

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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SC Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Master-In-Equity

The Honorable Marvin H. Dukes, III

Court of Appeals Tracking No. 2012-210910

CitiMortgage, Inc., Respondent,

v.

Daniel Junk a/k/a Daniel L. Junk and Christine H. Junk
and Oldfield Community Association, Defendants,

Of Whom Daniel L. Junk and Christine H. Junk are Appellants,

_____ Daniel L. Junk and Christine H. Junk, Counterclaim
Appellants,

v.

_____ CitiMortgage, Inc. Counterclaim
Respondent.

_____ Daniel L. Junk and Christine H. Junk, Third-party
Appellants,

v.

Riley Pope & Laney, LLC, Heidi Carey, Esq., Roy
Laney, Esq., T. Lowndes Pope, Esq., Bayview Loan
Servicing, LLC, MERSCORP, Inc., Mortgage
Electronic Registration Systems, Inc., Citi Master
Servicing, Citigroup Global Markets Realty Corp.,
Citigroup Mortgage Loan Trust, Inc., John Does 1-
5,000, Jennifer Oakes, Robert G. Hall, Security
Connections, Inc., Krystal Hall, Danielle Sterling, ABC
Appraisal Group, Inc., Mark A. Ruplinger, Linda
Heller, Harry Jones, Colonial Coast Title Agency, Inc.,
Lawyers Title Insurance Corporation, Corelogic, Inc.
and American Home Mortgage Holdings, Inc. Third-Party
Respondents.

**Reply to the Junks’ Return to the Motion to Accept Amended Designation of
Matters to be Included in the Record on Appeal**

Pursuant to Rule 240(f) of the South Carolina Appellate Court Rules, Respondents file this Reply to the Junks’ Return to the Motion to Accept Amended Designation of Matters to be Included in the Record on Appeal out of time.¹ In their Return, the Junks claim that additional items should be removed from the Respondents’ initial designation of matters. The Court should reject this argument for two primary reasons and accept the Amended Designation as filed and served by Respondents. First, the items were presented to the lower court and related directly to an issue interjected into this appeal by the Junks. Second, the Junks’ Return blatantly misconstrues and misrepresents the Respondents’ communications as to these items. Therefore, the items are properly included in the Record on Appeal per Rules 209 and 210(c) of the South Carolina Appellate Court Rules.

In the motion, Respondents sought leave to allow them to remove one item from their initial Designation of Matters (item #75) but made no other alterations to the initial Designation of Matters. In their Return, the Junks’ claim items number 48, 50, and 51 should also be eliminated from the Respondents’ initial and amended Designation of Matters because those items “are not part of the record below.” See Return p. 2 and 3. This argument completely misconstrues Rules 209(b) and 210(c), SCACR, and is manifestly without merit. Those items were properly included because

¹ In their return, Appellants consent to the filing of the Amended Designation of Matters out of time. See Return p. 2 (“The Junks do not oppose Respondents being allowed to file out of time . . .”).

each item was presented to the Master-in-Equity and related directly to an issue the Junks raised in their Initial Brief to the Court.

The Junks placed items 48, 50, and 51 at issue in this appeal when they interjected the frivolous argument that the Master-in-Equity improperly requested that counsel for Respondents draft the order on appeal in violation of the Rules of Judicial Conduct. See The Junks' Initial Brief at p. 26-27. Items 48, 50, and 51 constitute the e-mail correspondence between the Master-in-Equity, counsel for Respondents, Mr. Junk, and counsel for Mrs. Junk related to that exact issue. Because this correspondence was with the Court and was directly related to the orders on appeal, these e-mails constitute matters presented to the lower court. Therefore, Respondents properly designated these e-mails in their initial and amended Designation of Matters per Rule 209, SCACR.

Because the e-mails were presented to the lower court, items 48, 50, and 51 are properly included in the Record on Appeal per Rule 210(c), SCACR. That rule allows for inclusion of all matters "presented to the lower court" and excludes only those items not presented to lower court. See Rule 210(c), SCACR ("The Record on Appeal **shall include** all matters designated to be included by any party under Rule 209 The Record shall not, however, include [a] matter which was not presented to the lower court."). As a result, Respondents properly included items 48, 50, and 51 in their initial and amended Designation of Matters, and the items must be included in the Record on Appeal. It appears that the Junks misconstrue this rule to limit the record on appeal to only documents filed with the Clerk of Court. The rule, however, contains no such limitation, and correspondence with the court constitutes one method of

“presenting” a matter to the court. It is very troubling that, in this appeal, the Junks would suggest impropriety by the Master-in-Equity and attorneys in drafting the orders on appeal yet seek to conceal from this Court the actual communications that they allege are improper. This cannot be condoned. Therefore, the Court should reject the Junks’ request to eliminate items number 48, 50, and 51 and accept the amended Designation of Matters as filed.

Additionally, the Junks claim in the Return that the items should be removed because “Respondents openly admit items #48, #50 and #51 are not part of the record below.” See Return p. 2. The Junks rely specifically on a letter from undersigned counsel to the Junks to support this claim. See Return p. 2, note 1. Such a position is false and intentionally misrepresents Respondents’ letter in an attempt to mislead this Court into removing items 48, 50, and 51 from the amended Designation of Matters. Respondents have not, and did not, admit that these items were improperly designated. In fact, the converse is true. Respondents maintained that items 48, 50, and 51 were properly included in their Designation of Matters and the Record because:

The e-mails identified in our Designation of Matters as number 48, 50, and 51 constitute communications between the parties and the Master. These communications were presented to the master and address an issue you raised in your Initial Appellants’ Brief. The designated e-mails directly relate to this issue and show the communications on this issue between the Master and all parties. Thus, the e-mails are proper for inclusion in the Record on Appeal per Rules 209(b) and 210(c) of the Appellate Court Rules.

See Letter to Junk dated April 11, 2013, attached hereto as Exhibit A (emphasis added). As is evident from the above, Respondents have consistently maintained these

items are properly included and must remain in the Record on Appeal. The Court should reject the Junks' meritless position to the contrary.

Therefore, Respondents request that this Court deny Appellants' frivolous arguments in the Return and accept the Amended Designation of Matters to be Included in the Record on Appeal as filed because that filing contains the requisite items for inclusion in the Record on Appeal.

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: 

B. Rush Smith III
SC Bar No. 012941

Brian P. Crotty
SC Bar No. 16983

- Michael J. Anzelmo
SC Bar No. 72933

1320 Main Street / 17th Floor
Post Office Box 11070 (29211-1070)
Columbia, South Carolina 29201
803.799.2000

Attorneys for Respondent/Counterclaim
Respondent CitiMortgage, Inc., and Third-Party
Respondents Bayview Loan Servicing, LLC,
Merscorp, Inc., Mortgage Electronic Registration
Systems, Inc., CitiMaster Servicing, Citigroup
Global Markets Realty Corp., Citigroup Mortgage
Loan Trust, Inc., Jennifer Oakes, and Robert G.
Hall.

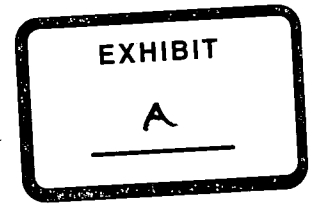
Columbia, South Carolina

May 8, 2013

Nelson Mullins

Nelson Mullins Riley & Scarborough LLP
Attorneys and Counselors at Law
1320 Main Street / 17th Floor / Columbia, SC 29201
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Brian P. Crotty
(Admitted in PA & SC)
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Fax: 803.255.9040
brian.crotty@nelsonmullins.com



April 11, 2013

Via U.S. Mail

Daniel L. Junk
181 Old Field Way
Okatie, SC 29909

Daniel L. Junk
2827 Chateau Circle S.
Upper Arlington, OH 43212

RE: CitiMortgage, Inc. v. Daniel L. Junk, et al.
Civil Action No. 2009-CP-07-05088
Order on Appeal: February 22, 2012 ("Order Granting Motion to Dismiss
Third-Party Complaint")
Court of Appeals Tracking No. 2012-210910

and

CitiMortgage, Inc. v. Daniel Junk a/k/a Daniel L. Junk, Christina H. Junk and
Oldfield Community Association
Civil Action No. 2009-CP-07-5088
Order on Appeal: April 23, 2012 ("Order Granting CitiMortgage's Motion to
Dismiss Counterclaims")

and

CitiMortgage, Inc. v. Daniel Junk a/k/a Daniel L. Junk, Christina H. Junk and
Oldfield Community Association
Civil Action No. 2009-CP-07-05088
Order on Appeal: May 3, 2012 ("Form 4 Order Denying Junk's Motion for
Default Judgment")

Junk
April 11, 2013
Page 2

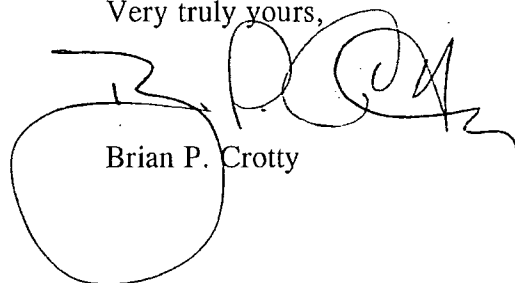
Mr. Junk:

This letter responds to your letter dated April 9, 2013, regarding the Record on Appeal. As an initial matter, an amended Designation of Matters removing item number 57 has been filed and served on you in accordance with the appellate rules.

The e-mails identified our Designation of Matters as number 48, 50, and 51 constitute communications between the parties and the Master. These communications were presented to the master and address an issue you raised in your Initial Appellants' Brief. The designated e-mails directly relate to this issue and show the communications on this issue between the Master and all parties. Thus, the e-mails are proper for inclusion in the Record on Appeal per Rules 209(b) and 210(c) of the Appellate Court Rules.

Because these communications were presented to the Master, our designated e-mails must be included in the Record on Appeal per your obligation to do so under the appellate rules. See Rule 210(c), SCACR ("The Record on Appeal shall include all matters designated to be included by any party under Rule 209") (emphasis added). We expect you to comply with the mandatory requirement. To assist you with compilation of the Record on Appeal, we have attached copies of the e-mails designated at numbers 48, 50, and 51 in our Designation of Matters to this letter for inclusion.

Very truly yours,



Brian P. Crotty

BPC:mja
Enclosures

cc: A. Parker Barnes, Jr.
James Y. Becker
Andrew E. Colvin
John T. Lay
Childs Cantey Thrasher
Sean Michael Bolchoz
Demetri "Jim" K. Koutrakos
Elizabeth Van Boren Gray
Tina Cundari
Susan Taylor Wall
Hamilton Osborne, Jr.

Diane Argabright

From: Becker, James <jbecker@hsblawfirm.com>
Sent: Friday, February 10, 2012 3:17 PM
To: Dukes, Marvin; Dan Junk; apbarnes@Parkerbarneslaw.com
Cc: McLeod, Heather; Brian Crotty; Laurie Jennings; Roxanne Daniel; jkelly@parkerbarneslaw.com; zengland@Parkerbarneslaw.com; Charlotte Ariail; Williams, Amanda; Sean Bolchoz; Meredith Lazarski; acolvin@nexsenpruet.com; tcundari@sowellgray.com; egray@sowellgray.com; mlaliberte@sowellgray.com; wjordan@sowellgray.com; JimKoutrakos@callisontighe.com; jlay@gwblawfirm.com; dgillyard@gwblawfirm.com; Wall, Susan; Hamlin.OKelley@buistbyars.com; Charlotte Ariail
Subject: CitiMortgage vs. Daniel Junk, et al.; 09-5088; proposed order dismissing third party complaint, etc.
Attachments: Columbia-1605848-v4-Proposed Order (CoreLogic) Dismissing Third Party Complaint, etc..DOC
Follow Up Flag: Follow up
Flag Status: Flagged

RE: *CitiMortgage, Inc. v. Daniel L. Junk, et al.*
Case No. 2009-CP-07-05088
HSB File No. 35855.0001

Dear Judge Dukes:

Per your request, attached is a proposed order dismissing the third party complaint, etc., which has been reviewed and approved by counsel for the Plaintiff and all Third Party Defendants. I have copied Mr. Junk and Mr. Barnes on this e-mail.

James Y. Becker, Esq.

Haynsworth Sinkler Boyd, P.A. | 1201 Main Street, 22nd Floor | Columbia, South Carolina 29201-3232

d: 803.540.7706 | f: 803.765.1243 jbecker@hsblawfirm.com | www.hsblawfirm.com

Please consider the environment before printing this email.

From: Dukes, Marvin [mailto:mdukes@bcgov.net]
Sent: Thursday, January 19, 2012 11:32 AM
To: Dan Junk; Williams, Amanda
Cc: McLeod, Heather; Brian Crotty; Laurie Jennings; Roxanne Daniel; apbarnes@Parkerbarneslaw.com; jkelly@parkerbarneslaw.com; zengland@Parkerbarneslaw.com; Becker, James; Ariail, Charlotte; Sean Bolchoz; Meredith Lazarski; acolvin@nexsenpruet.com; tcundari@sowellgray.com; egray@sowellgray.com; mlaliberte@sowellgray.com; wjordan@sowellgray.com; JimKoutrakos@callisontighe.com; jlay@gwblawfirm.com; dgillyard@gwblawfirm.com; Wall, Susan; Hamlin O'Kelley, III (Hamlin.OKelley@buistbyars.com)
Subject: RE: Bayview Loan Servicing LLC, et al. vs. Daniel Junk, et al.; 09-5088

Thanks to all for your comments. Please prepare one Order which incorporates the fact that the movants met the standard for lifting default, that no prejudice was asserted (other than brief passage of time, which I find not to rise to prejudice), but that dismissal, which is appropriate for all Third party defendants, moots the issue entirely.

Marvin H. Dukes, III

Master-in-Equity for Beaufort County
Beaufort County Courthouse

102 Ribaut Road, Room 212
Post Office Drawer 1228
Beaufort, SC 29901
Office: 843.255.5710
Fax: 843.255.9505

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From: Dan Junk [mailto:djunkman@mac.com]
Sent: Thursday, January 19, 2012 8:57 AM
To: Williams, Amanda
Cc: McLeod, Heather; Brian Crotty; Laurie Jennings; Roxanne Daniel; apbarnes@Parkerbarneslaw.com; jkelly@parkerbarneslaw.com; zengland@Parkerbarneslaw.com; Jamie Becker; Charlotte Ariail; Sean Bolchoz; Meredith Lazarski; acolvin@nexsenpruet.com; tcundari@sowellgray.com; egray@sowellgray.com; mlaliberte@sowellgray.com; wjordan@sowellgray.com; JimKoutrakos@callisontighe.com; jlay@gwblawfirm.com; dgillyard@gwblawfirm.com; Wall, Susan; Hamlin O'Kelley, III (Hamlin.OKelley@buistbyars.com); Dukes, Marvin
Subject: Re: Bayview Loan Servicing LLC, et al. vs. Daniel Junk, et al.; 09-5088

Dear Judge Dukes

I object to the parties that were in default being included in the third party complaint dismissal. Neither of those parties has a right to relief beyond a lifting of the entry of default. I respectfully request the relief from default be a separate order for each party granted such relief.

Sincerely

Dan Junk
843-290-8469

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Sent from my iPhone

On Jan 18, 2012, at 6:02 PM, "Williams, Amanda" <AWilliams@mcnair.net> wrote:

Judge Dukes,

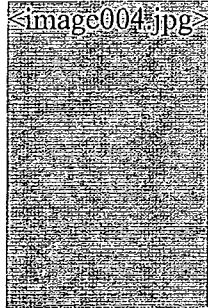
Upon further reflection, we will work with third party defense counsel to address the issue of the default in the Order dismissing the Third Party Complaint. Because the issue of the default is rendered moot by your ruling dismissing the Third Party Complaint, we do not think it is necessary to draft a

separate Order. Rather, we will include language in the Order Dismissing the Third Party Complaint consistent with your ruling at yesterday's hearing. Thank you.

Best Regards,
Amanda Williams

<image001.png>

<image004.jpg>



Amanda C. Williams
Associate
awilliams@mcnair.net | 843 973 6875 Direct

McNair Law Firm, P.A.
Charleston Office 100 Calhoun Street | Suite 400 | Charleston, SC 29401
843 723 7831 Main | 843 722 3227 Fax
Mailing Post Office Box 1431 | Charleston, SC 29402
VCard | Bio URL | Web site

From: Williams, Amanda

Sent: Wednesday, January 18, 2012 4:28 PM

To: 'McLeod, Heather'; Brian Crotty; Laurie Jennings; Roxanne Daniel; apbarnes@Parkerbarneslaw.com; jkelly@parkerbarneslaw.com; zengland@Parkerbarneslaw.com; Jamie Becker; Charlotte Ariail; Sean Bolchoz; Meredith Lazarski; acolvin@nexsenpruet.com; tcundari@sowellgray.com; egrays@sowellgray.com; mlaliberte@sowellgray.com; wjordan@sowellgray.com; djunkman@mac.com; JimKoutrakos@callisontighe.com; jlay@gwblawfirm.com; dgillyard@gwblawfirm.com; Wall, Susan; Hamlin O'Kelley, III (Hamlin.OKelley@buistbyars.com)

Cc: Dukes, Marvin

Subject: RE: Bayview Loan Servicing LLC, et al. vs. Daniel Junk, et al.; 09-5088

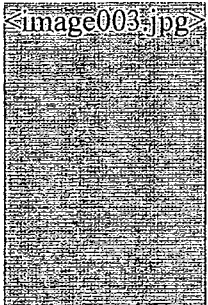
Judge Dukes,

We have received and thank you for your email. In order to protect the record, we would appreciate the Court signing a separate Order setting aside the entry of default as to our clients, Linda Heller and Harry Jones, as per Your Honor's ruling yesterday, since your ruling dismissing the Third Party Complaint was determined after Mr. Junk filed his certificate of default against our clients. We will be happy to prepare the Order and send it to all counsel and to the Court for review and approval within the next several days. Thank you for your consideration.

Best Regards,
Amanda Williams

<image001.png>

<image003.jpg>



Amanda C. Williams
Associate
awilliams@mcnair.net | 843 973 6875 Direct

McNair Law Firm, P.A.
Charleston Office 100 Calhoun Street | Suite 400 | Charleston, SC 29401
843 723 7831 Main | 843 722 3227 Fax
Mailing Post Office Box 1431 | Charleston, SC 29402
VCard | Bio URL | Web site

From: McLeod, Heather [<mailto:hmcLeod@bcgov.net>]

Sent: Wednesday, January 18, 2012 1:56 PM

To: Brian Crotty; Laurie Jennings; Roxanne Daniel; apbarnes@Parkerbarneslaw.com; jkelly@parkerbarneslaw.com; zengland@Parkerbarneslaw.com; Jamie Becker; Charlotte Ariail; Sean Bolchoz; Meredith Lazarski; acolvin@nexsenpruet.com; tcundari@sowellgray.com; egrays@sowellgray.com; mlaliberte@sowellgray.com; wjordan@sowellgray.com; djunkman@mac.com; JimKoutrakos@callisontighe.com; jlay@gwblawfirm.com; dgillyard@gwblawfirm.com; Wall, Susan; Williams, Amanda; Hamlin O'Kelley, III (Hamlin.OKelley@buistbyars.com)

Cc: Dukes, Marvin

Subject: Bayview Loan Servicing LLC, et al. vs. Daniel Junk, et al.; 09-5088

Importance: High

To All:

Please see the below from Judge Dukes, in regards to the above-mentioned case. Please advise if you have any questions.

To all,

There is no theory under which the third party defendants would be liable to the Junks for the debt asserted to be owed by the Plaintiff. The third party complaint is improper and is dismissed.

Further, combining these issues would be confusing and inefficient as the third party complaint is much like a malicious prosecution claim that requires a threshold finding of wrongdoing to proceed.

I would appreciate it if the third party defendants could collaborate on an Order stating the same, for the reasons articulated in arguments and briefs.

I believe that the relief from default issues are rendered moot by this ruling, but if someone disagrees, please let me know.

Any remaining and outstanding motions or parts thereof, together with anything timely filed and served will be heard during our February 23rd hearing time.

Best,

Marvin H. Dukes, III

Master-in-Equity for Beaufort County

Please contact us immediately if you have waited for a ruling in a case or motion for more than 30 days.

Thanking You in Advance,

**Heather R. H. McLeod,
Judicial Assistant to
Hon. Marvin H. Dukes, III
Beaufort County Master In Equity
And Special Circuit Court Judge
P. (843) 255-5710
F. (843) 255-9505
hmcleod@bcgov.net**

**Beaufort County Courthouse
102 Ribaut Rd., 2nd Floor, Room 212
Beaufort, SC 29902
Post Office Drawer 1228**

Beaufort, SC 29901

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Diane Argabright

From: Brian Crotty
Sent: Wednesday, April 11, 2012 11:37 AM
To: mdukes@bcgov.net; McLeod, Heather
Cc: Dan Junk; apbarnes@Parkerbarneslaw.com; acolvin@nexsenpruet.com; Diane Argabright; Rush Smith
Subject: CitiMortgage v. Junk, C/A No 2009-CP-07-05088 - CitiMortgage's Supplemental Memo in Support of Motion to Dismiss and Proposed Order
Attachments: 26019.01531 CitiMortgage's Supplemental Memo in Support of Motion to Dismiss Counterclaims and f.pdf; Proposed Order Granting Motion to Dismiss Counterclaims - 4811-3131-7007 v 2.docx

Judge Dukes,

At the last hearing in this matter the Court heard CitiMortgage's motion to dismiss the Junks' counterclaims. At the end of the hearing you asked for the parties to supplement the existing briefing on the issue of the statute of limitations and whether the Junks' claims were time barred.

Attached please find CitiMortgage's supplemental memorandum in support of its motion to dismiss the counterclaims. This supplemental memo was sent for filing today.

In the event that the Court finds in favor of CitiMortgage on its motion to dismiss, I have also attached a proposed order to that effect in word format.

I have a copy of the transcript from the last hearing and can provide that transcript to the Court if you wish.

By copy of this e-mail to the remaining counsel of record in this matter, I am informing them of this communication with the Court and am complying with the requirements of Rule 5(b)(3), SCRPC regarding proposed orders.

Thank you for your consideration of this matter. Please let me know if you have any problems opening these documents.

Brian Crotty | 803-255-9422 | brian.crotty@nelsonmullins.com Nelson Mullins Riley & Scarborough, LLP
1320 Main Street, 17th Floor
Columbia, SC 29201

Diane Argabright

From: McLeod, Heather <hmcleod@bcgov.net>
Sent: Tuesday, April 24, 2012 11:34 AM
To: Dan Junk
Cc: Brian Crotty; apbarnes@Parkerbarneslaw.com; acolvin@nexsenpruet.com; Diane Argabright; Rush Smith
Subject: RE: CitiMortgage v. Junk, C/A No 2009-CP-07-05088 - CitiMortgage's Supplemental Memo in Support of Motion to Dismiss and Proposed Order

Judge Dukes asks you to please prepare the Order and email in Word format to him, copying all parties.

Please contact us immediately if you have waited for a ruling in a case or motion for more than 30 days.

Thanking You in Advance,

**Heather R. H. McLeod,
Judicial Assistant to
Hon. Marvin H. Dukes, III
Beaufort County Master In Equity
And Special Circuit Court Judge
P. (843) 255-5710
F. (843) 255-9505
hmcleod@bcgov.net**

**Beaufort County Courthouse
102 Ribaut Rd., 2nd Floor, Room 212
Beaufort, SC 29902
Post Office Drawer 1228
Beaufort, SC 29901**

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From: Dan Junk [<mailto:djunkman@mac.com>]
Sent: Tuesday, April 24, 2012 11:29 AM
To: McLeod, Heather
Cc: Brian Crotty; apbarnes@Parkerbarneslaw.com; acolvin@nexsenpruet.com; Diane Argabright; Rush Smith
Subject: Re: CitiMortgage v. Junk, C/A No 2009-CP-07-05088 - CitiMortgage's Supplemental Memo in Support of Motion to Dismiss and Proposed Order

Heather

Can I please get Judge Dukes to issue the order denying the motion for default judgment against American Home Mortgage Holdings Inc? This motion was denied at the 2/23/12 hearing and has been subject of past requests and emails requesting same. Kindly let me know when we can expect that order. Thank you.

Dan Junk
843-290-8469

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Sent from my iPhone

On Apr 24, 2012, at 11:21 AM, "McLeod, Heather" <hmcleod@bcgov.net> wrote:

To whom it may Concern:

Please see attached copy of signed/filed Order, in regards to above case. Please note that this office does not serve any documents on any party. The appropriate party pursuant to SCRCP 5(a) should serve copies of this Order:

(a) Service: When Required. Unless otherwise ordered by the court because of numerous defendants or other reasons, all (1) written orders (&)... other similar papers shall be served upon each of the parties of record. No service need be made on parties in default for failure to appear, except that pleadings asserting new or additional claims for relief against them shall be served upon them in the manner provided for serving of summons in Rule 4, and notice of any trial or hearing on unliquidated damages shall also be given to parties in default.

Please contact us immediately if you have waited for a ruling in a case or motion for more than 30 days.

Thanking You in Advance,

Heather R. H. McLeod,
Judicial Assistant to
Hon. Marvin H. Dukes, III
Beaufort County Master In Equity
And Special Circuit Court Judge
P. (843) 255-5710
F. (843) 255-9505
hmcleod@bcgov.net

Beaufort County Courthouse
102 Ribaut Rd., 2nd Floor, Room 212
Beaufort, SC 29902
Post Office Drawer 1228
Beaufort, SC 29901

Disclaimer: Neither this office, nor its staff gives legal, financial or other advice. Any information obtained from this office or it's staff, regardless of form, should not be taken as legal or financial advice. Persons seeking to purchase properties from foreclosures or other sales should obtain independent advice as to value,

sufficiency of title, tax consequences, other liens, and all other matters related to said purchase. Persons involved in litigation should obtain counsel and may not rely on any information obtained from this office as legal advice. Do not rely on this office for legal advice- always obtain independent legal advice.

<09-5088.pdf>

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Master-in-Equity

The Honorable Marvin H. Dukes, III

Court of Appeals Tracking Nos. 2012-210910, 2012-212115, and 2012-212148

RECEIVED
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SC Court of Appeals

CitiMortgage, Inc., Respondent,
v.

Daniel Junk a/k/a Daniel L. Junk and
Christine H. Junk, and Oldfield Community
Association, Appellants,
Of Whom Daniel L. Junk and Christine H.
Junk are.....

_____ Daniel L. Junk and Christine H. Junk, Counterclaim Appellants
v.

CitiMortgage Inc., Counterclaim Respondent,

_____ Daniel L. Junk and Christine H. Junk, Third-Party Appellants,
v.

Riley Pope & Laney, LLC, Heidi Carey,
Esq., Roy Laney, Esq., T. Lowndes Pope,
Esq., Bayview Loan Servicing, LLC,
Merscorp, Inc., Mortgage Electronic
Registration Systems, Inc., Citi Master
Servicing, Citigroup Global Markets Realty
Corp., Citigroup Mortgage Loan Trust, Inc.,
John Does 1-5,000, Jennifer Oakes, Robert
G. Hall, Security Connections, Inc., Krystal
Hall, Danielle Sterling, ABC Appraisal
Group, Inc., Mark A. Ruplinger, Linda
Heller, Harry Jones, Colonial Coast Title
Agency, Inc., Lawyer Title Insurance
Corporation, Corelogic, Inc., and American
Home Mortgage Holdings, Inc., Third-Party Respondents.


Columbia, SC 29202

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Jennifer B. Lee
Administrative Assistant

May 8, 2013