

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM RICHLAND COUNTY

Court Of Common Pleas

The Honorable Joseph Strickland, Master-In-Equity

Case No.: 2022-CP-40-05280, Circuit Court
Appeals Court Docket No.: 2024-000063

U.S. Bank Trust National
Association, as Trustee of the Chalet
Series IV Trust, Respondent,

v.

Talmage Martin aka Talmage Russell Lewis Martin; Nicole S. Martin Midland Funding LLC;
Lake Carolina Master Association, Inc.; South Carolina Department of Probation, Parole, and
Pardon; Richland County Clerk of
Court.....Appellant.

**NOTICE OF MOTION AND MOTION TO BE RELIEVED AS COUNSEL PURSUANT
TO SCAR RULE 264 (b)**

This Firm represented Nicole Martin (Adderly) and Talmage Martin (the “Martins”) with respect to a Motion to Set Aside a Default Judgment and Foreclosure Sale filed in the Court of Common Pleas for Richland County. The hearing on the Motion was held on December 11, 2023, before the Honorable Joseph Strickland, Richland County Master-In-Equity. Judge Strickland denied the requested relief.

The Martins never paid the full amount of their initial retainer for the Motion in the lower court. The Letter of Engagement with the Martins specifically stated that the scope of representation did not extend to any appeals to a higher court. After the hearing, I discussed the

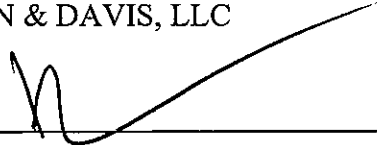
subject of an appeal with Mr. Martin and quoted a fee to initiate the appeal. We never heard back from the Martins regarding representation for an appeal.

On January 16, 2024, I received notice from the Court of Appeals that Ms. Martin initiated the appeal *pro se*. I had never seen or reviewed the Notice of Appeal prior to the Court's notice.

Based upon the foresaid reasons, we ask to be relieved as Counsel for the Martins with respect to the appeal.

BOYKIN & DAVIS, LLC

By: _____


Kenneth A. Davis (SC Bar #66416)
Tierney F. Goodwyn (SC Bar # 102035)

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January 18, 2024
Columbia, South Carolina

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SC Court of Appeals

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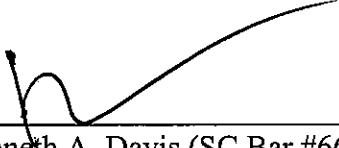
PROOF OF SERVICE

I certify that I have served the Notice of Motion and Motion to Be Relieved as Counsel on
the counsel of record listed below, by electronic mail and U.S. Mail a copy of same on January 17,
2024, addressed to:

J. Pamela Price, Esq. PPrice@mtglaw.com
John P. Fetner, Esq. JFetner@mtglaw.com
Brian L. Campbell, Esq. BCampbell@mtglaw.com
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January 18, 2024

VIA ELECTRONIC MAIL AND U.S. MAIL

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Re: U.S. Bank Trust v. Talmage Martin, et al.
Appeals Court Docket No.: 2024-000063

Dear Ms. Kitchings:

Enclosed for filing please find a Motion to be Relieved as Counsel. The original motion and filing fee will be hand delivered to Court.

By copy of this letter, we are today serving this pleading on all parties of record.

Thank you for your assistance.

Sincerely,



Kenneth A. Davis

/hhg

Enclosures

cc: J. Pamela Price, Esq.
John P. Fetner, Esq.
Brian L. Campbell, Esq.
January Taylor, Esq.
Kimila L. Wooten, Esq.
Steven C. Hippolyte, Esq.
Meredith L. Coker, Esq.
Talmage Martin
Nicole Martin (Adderly)

RECEIVED

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SC Court of Appeals