a certified copy of the Order Rescinding Restraining Order n the above matter.

With warmest personal regards and best wishes, I remain

Sincerely,

JOSEPH P. CERATO, P.A.
ATTORNEY AT LAW

JPC/mm
Enclosure

Julia
843-8849899

COPY

Please note new email address: joseph@jpcerato.com

November 20, 2015

Beverly V. Snelgrove, Esquire
3366 Rivers Avenue
North Charleston, SC 29405

William J. Hamilton, III Esquire
P.O. Box 549
Charleston, SC 29402

***Re: SCDSS v. Ashley C. Fludd, Chris Montero, Dennis Brown,
Anthony Heyward, Case Number 2011-DR-10-3410***

Dear Beverly and Jack:

Enclosed please find a certified copy of the Order Rescinding Restraining Order in the above matter.

With warmest personal regards and best wishes for the upcoming holidays, I remain

Sincerely,

JOSEPH P. CERATO, P.A.
ATTORNEY AT LAW

JPC/mm
Enclosure

cc (w/o enc.): Julia Fludd

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

SOUTH CAROLINA DEPARTMENT OF SOCIAL
SERVICES,

vs.

ASHLEY C. FLUDD, CHRIS MONTERO, DENNIS
BROWN AND ANTHONY HEYWARD

Defendant.

Docket No. 2011-DR-10-3410

IN THE FAMILY COURT
NINTH JUDICIAL CIRCUIT

JUDGMENT IN A
FAMILY COURT CASE

Submitted by:

JOSEPH P. CERATO, ESQUIRE

Attorney for ☐ Plaintiff ☐ Defendant
or
☐ Self-Represented Litigant ☐ GAL

DECISION BY COURT (check all that apply)

- ☒ This action came to trial, hearing or was resolved by consent and an order was rendered.
☐ This action has been dismissed pursuant to ☐ Rule 12(b), SCRCPP ☐ Rule 41(a), SCRCPP
☐ Rule 43(k), SCRCPP ☐ Family Court Benchmark
☐ Other: _____

IT IS ORDERED AND ADJUDGED: ☐ See attached order; ☐ Statement of Judgment by the Court:

☐ Additional information for Clerk: _____

ORDER INFORMATION

- This is a ☐ Temporary ☒ Final order. If Final, does this order end the case? ☒ Yes ☐ No
Support ☐ is not ordered ☐ is ordered, and it is to be paid ☐ through the court. ☐ directly to the CP.
Case number under which support is paid if different from this one: _____
This order involves the immediate ☐ issuance ☐ dismissal of a bench warrant, or ☐ does not apply.
☐ The following motions are ended by this order (include motion filing date): _____
☐ This order adds or dismisses the following parties to this case:
☐ dismiss ☐ add: _____ ☐ dismiss ☐ add: _____

INFORMATION FOR THE PUBLIC INDEX/TRANSCRIPT OF JUDGMENT (§ 20-3-670(B)(1))		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information to enroll, indicate "N/A" in one of the boxes below.		
Judgment In Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount to be Enrolled (List amount(s) below)
		\$
		\$
		\$
If applicable, describe the property, including tax map information and address, referenced in the order:		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the South Carolina Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: title abstractors and researchers should refer to the official court order for judgment details.

FOR CLERK OF COURT OFFICE USE ONLY

This judgment was entered on the _____ and a copy mailed first class or placed in the appropriate attorney's box on _____ to attorneys of record or to parties (when appearing pro se) as follows:

ATTORNEY(S) FOR THE PLAINTIFF(S)

JOSEPH P. CERATO, ESQUIRE
ATTORNEY FOR JULIA FLUDD
215 EAST BAY ST., STE. 501
CHARLESTON, SC 29401
ATTORNEYS FOR THE DEFENDANT(S)

CLERK OF COURT

Court Reporter: _____

Custodial Parent (if applicable): _____

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

SOUTH CAROLINA DEPARTMENT
OF SOCIAL SERVICES,

PLAINTIFF,

VS.

ASHLEY C. FLUDD
CHRIS MONTERO
DENNIS BROWN
ANTHONY HEYWARD

DEFENDANTS,

IN THE FAMILY COURT OF THE
NINTH JUDICIAL CIRCUIT
CASE NO.: 2011-DR-10-3410

ORDER
RESCINDING RESTRAINING ORDER

HEARING DATE:
JUDGE:
RESPONDENT ATTORNEY
(FOR DSS):
DEFENDANT ATTORNEY
(ASHLEY C. FLUDD):
PETITIONER ATTORNEY:
COURT REPORTER:

November 18, 2015, at 9:30 a.m.
Jerry D. Vinson, Jr.

Beverly V. Snelgrove, Esquire

William J. Hamilton, III., Esquire
Joseph P. Cerato, Esquire
Ruth Weese

THIS MATTER came before the Court pursuant to the filing of a Motion to Access Records and Rescind Restraining Order on April 22, 2015. The matter was previously reset. At the calling of the case present were the attorney for Petitioner Julia Fludd, Joseph P. Cerato, Esquire, attorney for Department of Social Services, Beverly E. Snelgrove, Esquire and Defendant Ashley C. Fludd and her attorney William J. Hamilton, Esquire. Based upon the arguments presented this Court makes the Following Findings of Facts and Conclusions of Law.

1. On July 11, 2012, this Court held a Hearing wherein an Order for Judicial Review and Order Restraining Contact were issued, filed on July 17, 2012.
2. A review of the Order indicates that page 2, paragraphs 2 and 4 set forth certain restraints against Julia Fludd.

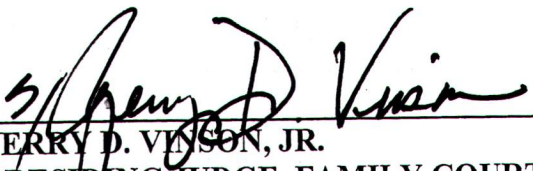
3. A review of the file discloses there is no showing that Julia Fludd was served due process, presented a petition nor was she made a party to this action. Accordingly, this Court does not have personal jurisdiction over Julia Fludd to issue the July 17, 2012 Restraining Order.

4. While it is clear that because Julia Fludd was not a party, not given notice and that this Court must rescind those paragraphs of the July 17, 2012 Restraining Order relating to her, this Order in no way changes the Court's belief that restraints were necessary and appropriate.

NOW THEREFORE, it is

ORDERED those aspects of this Court's Order in the above-referenced case filed on July 17, 2012 entitled Order for Judicial Review and Order Restraining Contact as to Julia Fludd, specifically paragraphs 2 and 4 of page 2 of the Order, are hereby rescinded for lack of personal jurisdiction.

AND IT IS SO ORDERED!


JERRY D. VINSON, JR.
PRESIDING JUDGE, FAMILY COURT
FOR THE NINTH JUDICIAL CIRCUIT
CHARLESTON COUNTY

Charleston, South Carolina
This 20 day of November, 2015.

ATTEST: A TRUE COPY
JULIE J. ARMSTRONG (SEAL)
CLERK, C.P., C.S. & J.
BY 
DEPUTY CLERK