

JUDGMENT & EXECUTION
GENERAL GUIDELINES

The judgment creditor (plaintiff) or their attorney may refer to the following steps as a general guideline of procedures used by The Horry County Sheriff's Office when executing against property for judgment satisfaction.

1. The judgment / execution is submitted to The Horry County Sheriff's Office.
2. A file is opened and a ten (10) day courtesy letter is sent to the judgment debtor (defendant) informing him/her that we have an execution on file and they have ten days to contact us or make full payment.
3. If the judgment is not paid within ten (10) days the file is assigned to a deputy to perform a cursory search of public records to identify any property deeded or titled to the judgment debtor. If no property is identified, a finding of "Nulla Bona" is made and the execution is returned. Nulla Bona simply means that the debtor has no property upon which the sheriff can levy.
4. If property deeded or titled to the judgment debtor is identified, the judgment creditor or their attorney is notified by mail and provided with a levy deposit request letter. This letter will refer to personal or real property as the case may be. This letter will further instruct the judgment creditor how to proceed. A title report (proof of ownership) will be required as well as a \$1000.00 deposit for expected costs. The judgment creditor should carefully examine the title report before submitting the \$1000.00 deposit. Liens and age of property should be considered so as to avoid loss of deposit. Levy deposits can only be recovered if the property in question generates enough money at sale. If the title report and deposit are not received the file will be closed and the execution returned. Judgments are good for ten (10) years and may be re-submitted once per year, or upon information that the debtor has acquired assets since the last search. The Judgment Creditor is strongly encouraged to remain aware of any assets the debtor may own, whether or not an execution has been submitted to the sheriff.
5. Once the title report and deposit are received, a deputy will proceed to locate the property in question. When located it will be visually inspected for damage or disrepair. Property damaged or in poor condition will not be levied until the judgment creditor is made aware of the condition and affirms that he/she still wishes to proceed. If the creditor declines to go forward at this point, the execution and \$1000.00 deposit will be returned. If the property can not be located in Horry County, the execution and deposit will be returned with a finding of "Nulla Bona".
6. Personal property is placed under levy and towed to a designated location. A sale will then be scheduled with proceeds applied toward judgment. Real property will be placed under levy and a sale will be scheduled to take place at The Horry County Judicial Center in accordance with South Carolina law.
7. If the sale of the debtor's property fails to fully satisfy the judgment, the judgment creditor may then move against more of the debtor's property if any is available. When the judgment has been satisfied, the judgment creditor must release the judgment by submitting a satisfaction form to the clerk of court where the judgment is recorded. A judgment may be deemed satisfied for less than the full amount with the consent of the judgment creditor.
8. Any questions about this process should be directed to the judgment unit at The Horry County Sheriff's Office.