

**UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
ANDERSON/GREENWOOD DIVISION**

IN RE: RECEIVER FOR	)	Civil Action No.: 8:12-cv-02078-JMC
RONNIE GENE WILSON AND	)	
ATLANTIC BULLION & COIN, INC.	)	
_____	)	

**ORDER**

This matter is before the court for purposes of addressing an issue related to an outstanding objection to Receiver Beattie B. Ashmore’s (the “Receiver”) proposed distribution of proceeds in accordance with the court-approved Plan for Claims Administration and Distribution of Proceeds (the “Plan”) (ECF No. 176). The court held a hearing on March 14, 2016, to hear from any claimant who wished to address the court regarding an objection to the Receiver’s proposal. (ECF No. 186.)

Bobby B. Whitmire and Doris C. Whitmire (together the “Whitmires”), Claimants No. 990530, filed an Objection (ECF No. 184-2 at 57–59) with the Receiver and appeared at the March 14, 2016 hearing in support of that Objection.<sup>1</sup> The Whitmires object to the Receiver’s disallowance of their claim because members of their family – Donald Nix and Gladys Mae Nix – were net winners or profited from the Wilson/AB&C Ponzi scheme.<sup>2</sup> (Id. at 58.) At the March

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<sup>1</sup> Initially, the Whitmires had filed 2 Objections. The first Objection addressed the alleged untimeliness of the Whitmires’ Proof of Claim (“POC”). The court sustained the Whitmires’ Objection finding evidence of good cause to allow their otherwise untimely POC. (ECF No. 189.)

<sup>2</sup> Ronnie Gene Wilson (“Wilson”) and Atlantic Bullion and Coin, Inc. (“AB&C”) were charged in an Information with 2 counts of mail fraud stemming from their involvement in a criminal Ponzi scheme involving hundreds of victims and millions of dollars. United States v. Wilson, Cr. No. 8:12-cr-00320-JMC, ECF No. 11 (D.S.C. Apr. 11, 2012).

14, 2016 hearing, Doris Whitmire, on behalf of herself and her husband,<sup>3</sup> adamantly asserted that the Whitmires had never received any money from Gladys Mae Nix, Bobby Whitmire's sister.

In response to the Whitmires' Objection, the Receiver appeared at the March 14, 2016 hearing and communicated to the court that (1) there is a familial connection between the Whitmires and several net winners of the Wilson/AB&C Ponzi scheme, (2) it would be inequitable for the Whitmires to participate in the disbursement of recovered proceeds, and (3) he does not yet have evidence in support of his position.

Upon consideration of the foregoing, as well as other information contained in the record and provided at the March 14, 2016 hearing, the court **SUSTAINS** the Whitmires' Objection based on the lack of evidence to support the Receiver's position that the Whitmires profited from a familial connection to net winners of the Wilson/AB&C Ponzi scheme. Therefore, the court finds that the claim of Bobby B. and Doris C. Whitmire should be allowed and directs the Receiver to include the Whitmires' POC in the timely and allowed claims section of the Schedule of Net Loss Amounts.

**IT IS SO ORDERED.**



United States District Judge

March 17, 2016  
Columbia, South Carolina

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<sup>3</sup> Doris Whitmire possesses a general durable power of attorney over the affairs of Bobby Whitmire. (ECF No. 184-2 at 60–68.)