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S.C. SUPREME COURT

2.

A COPY OF THE ORDER[S] AND JUDGEMENT

STATE OF SOUTH CAROLINA
COUNTY OF LEXINGTON

IN THE COURT OF COMMON PLEAS
CASE NO.: 2020-CP-32-03651

Wells Fargo Bank, National Association, as
Trustee for Option One Mortgage Loan Trust
2005-1, Asset-Backed Certificates, Series
2005-1,

Plaintiff,

v.

Atlantic Credit and Finance, Inc.; Corinthea
Stack; Lynn K. Stack; Barclays Bank
Delaware; Green Tree Acceptance Inc.; South
Carolina Department of Motor Vehicles,

Defendants

SUPPLEMENTAL MASTER IN EQUITY'S
REPORT
AND JUDGMENT OF FORECLOSURE AND
SALE

DEFICIENCY DEMANDED AS TO
DEFENDANTS CORINTHEA STACK

Hearing Date: April 18, 2024

Appearances: Chad W. Burgess, Esquire for Plaintiff; Sally Torres, witness for the Plaintiff

Court Reporter: Elizabeth L. Holt

Pursuant to Rule 53 of the South Carolina Rules of Civil Procedure (hereinafter "SCRCP"), the above-entitled matter was referred to the undersigned Master In Equity to make appropriate findings of fact and conclusions of law, with authority to enter a final Judgment in the cause. Any appeal from the decision of the Master In Equity shall be directly to the South Carolina Court of Appeals or Supreme Court.

Pursuant to the said reference, a hearing was held on September 14, 2022, attended by Chad W. Burgess Brock & Scott PLLC, attorney for the Plaintiff, and a *Master In Equity's Order Granting Plaintiff's Motions for Summary Judgment and to Dismiss Defendants' Counterclaims and Denying Defendant's Motions* was entered on September 28, 2022 (hereinafter: "Original Judgment"). All findings of fact, conclusions of law, orders and judgments contained in the Original Judgment remain binding and in effect except as expressly modified herein below.

The Defendants appealed the Original Judgment on October 17, 2022. The Defendants' appeal was dismissed, and the matter remitted to this Court on December 16, 2022. During the pendency of the appeal, Defendants, then represented by attorneys William Jeffrey Barnes (admitted pro hac vice) and Sean Adegbola, filed a motion to vacate the Original Judgment. A hearing on the Defendants' motion to vacate was held on February 17, 2023. An order denying the Defendants' motion was entered on April 5, 2023. Defendant attorneys William Jeffrey Barnes and Sean Adegbola each sought, and were subsequently granted, relief as counsel for the Defendants.

No further appearances have been made on behalf of the Defendants, and the Defendants now appear to be proceeding as self-represented litigants. The undersigned takes notice of the filing made by Defendants on March 27, 2024. The Defendants' filing is confusing on its face, largely contains incoherent legal jargon, and a thorough review of the document reveals no legally cognizable claim or defense to Plaintiff's request to update the indebtedness and schedule the foreclosure sale. At the hearing, the undersigned inquired of Plaintiff's counsel as to the existence of any pending action in the United States Bankruptcy or District Court that would impact this matter proceeding. Counsel for the Plaintiff indicated he had not been notified of any such filings and that he searched the online Federal Court records, and no cases were pending in either the United States Bankruptcy or District Court for the District of South Carolina.

Plaintiff now wishes to proceed to foreclosure sale and a supplemental hearing was held on April 18, 2024, for the purpose of updating the debt due to the Plaintiff and setting a foreclosure sale date, testimony was taken, which is reported herewith, and from the testimony and evidence, I find and conclude as follows:

FINDINGS OF FACT:

1. Counsel for the Plaintiff presented an Affidavit of Attorney's Fees and Costs at the hearing and the same was admitted into evidence. Having considered the nature, extent and difficulty of the services rendered (the field of mortgage foreclosures being a specialized area of practice); the time involved in reviewing the various loan documents, performing the title search, preparing the pleadings and preparing for and attending hearings; the professional standing of the Plaintiff's attorney; the fee customarily charged in this jurisdiction for similar services; and the beneficial results obtained for the Plaintiff, I find that the sum of \$23,931.00 is a reasonable attorney's fee for the Plaintiff's attorney for services performed and anticipated to be performed until final adjudication of the within action, under the terms of the Note and Mortgage. Services anticipated to be performed until final adjudication contemplates completion of this matter within a reasonable time and does not include exceptional, unanticipated circumstances delaying conclusion beyond the normal time.

2. Based upon the testimony of Plaintiff's witness, I find the amount due and owing on the Note and Mortgage, with interest at the rate provided in the Note, and other costs and expenses of collection, including attorney's fees, secured by the Note and Mortgage, is as follows:

Principal due as of:	04/18/2024		\$17,961.50
Accrued interest from:	12/01/2019	to: 04/18/2024	\$ 7,187.16
Accruing at:	9.17% per annum		
Late charges:			\$ 158.65
Other charges:			\$ 22.00
Property inspections/BPO's:			\$ 410.00
Costs of collection prior to hearing:			\$ 1,758.78
Attorney's fees:			\$23,931.00

Total Debt secured by note and mortgage, including interest to date is \$51,429.09. Interest for the period from the date shown in (b) above through the date of this judgment, at above stated

rate, to be added to the above stated "Total Debt" to comprise the amount of the Judgment debt entered herein, and interest after the date of Judgment at the rate of 9.17% per annum, pursuant to the terms of the note and mortgage on the judgment debt should be added to such judgment debt to comprise the amount of the Plaintiff's debt secured by the mortgage through the date to which such interest is computed.

3. The Plaintiff is seeking foreclosure of its mortgage and has, in the Complaint or subsequently thereto in writing, expressly Demanded the right to a personal or deficiency Judgment pursuant to Rule 71(b), SCRCP.

CONCLUSIONS OF LAW: I, therefore, conclude as follows:

1. The Plaintiff should have judgment of foreclosure of its mortgage; and the mortgaged property should be ordered sold at public auction after due advertisement.
2. That there is due to the Plaintiff on its Note and Mortgage the sum of \$51,429.09. representing the Total Debt due to the Plaintiff as outlined above, together with interest thereon at the rate provided in the note to the date hereof.
3. That the amount due in the preceding paragraph (the "Total Debt") and later accrued interest and costs shall constitute the total judgment debt due to the Plaintiff and shall bear interest hereafter at the rate of 9.17% per annum.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED:

1. That the Defendants liable for the aforesaid mortgage debt shall, prior to the date and time of the sale of the subject property, hereinafter described, pay to the Plaintiff, or the Plaintiff's attorney, the amount of the Plaintiff's debt as aforesaid, together with the costs and disbursements of this action.

2. That on default of payment prior to the date and time of the sale, the mortgaged premises, hereinafter described, shall be sold by the undersigned Master In Equity at public auction, at the Lexington County Courthouse, in the City of Lexington, County and State aforesaid, on some convenient sales day hereafter, on the following terms, that is to say:

A. FOR CASH: The undersigned Master In Equity shall require a deposit of 5% on the amount of the bid (in cash or equivalent) the same to be applied on the purchase price only upon compliance with the bid, but in case of non-compliance within thirty (30) days the same to be forfeited and applied to the costs and then to the Plaintiffs debt.

B. Interest on the balance of the bid shall be paid to the day of compliance at the rate of 9.17% per annum.

C. The sale shall be subject to taxes and assessments, existing easements and restrictions of record, and any other senior encumbrances.

D. Purchaser to pay for the deed and the cost of recording the deed.

3. If the Plaintiff is the successful bidder at the said sale, for a sum not exceeding the amount of costs, expenses and the indebtedness of the Plaintiff in full, the Plaintiff may pay to the undersigned Master In Equity only the amount of the costs and expenses, crediting the balance of the bid on the Plaintiff's indebtedness.

4. That a personal or deficiency Judgment being Demanded, the bidding will remain open for thirty (30) days after the date of sale (pursuant to S.C. Code Ann. § 15-39-760(1976) but compliance with the bid may be made immediately.

5. That the undersigned Master In Equity will, by advertisement according to law, give notice of the time and place of sale and the terms thereof; and that he will execute to the purchaser, or purchasers, a deed to the premises sold. The Plaintiff, or any other party to this action, or any other person may become a

purchaser at such sale. Upon such sale being made, should the successful bidder, or his assignee, fail to comply with the terms thereof within thirty (30) after the date of sale, then the undersigned Master In Equity may re-advertise the premises for sale on the next, or some other subsequent, sales day, at the risk of the highest bidder, and so from time to time thereafter until a full compliance shall be secured.

6. In the event an agent of the Plaintiff does not appear at the time of sale, the within property shall be withdrawn from sale and sold at the next available sales date upon the terms and conditions as set forth in the Judgment of Foreclosure and Sale or such terms as may be set forth in a supplemental order.

7. That the undersigned Master In Equity shall apply the proceeds of the sale as follows:

FIRST: To the payment of the amount of the costs and expenses of this action, including any Guardian Ad Litem fee or fees of attorneys appointed under Order of Court; and

NEXT: To the payment of the amount to the Plaintiff, or the Plaintiff's Attorney, of the amount of the Plaintiff's debt and interest (including attorney fees) or so much thereof as the purchase money will pay on the same; and

NEXT: Any surplus will be held pending further Order of this Court pursuant to Rule 71(c), SCRPC.

8. That it is further ORDERED, ADJUDGED AND DECREED that each Defendant named herein, and all persons whomsoever claiming under him, them or it, be forever barred and foreclosed of all right, title, interest and equity of redemption in the said mortgaged premises so sold, or any part thereof.

9. That it is further ORDERED ADJUDGED AND DECREED that the deed of conveyance made pursuant to this judgment and said sale shall contain the names of only the Plaintiff, the first-named Defendant, who was the title holder of the mortgaged property at the time of the filing of the Lis Pendens, and the Grantee; and that the Lexington County Register of Deeds is hereby authorized to

omit from the indices pertaining to such conveyance the names of all parties not contained in said deed.

10. It is further ORDERED, AJUDGED AND DECREED that if the named defendant(s) continues in possession of the property after a deed has been issued to the purchaser, than the Sheriff of Lexington County is directed to eject and remove named defendant(s) from the property sold, together with all personal property located thereon, and put the successful bidder to whom the deed of conveyance has been issued or his assigns in full, quiet and peaceable possession of said premises without delay, and to keep said successful bidder or his assigns in such peaceable possession.

If the person(s) occupying the property after the deed has been issued to the purchaser is other than the named defendant(s), the purchaser shall serve the occupants with a Summons and Rule to Show Cause to determine why the occupant(s) should not be removed from the property.

11. That it is further ORDERED ADJUDGED AND DECREED that after the Order Confirming Sale and Disbursements has been issued and filed, the undersigned Master In Equity shall direct the Register of Deeds to release of record the lien(s) being foreclosed, which lien(s) are described in the Findings of Fact herein above.

12. That it is further ORDERED ADJUDGED AND DECREED that the following is a description of the premises herein ordered to be sold:

ALL THAT CERTAIN PIECE, PARCEL OR LOT OF LAND, CONTAINING 3.0 ACRES, MORE OR LESS, SITUATE, LYING AND BEING IN THE COUNTY OF LEXINGTON, STATE OF SOUTH CAROLINA, NEAR CHAPIN, SOUTH CAROLINA, AND SHOWN AND DESIGNATED AS TRACT "C" ON A PLAT PREPARED FOR GEORGE KESSLER BROTHERS & SISTERS, BY DONALD G. PLATT, REG. LAND SURVEYOR, DATED OCTOBER 10, 1978 AND RECORDED FEBRUARY 6, 1979, IN BOOK 171G, AT PAGE 103, PLAT NO. 189, IN THE R.M.C. FOR THE COUNTY OF LEXINGTON, ALSO SHOWN ON PLAT PREPARED

**FOR CORINTHEA STACK AND LYNN K. STACK BY TOM ABRAHAM
LAND SURVEYING, DATED JULY 23, 2004, TO BE RECORDED.**

**ALSO INCLUDED HERewith IS THAT CERTAIN 1992 FLEETWOOD
MANUFACTURED HOME BEARING SERIAL NUMBER
GAFLM35A&B05033-HS WHICH IS PERMANENTLY AFFIXED TO THE
REAL PROPERTY DESCRIBED ABOVE.**

**THIS BEING THE SAME PROPERTY CONVEYED TO CORINTHEA
STACK AND LYNN K. STACK BY DEED OF MARY CLARK DATED
AUGUST 30, 1995 AND RECORDED OCTOBER 11, 1995 IN BOOK 3505,
PAGE 141 IN THE RECORDS FOR LEXINGTON COUNTY, SOUTH
CAROLINA.**

CURRENT ADDRESS OF PROPERTY: 230 Meadowlark Rd, Little Mountain, SC 29075

TMS: 000600-06-052

AND IT IS SO ORDERED.

[JUDGE'S SIGNATURE PAGE TO FOLLOW]

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FORM 4

STATE OF SOUTH CAROLINA
 COUNTY OF LEXINGTON
 IN THE COMMON PLEAS COURT

JUDGMENT IN A CIVIL CASE

CASE NO. 2020-CP-32-03651

Wells Fargo Bank, National Association, as Trustee for
 Option One Mortgage Loan Trust 2005-1, Asset-Backed
 Certificates, Series 2005-1

Atlantic Credit and Finance, Inc.; Corinthea Stack; Lynn
 K. Stack; Barclays Bank Delaware ; Green Tree
 Acceptance Inc.; South Carolina Department of Motor
 Vehicles

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: Brock & Scott, PLLC
Westpark Center
3800 Fernandina Road, Suite 110
Columbia, SC 29210

Attorney for : Plaintiff Defendant
 or
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit); Rule 43(k), SCRPC (Settled); Other
- ACTION STRICKEN (CHECK REASON):** Rule 40(j), SCRPC; Bankruptcy; Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order (formal order to follow) Statement of Judgment by the Court:

ORDER INFORMATION

This order ends does not end the case.

Additional Information for the Clerk :

INFORMATION FOR THE JUDGMENT INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
Wells Fargo Bank, National Association, as Trustee for Option One Mortgage Loan Trust 2005-1, Asset-Backed Certificates, Series 2005-1	Corinthea Stack and Lynn K Stack	To be determined upon completion of foreclosure sale
If applicable, describe the property, including tax map information and address, referenced in the order: All that certain piece, parcel or lot of land, containing 3.0 acres, more or less, situate, lying and being in the County of Lexington, State of South Carolina, near Chapin, South Carolina, and shown and designated as Tract "C" on a plat prepared for George Kessler Brothers & Sisters, by Donald G. Platt, Reg. Land Surveyor, dated October 10, 1978 and recorded February 6, 1979, in Book 171G, at page 103, Plat No. 189, in the R.M.C. for the County of Lexington, also shown on plat prepared for Corinthea Stack and Lynn K. Stack by Tom Abraham Land Surveying, dated July 23, 2004, to be recorded. Also included herewith is that certain 1992 Fleetwood manufactured home bearing serial number GAFLM35A&B05033-HS which is permanently affixed to the real property described above. This being the same property conveyed to Corinthea Stack and Lynn K. Stack by Deed of Mary Clark dated August		

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FORM 4

STATE OF SOUTH CAROLINA
 COUNTY OF LEXINGTON
 IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE
 CASE NUMBER **2020CP3203651**

Wells Fargo Bank, National Association, As Trustee For Option One Mortgage Loan Trust 2005-1,	Asset-Backed Certificates, Series 2005-1	Corinthea Stack South Carolina Department Of Motor Vehicles Barclays Bank Delaware	Atlantic Credit And Finance, Inc. Green Tree Acceptance Inc. Lynn K. Stack
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PLAIN LIEF(S) _____ DEFENDANT(S) _____
 Submitted by: _____ Attorney for: Plaintiff Defendant
 Self-Represented Litigant

- DISPOSITION TYPE (CHECK ONE)**
- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
 - DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
 - ACTION DISMISSED (CHECK REASON):**
 - Rule 43(k), SCRPC (Settled); Rule 12(h), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 - Rule 43(k), SCRPC (Settled); Other: _____
 - ACTION STRICKEN (CHECK REASON):**
 - Rule 40(j) SCRPC; Bankruptcy;
 - Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other: _____
 - STAYED DUE TO BANKRUPTCY**
 - DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 - Affirmed; Reversed; Remanded; Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; (formal order to follow) Statement of Judgment by the Court

ORDER INFORMATION
 I hereby recuse myself from hearing or determining any matter in the above-entitled action due to issues raised by the pro se defendants.

This order ends does not end the case.
 Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX		
Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.		
Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order: _____

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: Title abstractors and researchers should refer to the official court order for judgment details.**

CPFORM4Cm
 SCCA SCRPC Form 4C (Revised 2/17)

30, 1995 and recorded October 11, 1995 in Book 3505, Page 141 in the Records for Lexington County, South Carolina.

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details. E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

Circuit Court Judge

Judge Code

Date

For Clerk of Court Office Use Only

This judgment was entered on the ___ day of _____, 2024 and a copy mailed first class or placed in the appropriate attorney's box on this ___ day of _____, 2024 to attorneys of record or to parties (when appearing pro se) as follows:

**Frank L. Valenta, Jr., Philip S. Porter,
Curtis R. Hutchinson
For Defendant South Carolina Department of
Motor Vehicles
Post Office Box
1498 Blythewood, SC 29016
ATTORNEY(S) FOR THE DEFENDANT(S)**

Brock & Scott, PLLC
Westpark Center
3800 Fernandina Road Suite 110
Columbia, SC 29210

ATTORNEY(S) FOR THE PLAINTIFF(S)

CLERK OF COURT

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Fileers or who are appearing pro se. See Rule 77(d), SCRCP.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

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Lexington Common Pleas

Case Caption: Wells Fargo Bank, National Association, As Trustee For , plaintiff, et al VS Corinthea Stack , defendant, et al
Case Number: 2020CP3203651
Type: Master/Order/Supplemental Foreclosure & Sale and Form 4

AND IT IS SO ORDERED.

S/JUDGE JAMES O. SPENCE-3068