

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

UNITED STATES OF AMERICA,) CIVIL ACTION NO. 3:06-1372-CMC
)
Plaintiff,)
)
)
vs.)
)
GARY GRAHAM and JODY'S INC.,) ORDER VACATING AND SETTING
d/b/a EVELYN BRIDAL & FORMAL) ASIDE DECREE OF FORECLOSURE
WEAR,) AND SALE AND FOR DISMISSAL
)
)
Defendants.)

Plaintiff has moved pursuant to Rule 60(b)(6), and Rule 41 (a)(2), Federal Rules of Civil Procedure, to vacate the Decree of Foreclosure and Sale heretofore filed by this Court on January 5, 2007, and to dismiss the action.

It appears that the defendant(s)-mortgagor(s), Gary Graham, is on active duty with the military and that foreclosure and sale of the premises in question are no longer necessary. All parties desire that Plaintiff's motion be granted and there be a cessation of these proceedings.

It further appears that granting of the relief sought would be compatible and in keeping with the aims and goals of the federal program under which this loan was made. Now, therefore, for good cause shown, it is

ORDERED, ADJUDGED AND DECREED that the Decree of Foreclosure and Sale filed in this matter on January 5, 2007, be, and the same hereby is, vacated and set aside, and to be of no effect.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this action be, and the same hereby is, dismissed without prejudice.

Clerks of the Federal District Court and the appropriate County Court are authorized and directed to cancel of record any Lis Pendens which heretofore may have been filed in this action.

AND IT IS SO ORDERED.

s/Cameron McGowan Currie
CAMERON McGOWAN CURRIE
UNITED STATES DISTRICT JUDGE

Columbia, South Carolina
November 24, 2008