

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

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

ORDER

This matter is before the Court on a Petition for a Rule to Show Cause (“Petition”) filed by the Receiver, through his counsel, on December 17, 2012. [Dkt. No. 33.] In his Petition, the Receiver claims a right to the property and improvements thereon located at 881 Old Plantation Road in Fountain Inn, South Carolina, which property is more particularly described on Exhibit A attached hereto and incorporated herein by reference (hereinafter “Property”), that was acquired by Wallace Lindsey Howell (“Howell”), an indicted co-conspirator, directly from funds attributable to the illegal Ponzi scheme perpetrated by Ronnie Gene Wilson (“Wilson”) and Atlantic Bullion & Coin, Inc. (“AB&C”), *see United States v. Wilson*, 8:12-cr-00320-JMC, and purportedly thereafter transferred to the Roylin Trust. On January 18, 2013, the Court issued an Order to Show Cause [Dkt. No. 37] directing the Roylin Trust and/or Benton Hall and/or Gordon Hall to provide the Court by January 31, 2013, all written documentation or evidence as to why transfer of the Property should not be voided, and the legal possession and control be turned over to the Receiver.

To date, no “written documentation or evidence” has been received by the Court from either the Roylin Trust or Benton or Gordon Hall. On February 14, 2013, the Court received a letter from the Receiver (upon which the Respondents were copied) providing a copy of two documents received from the Respondents at the office of the Receiver after the January 31,

2013 deadline for submission. The documents are titled “Private Registered Setoff Bond” and “Notice of Conditional Acceptance and Request for Continuance of Any Public Proceedings Filed concurrently with Affidavit of Specific Negative Averment and Affidavit of Service.” The Court has reviewed these documents and finds them to be of no relevance to the issue before the Court and, in short, unintelligible and of no force or effect. On February 21, 2013, the Court received and filed, as a motion, the document entitled “Notice of Conditional Acceptance and Request for Continuance of Any Public Proceedings Filed concurrently with Affidavit of Specific Negative Averment and Affidavit of Service.” [Dkt. No. 44.] After review of Respondents’ motion and in consideration of societal interest in the prompt and efficient administration of justice, this Motion is hereby denied as untimely and for failure to demonstrate good cause for the requested continuance. *See Havee v. Belk*, 775 F.2d 1209, 1223 (4th Cir. 1985) (noting that the grant or denial of a continuance is left to the trial judge’s discretion).

As such, the Court finds that the Respondents have submitted no valid legal writings, contract, or other binding written instruments that establish the legitimacy of the transfer of the Property and further finds that the transfer was without adequate consideration, named an improper grantee, and was a fraudulent transfer and thus *void ab initio*. Therefore, the Court immediately voids the transfer of the Property to the Roylin Trust, and/or Benton Hall and/or Gordon Hall, either individually or as a director, and specifically finds that the following deed (the “Deed”) is null and void:

Deed from Wallace Lindsey Howell, Director of the Kingdom Estate Trust, and Wallace Lindsey Howell, Director of the Kingdom Estate Trust Dated July 11, 2011, to the Roylin Trust, dated June 6, 2012, and recorded on July 12, 2012, in the Laurens County ROD Office in Book D 1075 at Page 247.¹

¹ Although the deed has a handwritten notation in the Grantee box that adds the language “Gordon Hall + Benton Hall, directors of the” above the original name Roylin Trust, there is no indication that the grantor approved this change or that it was done properly.

The Court further transfers possession and control of the Property to the Receiver in accordance with the Court Order.

The Receiver is directed to serve the within order on the Roylin Trust, Gordon Hall and Benton Hall, and to file proof of service with the Court.

The Laurens County Clerk of Court's Office is directed to record a copy of this Order in the real property indices of the County to provide record notice thereof, with specific direction to reflect in such records that the Deed has been cancelled.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

April 9, 2013
Greenville, South Carolina

EXHIBIT A

Property Description

ALL THAT CERTAIN PIECE, PARCEL, OR LOT OF LAND, SITUATE, LYING AND BEING IN LAURENS COUNTY, STATE OF SOUTH CAROLINA, BEING KNOWN AND DESIGNATED AS ON THE ENOREE RIVER, CONTAINING 117 ACRES, MORE OR LESS, BEING NOW OR FORMERLY BOUNDED BY LANDS OF I.W. GRAY, CARRIE COKER, C.B. REDD, JANE MILLER, AND THE ENOREE RIVER, AND NOW BOUNDED ON THE NORTH BY THE ENOREE RIVER, THE CENTER OF WHICH IS SPARTANBURG COUNTY, ON THE EAST BY LANDS NOW OR FORMERLY OF DOROTHY LEE CLAYTON AND RHONDA CLAYTON, ON THE SOUTH BY LANDS NOW OR FORMERLY OF CLYDE REDD, ON THE WEST BY LAND NOW OR FORMERLY OF DAVID G. COKER, AND ON THE NORTHWEST BY LANDS NOW OR FORMERLY OF CRESCENT LAND AND TIMBER COMPANY.

ALSO, A RIGHT-OF-WAY OR EASEMENTS OF INGRESS AND EGRESS 20 FEET IN WIDTH BEGINNING AT THE SOUTHWESTERN MOST CORNER OF THE TRACT CONVEYED HERewith AND EXTENDING ACROSS OTHER PROPERTY OF GRANTORS IN A DIRECT LINE TO AN EXISTING GRAVEL ROAD WHICH LEADS TO A PUBLIC ROADWAY. THIS EASEMENT ALSO INCLUDES THE RIGHT TO USE THE EXISTING DIRT ROADWAY ABOVE MENTIONED WHICH LEADS TO A PUBLIC ROAD.

LESS AND EXCEPT PORTIONS CONVEYED IN DEED BOOK 210 AT PAGE 551, BOOK 214 AT PAGE 236, BOOK 214 AT PAGE 370, AND IN BOOK 211 AT PAGE 829.

TMS: 213-00-00-006

ALSO:

ALL THAT CERTAIN PIECE, PARCEL, OR LOT OF LAND, SITUATE, LYING AND BEING IN LAURENS COUNTY, STATE OF SOUTH CAROLINA, CONTAINING 11.45 ACRES, MORE OR LESS, BEING MORE FULLY DESCRIBED IN A SURVEY RECORDED IN THE LAURENS COUNTY CLERK OF COURT'S OFFICE IN PLAT BOOK A-417 AT PAGE 9, REFERENCE TO WHICH PLAT IS HEREBY MADE FOR A MORE COMPLETE METES AND BOUNDS DESCRIPTION THEREOF.

TMS: 214-00-00-039