97036

RECEIVED
AUG 31 2022
SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

Appeal from Horry County

Cynthia Graham Howe, Master-in-Equity

Ralph P. Stroman, Special Referee

Leticia, LLC, Movant,

In re:

M&T Bank, Plaintiff,

v.

Tyrone Davis; Bobby J. Bellamy; BC Fund and

Management LLC d/b/a BC Fund LLC, Defendants

And

M&T Bank Respondent,

v.

Tyrone Davis, Bobby J. Bellamy, BC Fund and

Management, LLC d/b/a BC Fund, LLC, Defendants

Of whom Bobby J. Bellamy is the Appellant,

And

Tyrone Davis is the Respondent

And

Bobby J, Bellamy, Appellant,

v.

William O. Smith, Third Party Defendant

APPELLANT MOTION FOR CLARIFICATION AND MOTION IN OPPOSITION TO REOPEN APPELLANT CASE 2019-001682

August 25. 2022, letter from The South Carolina Court of Appeals, Deputy Clerk, states that the Appellant filing of Notice of an Appeal was construed by the court as a Motion to re-open appellate case 2019-001682. That is not the case, Appellate case 2019-001682 was an appeal from final judgement of the Master-in-Equity. The sending of remitter on August 3, 2022 ended your jurisdiction over that appeal. The Appellant used case numbers and dates as reference only. After the final judgement, the Master-in-Equity also conducted a foreclosure sale on that same property. The Appellant appeals the authority and power of the Master in-Equity on grounds of **abuse of discretion** in the procedural matters on conducting the foreclosure sale and Master-in-Equity deed filed on September 3, 2019. Masters may also conduct sales under certain circumstances. Act 55 of 1999 and Rule 53, SCRCP, altered the appeals process or final judgments. Instead of going to the Circuit Court these appeals will now go to the Supreme Court or Court of Appeals as provided by Appellate Court rules. The Appellant has referred this matter to the Office of Disciplinary Counsel for review. The challenges are to the authority and power of the master. This challenge is not on grounds of jurisdiction. The appellate court may set aside a master's ruling on procedural matters only for an abuse of discretion. The appellate court will look at the law that was supposed to be applied and decide whether or not a procedural mistake was made.

Date 8/29/2022

Bobby Bellamy

Bobby J. Bellamy
P.O. Box 1674
Little River, SC
29566

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

Appeal from Horry County

Cynthia Graham Howe, Master-in-Equity

Ralph P. Stroman, Special Referee

RECEIVED
AUG 31 2022
SC Court of Appeals

Leticia, LLC, Movant,

In re:

M&T Bank, Plaintiff,

v.

Tyrone Davis; Bobby J. Bellamy; BC Fund and

Management LLC d/b/a BC Fund LLC, Defendants

And

M&T Bank Respondent,

v.

Tyrone Davis, Bobby J. Bellamy, BC Fund and

Management, LLC d/b/a BC Fund, LLC, Defendants

Of whom Bobby J. Bellamy is the Appellant,

And

Tyrone Davis is the Respondent

And

Bobby J, Bellamy, Appellant,

v.

William O. Smith, Third Party Defendant

PROOF OF SERVICE

I certify that I have served the APPELLANT MOTION FOR CLARIFICATION AND MOTION IN OPPOSITION TO REOPEN APPELLANT CASE 2019-001682 on Leticia LLC by depositing a copy of it in the United States Mail, postage prepaid on August 29, 2022 addressed to Leticia LLC 2943 Fred Nash Blvd Myrtle Beach, SC 29577

I certify that I have served the APPELLANT MOTION FOR CLARIFICATION AND MOTION IN OPPOSITION TO REOPEN APPELLANT CASE 2019-001682 on M&T Bank by depositing a copy of it in the United States Mail, postage prepaid on August 29, 2022 addressed to his attorney of record: Cliff Moore III Adams and Reese LLP 1501 Main Street 5th floor Columbia, SC 29201

I certify that I have served the APPELLANT MOTION FOR CLARIFICATION AND MOTION IN OPPOSITION TO REOPEN APPELLANT CASE 2019-001682 on M&T Bank by depositing a copy of it in the United States Mail, postage prepaid on August 29, 2022 addressed to his attorney of record: Kirby Darr Shealy, III Adams and Reese LLP 1501 Main Street 5th floor Columbia, SC 29201

I certify that I have served the APPELLANT MOTION FOR CLARIFICATION AND MOTION IN OPPOSITION TO REOPEN APPELLANT CASE 2019-001682 on M&T Bank by depositing a copy of it in the United States Mail, postage prepaid on August 29, 2022 addressed to attorney of record: Ashley Zarrett Stanley Hutchens Law Firm P.O. Box 8237 Columbia, SC 29201

I certify that I have served the APPELLANT MOTION FOR CLARIFICATION AND MOTION IN OPPOSITION TO REOPEN APPELLANT CASE 2019-001682 on M&T Bank by depositing a copy of it in the United States Mail, postage prepaid on August 29, 2022 addressed to his attorney of record: John B. Kelchner Hutchens Law Firm P.O. Box 8237 Columbia, SC 29201

I certify that I have served the APPELLANT MOTION FOR CLARIFICATION AND MOTION IN OPPOSITION TO REOPEN APPELLANT CASE 2019-001682 on Tyrone Davis by depositing a copy of it in the United States Mail, postage prepaid on August 29, 2022 addressed to his attorney of record: Daniel J. Orvin Womble Bond Dickson LLP 5 Exchange Street. Charleston SC 29401

I certify that I have served the APPELLANT MOTION FOR CLARIFICATION AND MOTION IN OPPOSITION TO REOPEN APPELLANT CASE 2019-001682 on Tyrone Davis by depositing a copy of it in the United States Mail, postage prepaid on August 29, 2022 addressed to his attorney of record: Matthew Tillman Womble Bond Dickson LLP 5 Exchange Street. Charleston SC 29401

I certify that I have served the APPELLANT MOTION FOR CLARIFICATION AND MOTION IN OPPOSITION TO REOPEN APPELLANT CASE 2019-001682 by depositing a copy of it in the United States Mail, postage prepaid on August 29, 2022 addressed to attorney: Stephanie M. Huggins Esq. Riley, Pope and Laney LLC 2838 Devine St. Columbia SC 29205

Bobby Bellamy

RECEIVED
AUG 31 2022
SC Court of Appeals

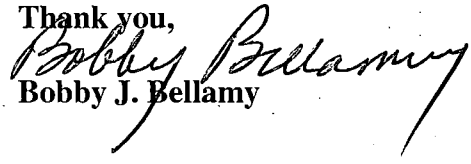
South Carolina Court of Appeals
Ms. Jenny Kitchings, Clerk
P.O. Box 11629
Columbia SC 29211

Re: M&T Bank v. Tyrone Davis et al
Appellant Case No. 2022-001159

Dear Ms. Kitching:

Enclosed APPELLANT MOTION FOR CLARIFICATION AND MOTION IN OPPOSITION TO REOPEN APPELLANT CASE 2019-001682 with filing fee.

Thank you,



Bobby J. Bellamy

Cc:
Leticia LLC
Daniel Quigley Orvin Esquire
Matthew Tillman, Esquire
W. Cliff Moore, Esquire
John B. Kelchner, Esquire
Stephanie M. Huggins, Esquire
Ashley Z. Stanley, Esquire
Kirby D. Shealy, III, Esquire

Bobby Bellamey
P.O. Box 1674
Little River SC
29566

COLUMBIA SC 290
29 AUG 2022 PM 3 L

USA
TWO OUNCE

RECEIVED
AUG 31 2022
SC Court of Appeals

SC Court of Appeals
Clerk of Court Jenny Kitchings
P.O Box 11629
Columbia, SC 29211

29211-162928