

STATE OF SOUTH CAROLINA)	COURT OF COMMON PLEAS
COUNTY OF ABBEVILLE)	C.A. No.: 2025-CP-01-00036
 CITY OF ABBEVILLE,)
)
PLAINTIFF,)
)
V.)
)
TOWN OF CALHOUN FALLS; TERRICO)
HOLLAND IN HIS OFFICIAL CAPACITY AS)
MAYOR OF THE TOWN OF CALHOUN FALLS;)
AND WENDI W. LEWIS IN HER OFFICIAL)
CAPACITY AS CLERK/TREASURER OF THE)
TOWN OF CALHOUN FALLS,)
)
DEFENDANTS.		

The Plaintiff, by and through undersigned counsel, respectfully shows unto the Court:

1. On April 21, 2025, this Court entered an Order of Preliminary Injunction requiring the Town of Calhoun Falls (“Defendant Town”) to pay each monthly water invoice submitted by the City of Abbeville (“Plaintiff”) no later than the 10th day of the month in which the invoice is issued.
2. Plaintiff issued its water invoices to Defendant Town on October 1, 2025 and November 3, 2025, which falls under the scope of the Court’s April 21, 2025 Order.
3. As of the date of this filing, December 1, 2025 the Calhoun Falls portion of these invoices remain unpaid. Currently owed on each invoice is \$5,916.20 for the October invoice (September water) and \$20,517.76 for the November invoice (October water). The total billed for each invoice was:

- October \$72,488.80 (\$51,572.60 was paid by McCormick, Calhoun Falls made a partial payment of this invoice),

- November \$71,775.96 (\$51,258.20 paid by McCormick, Calhoun Falls has not made a payment towards this invoice).

4. The Defendants' willful failure to comply with the Court's Preliminary Injunction Order constitutes a direct violation of that Order and a contempt of this Court.

5. The Court's Order expressly enjoined not only the Town of Calhoun Falls but also Terrico Holland, in his official capacity as Mayor, and Wendi W. Lewis, in her official capacity as Clerk/Treasurer, to ensure compliance with the Order. Their roles include causing the Town to make timely payments and appropriately allocating utility revenues.

6. Upon information and belief, Clerk Wendi W. Lewis has resigned her duties as Clerk/Treasurer.

7. Each of the remaining Defendants is therefore individually subject to this Petition and must be required to appear and respond in person.

WHEREFORE, Plaintiff respectfully requests that this Court issue a Rule to Show Cause directed to:

- The Town of Calhoun Falls, and
- Terrico Holland, in his official capacity as Mayor,

Requiring each Defendant to personally appear before this Court and show cause why they should not be held in contempt of court for failing to comply with the April 21, 2025 Order of Preliminary Injunction.

Plaintiff further requests that, following a hearing, the Court:

- a. Hold all remaining named Defendants in civil contempt and order incarceration of the individual defendants until the unpaid October and November invoices are paid in full; and
- b. If the Town fails to comply with this Court's Orders by January 15, 2026
 - (i) Appoint a receiver to take control of the Defendant Town's water revenues and operations to ensure Plaintiff is paid in the priority required by the Order of Preliminary Injunction and by law and contract; or
 - (ii) Authorize the City of Abbeville to take full control of, and rights to, Defendant Town's water revenues, including billing of and receipt of all payments from all customers, to ensure Plaintiff is paid.

December 1, 2025

Respectfully submitted,

HITE LAW FIRM

By: s/Thomas E. Hite, III

Thomas E. Hite III
SC Bar 73750
P.O. Box 805
Abbeville, South Carolina 29620-0805
864.459.5400
t3@hitelawfirm.com

HAYNSWORTH SINKLER BOYD, P.A.

Steve A. Matthews
SC Bar 3689
1201 Main Street (29201-3226)
P.O. Box 11889 (29211-1889)
Columbia, South Carolina
803.540.7827
smatthews@hsblawfirm.com

Counsel for the Plaintiff