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FORM 1

NOTICE OF APPEAL IN A CIVIL CASE

2024 APR 15 AM 11:40

LISA M. COMER
CLERK OF COURT
LEXINGTON SC

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

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APR 23 2024

SC Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

Brian M. Gibbons, Circuit Court Judge

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APR 15 2024

SC Court of Appeals

Case No. 2023-CP-32-02473

Brent B. Young
Attorney for Rocket
Mortgage, LLC

Respondent,

v.

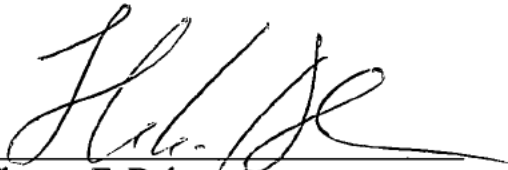
Thomas E. Dukes,

Appellant.

NOTICE OF APPEAL

Thomas E. Dukes appeals the order of the Honorable Brian M. Gibbons dated March 14, 2024. Appellant received written notice of entry of this order on March 23, 2024.

April 13, 2023



Thomas E. Dukes
Plaintiff, Pro Se
711 Parkhurst Ln
Lexington, SC 29072
803-530-9443

Other Counsel of Record:
Brent B. Young
Post Office Box 3038
Johnson City, Tennessee 37602
Attorney for Respondent
(423) 975-7654

**FORM 7
PROOF OF SERVICE OF A NOTICE OF APPEAL**

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas Brian

Brian M. Gibbons, Circuit Court Judge

Case No. 2023-CP-32-02473

Brent B. Young, Attorney for
Rocket Mortgage, LLC

Respondent,

v.

Thomas E. Dukes,

Appellant.

PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Rocket Mortgage, LLC by depositing a copy of it in the United States Mail, postage prepaid, on April 13, 2024, addressed to his attorney of record, Brent B. Young, 602 Sevier St., Unit 300, Johnson City, Tennessee 38604, on April 15, 2024.

April 13, 2024

Thomas E. Dukes
711 Parkhurst Ln
Lexington, South Carolina 29072
(803) 530-9443
Pro Sé

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SC Court of Appeals

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SC Court of Appeals

STATE OF SOUTH CAROLINA
COUNTY OF LEXINGTON

IN THE COURT OF COMMON PLEAS

Thomas Dukes,

FILE NO.: 2023-CP-32-02473

Plaintiff,

**ORDER TO
DISMISS WITH PREJUDICE**

v.

Rocket Mortgage, LLC and
Palmetto State Insurance Agency, LLC,

Defendants.

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APR 15 2024
SC Court of Appeals

This cause was heard in open Court on the 14th day of March, 2024, before the Honorable Brian M. Gibbons, Circuit Judge, on the Motion to Dismiss the Amended Complaint filed by Defendant, Rocket Mortgage, LLC (“Rocket Mortgage”), on November 27, 2023. Brent B. Young represented Rocket Mortgage at the hearing. The *pro se* Plaintiff represented himself at the hearing.

After review and consideration of the various filings related to Rocket Mortgage’s pending Motion to Dismiss, the argument of counsel and the *pro se* Plaintiff, applicable state and federal law – including SCRCF 12 and related federal regulations, and the record as a whole, the Court found as follows:

1. All parties received proper notice of the hearing.
2. Rocket Mortgage’s Motion to Dismiss the Amended Complaint pursuant to SCRCF 12(b)(6) that was filed on November 27, 2023 is well-taken, and should, therefore, be granted. In this regard, the *pro se* Plaintiff failed to state facts and/or the required elements in his Amended Complaint that are sufficient to constitute any cause of action against Rocket Mortgage under applicable state and federal law or regulation(s).

Premises considered, it is hereby ORDERED, ADJUDGED, and DECREED as follows:

- a. The Motion to Dismiss the Amended Complaint filed by Rocket Mortgage on November 27, 2023 in this action is GRANTED;
- b. This action is DISMISSED, with prejudice, as it relates to Rocket Mortgage; and
- c. Court costs in this action are taxed to the *pro se* Plaintiff.

ENTER:

Brian M. Gibbons, Circuit Judge

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APR 23 2024

SC Court of Appeals

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

29211-162929

