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THE STATE OF SOUTH CAROLINA  
IN THE COURT OF COMMON PLEAS

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JUL 10 2024

SC Court of Appeals

APPEAL FROM HORRY COUNTY  
Court of Common Pleas

Judge Clemmons, Presiding Master-In-Equity

Judge Cynthia Howe, retired Master-In-Equity

Case No.: 2013-CP-26-02528

Branch Banking and Trust Company ..... Plaintiff and Respondent

v.

Cindy B. Hunt; Willow Greens

Homeowners Association, Inc.;

CJ Developers, LLC..... Defendants,

Of Whom Cindy B. Hunt is ..... Appellant.

FILED  
HORRY COUNTY  
2024 JUL - 8 A 8:18  
RENEE N. ELYS  
CLERK OF COURT  
HORRY COUNTY, SC

Motion To Amend NOTICE OF APPEAL

Cindy B. Hunt **makes a Motion to Amend the Notice of Appeal to add the Orders of Judge Howe and the 12/18/2019 unpublished opinion;** to the Order and Judgment of Foreclosure and Sale of the Honorable Judge Clemmons dated June 26, 2024.

C. B. Hunt July 8, 2024

Cindy B. Hunt, Pro Se (S.C. Bar #65408)  
195 D Willow Green Drive Conway, S. C. 29526 843 488-1131

Counsels of Record:

Sean Foerster  
Rogers, Townsend & Thomas, PC  
1221 Main Street, 14<sup>th</sup> Floor,  
Columbia., SC 29201

Chad Burgess  
Brock & Scott, PLLC  
3800 Fernandina Road Suite 110  
Columbia., SC 29201

Branch Banking and Trust,

Cindy B. Hunt; Willow Greens Homeowners  
 Association, Inc.; and CJ Developers, LLC

PLAINTIFF(S)

DEFENDANT(S)

|   |   |
|---|---|
| Submitted by: The Honorable Cynthia Graham Howe | Attorney for : <input checked="" type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant |
|   | or<br><input type="checkbox"/> 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 12(b), SCRCP;  Rule 41(a), SCRCP (Vol. Nonsuit);  Rule 43(k), SCRCP (Settled);  Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRCP;  Bankruptcy;  Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  Other
- 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:

Under South Carolina common law, a prevailing party generally has no right to recover attorney's fees unless provided for by contract or authorized by statute. Jackson v. Speed, 326 S.C. 289, 486 S.E.2d 750 (1997); Harris-Jenkins v. Nissan Car Mart, Inc., 348 S.C. 171, 557 S.E.2d 708 (Ct. App. 2001). In any regard, South Carolina does not award attorney's fees to pro se litigants because a fee is never incurred. Calhoun v. Calhoun, 339 S.C. 96, 529 S.E.2d 14 (2000). A pro se litigant, whether an attorney or layperson, does not become "liable for or subject to fees charged by an attorney." Hopkins v. Hopkins, 343 S.C. 301, 306, 540 S.E.2d 454, 457 (2000). There is simply no genuine financial obligation to pay because by definition no fee is ever incurred. As such, Defendant's motion for an award of attorney's fees and costs and to stay the action until such fee is paid is hereby denied.

**ORDER INFORMATION**

This order  ends  does not end the case.

Additional Information for the Clerk : Foreclosure Matter: Rule 41(d) Motion is Denied

**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<br>(List name(s) below) | Judgment Against<br>(List name(s) below) | Judgment Amount To be<br>Enrolled<br>(List amount(s) below) |
|--|--|---|
|  |  | \$  |
|  |  | \$  |

**RECEIVED** Page 1

JUL 10 2024

SC Court of Appeals

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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.

*[Signature]*  
Master in Equity

3073  
Judge Code

6/3/15  
Date

**For Clerk of Court Office Use Only**

This judgment was entered on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ and a copy mailed first class or placed in the appropriate attorney's box on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ to attorneys of record or to parties (when appearing pro se) as follows:

Sean M. Foerster  
Rogers Townsend & Thomas, PC  
P.O. Box 100200  
Columbia, SC 29202-3200

Cindy B. Hunt  
195-D Willow Green Dr.  
Conway, SC 29526

Steve Ouverson  
Parsons, Ouverson, Stark & Guest, PA  
PO Box 2850  
Murrells Inlet, SC 29576

CJ Developers, LLC  
1421 Graham Road  
Mansfield, OH 44903

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

CLERK OF COURT

Court Reporter:

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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CLERK OF COURT  
MURRAY COUNTY, SC

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STATE OF SOUTH CAROLINA

COUNTY OF HORRY

Branch Banking and Trust Company,

Plaintiff,

vs.

Cindy B. Hunt; Willow Greens Homeowners Association, Inc.; CJ Developers, LLC,

Defendants.

IN THE COURT OF COMMON PLEAS

DOCKET NO.: 2013-CP-26-2528

ORDER  
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SC Court of Appeals

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This matter came before the Court at a hearing on November 10, 2015, regarding Defendant Cindy B. Hunt's ("Hunt") motions to alter or amend the following three orders entered in this case:

- Form 4 Order entered October 28, 2014, denying Hunt's Motion for Default Judgment;
- Order entered on January 13, 2015, granting Plaintiff Branch Banking and Trust Company's ("BB&T") Motion to Dismiss regarding Hunt's counterclaims; and
- Form 4 Order entered on June 3, 2015, denying Hunt's Motion under SCRPC 41 for attorney's fees and costs.

Hunt appeared *pro se*. Sean M. Foerster, Esquire, appeared at the hearing on behalf of BB&T. For the reasons set forth herein, the Court denies all three of Hunt's motions to alter or amend the above listed orders.

Relevant Facts

Hunt asks the Court to alter or amend the following three orders entered in this case:

1. Form 4 Order entered on October 28, 2014.

On September 30, 2014, Hunt filed a "Motion for Default Judgment" seeking to hold BB&T in default on her amended counterclaims. The motion was based on Hunt's belief that BB&T's response to her amended counterclaims by way of a motion to dismiss was improper, and that BB&T's motion to dismiss did not stay the time for it to file a responsive pleading.

At a hearing on October 14, 2014, the Court dismissed all of Hunt's amended counterclaims. On October 28, 2014, the Court entered a Form 4 Order denying Hunt's "Motion

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for Default Judgment” on the grounds of mootness given the dismissal of the amended counterclaims.

On October 30, 2014, Hunt filed a “Motion to alter or amend the Judgment/Orders of the Court under SCRCP 59(e)” asking the Court to alter or amend its denial of her “Motion for Default Judgment” on the grounds that BB&T’s motion to dismiss her amended counterclaims was improper and that BB&T should have filed a responsive pleading.

2. Order entered on January 13, 2015.

On June 25, 2014, BB&T filed a Motion to Dismiss Hunt’s Amended Counterclaims. At a hearing on October 14, 2014, the Court orally granted BB&T’s motion and requested that BB&T’s counsel prepare and provide it with a proposed formal order. In the meantime, on October 28, 2014, the Court entered a Form 4 Order stating: “All counterclaims asserted by Defendant in this action were previously dismissed by the Court following an October 14, 2014 hearing regarding Plaintiff’s Motion to Dismiss the First Amended Counterclaims of Defendant Cindy B. Hunt.” Also on October 28, 2014, BB&T’s counsel provided the Court with the requested proposed order by email.

On November 10, 2014, Hunt filed a Notice of Removal concerning this case in the United States District Court for the District of South Carolina. *BB&T v. Hunt et al.*, C/A # 4:14-CV-4352 (filed Nov. 10, 2014).

On January 13, 2015, the Court entered a written order granting BB&T’s Motion to Dismiss Hunt’s Amended Counterclaims to formalize its ruling on October 14, 2014 and the Form 4 Order entered on October 28, 2014.

On May 8, 2015, the District Court remanded the case back to this Court.

On August 11, 2015, Hunt filed a “Motion: Lack of Jurisdiction, SCRCP 59 and SCRCP 60” asking the Court to alter or amend the Order of January 13, 2015, on the grounds that the Court lacked jurisdiction to enter that order while the case was removed to federal court.

3. Form 4 Order entered on June 3, 2015.

On May 27, 2015, Hunt filed a “Motion under SCRCP 41” in which she requested attorney’s fees and costs under Rule 41(d), SCRCP, on a theory that the dismissals of her three federal court lawsuits against BB&T somehow triggered this rule in her favor.

On June 3, 2015, the Court entered a Form 4 Order denying her motion for fees and costs.

*[Handwritten initials]*

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On August 11, 2015, Hunt filed a "Motion: Lack of Jurisdiction, SCRC 59 and SCRC 60" asking the Court to alter or amend its denial of her request for fees and costs.

Conclusions of Law

The Court denies all three of Hunt's motions to alter or amend for the following reasons:

1. The Court did not err in denying Hunt's Motion for Default Judgment Against BB&T.

Hunt's motion to alter or amend the Form 4 Order entered October 28, 2014, does not present any clear error of law on the part of the Court, any intervening change in the law controlling this issue, or any new evidence that would affect the Court's denial of her motion for a default judgment against BB&T. Her motion simply rehashes her argument that BB&T's motion to dismiss her amended counterclaims was improper and that it should have filed a responsive pleading instead.

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The Court's dismissal of Hunt's amended counterclaims at the hearing on October 14, 2014, rendered her motion for a default judgment on those counterclaim moot. *Holden v. Cribb*, 349 S.C. 132, 137, 561 S.E.2d 634, 637 (Ct. App. 2002) ("A case becomes moot when judgment, if rendered, will have no practical effect upon [an] existing controversy."). Even if her motion had not been mooted, the Court would have still denied Hunt's motion for default judgment because the rules of civil procedure permitted BB&T to file a motion to dismiss the amended counterclaims in lieu of a responsive pleading, despite having earlier filed a previous motion to dismiss her original counterclaims. Rule 12(a), SCRC ("The service of a motion permitted under this rule alters these periods of time as follows ... if the Court denies the motion or postpones its disposition until the trial on the merits, the responsive pleading shall be served within 15 days after notice of the Court's action..."). Because Hunt's amended counterclaims constituted a new pleading, BB&T was permitted to respond by way of a new motion to dismiss. Rules 12(g) and 12(h) were inapplicable to BB&T's motion to dismiss the amended counterclaims.

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For these reasons, the Court denies Hunt's motion to alter or amend <sup>the 60th</sup> Form 4 Order entered October 28, 2014.

2. The Notice of Removal did not deprive the Court of jurisdiction to enter the Order of January 13, 2015.

The Order of January 13, 2015, is not void for lack of jurisdiction because its entry was merely a ministerial act based on a decision rendered prior to removal that in no way caused the case to "proceed" during the removal period.

The filing of a notice of removal prohibits the state court from "proceeding" until the case is remanded. 28 U.S.C. § 1446(d) ("Promptly after the filing of such notice of removal of a civil action the defendant or defendants shall give written notice thereof to all adverse parties and shall file a copy of the notice with the clerk of such State court, which shall effect the removal and the State court shall proceed no further unless and until the case is remanded.").

However, only "the state court's power to render the particular judgment requested, [is] suspended or held in abeyance until a determination [is] made as to whether the cases involved a federal question more appropriately decided by the federal court." *Limehouse v. Hulsey*, 404 S.C. 93, 106, 744 S.E.2d 566, 573 (2013)(emphasis added).

In a procedurally similar and instructive case, the United States District Court for the District of Utah decided the issue of whether an order entered after removal concerning a ruling made pre-removal violated § 1446(d). *Pebble Creek Homes, LLC v. Upstream Images, LLC*, 547 F. Supp. 2d 1214 (D. Utah 2007). In *Pebble Creek Homes*, the state court ruled on a motion at a hearing thirteen days before the defendant filed a notice of removal. *Id.* at 1216. A proposed order was submitted to the state court the same day as the defendant filed the notice of removal. *Id.* The state court then signed and entered its written order on the motion two days after removal. *Id.*

The Utah District Court held that the "entrance of an order [two days after removal] was simply a ministerial act that did not involve further proceedings within the meaning of the federal removal statute." *Id.* at 1218. The Utah District Court reasoned that

The only act that Judge Pullan took subsequent to the removal was on July 25, 2007, when he performed the ministerial function of signing and entering the order reflecting his earlier, in-court ruling on July 10, 2007. Because this final, essentially clerical task in no way affected the merits of the already-adjudicated issue disputed by the parties, the court finds that the state court order does not violate § 1446(d). To hold otherwise would enable defendants to effectively nullify dispositive rulings made at state court hearings by rushing to remove the case before the administrative entrance of the written version of the decision.

*Id.* at 1218-19.

As in *Pebble Creek Homes*, the Court's entry of the Order of January 13, 2015, did not

cause the case to "proceed" any further during the removal period. It merely memorialized the Court's earlier, pre-removal ruling at the hearing on October 14, 2014, and Form 4 Order entered on October 28, 2014.

For these reasons, the Court denies Hunt's "Motion: Lack of Jurisdiction, SCRCP 59 and SCRCP 60" filed herein on August 11, 2015.

3. Hunt is not entitled to attorney's fees and costs.

Hunt is not entitled to attorney's fees and costs because she is not a prevailing party, no contract, statute, or court rule entitles her to attorney's fees, ~~and she is not represented by an attorney.~~ <sup>nor is she</sup> ~~and she is not~~ represented by an attorney.

First, attorney's fees are generally awardable only to a prevailing party. "A prevailing party has been defined as ... [t]he one who successfully prosecutes the action or successfully defends against it, prevailing on the main issue, even though not to the extent of the original contention [and] is the one in whose favor the decision or verdict is rendered and judgment entered." *Heath v. Cty. of Aiken*, 302 S.C. 178, 182-83, 394 S.E.2d 709, 711 (1990).

Second, "[i]n South Carolina, the authority to award attorney's fees can come only from a statute or be provided for in the language of a contract." *Seabrook Island Prop. Owners' Ass'n v. Berger*, 365 S.C. 234, 238-39, 616 S.E.2d 431, 434 (Ct. App. 2005). "There is no common law right to recover attorney's fees." *Id.*

Hunt has not prevailed on any of her claims or defenses in this case. ~~Even if she had, she has cited no contract or statute entitling her to attorney's fees and costs. She relies solely upon Rule 41(d), SCRCP, for her claim to attorney's fees and costs.~~ <sup>Even if she had, she has cited no contract or statute entitling her to attorney's fees and costs. She relies solely upon Rule 41(d), SCRCP, for her claim to attorney's fees and costs.</sup>

"If a plaintiff who has once dismissed an action in any court commences an action based upon or including the same claim against the same defendant, the court may make such order for the payment of costs of the action previously dismissed as it may deem proper and may stay the proceedings in the action until the plaintiff has complied with the order." Rule 41(d), SCRCP (emphasis added). "The general rule, however, is that attorney fees are not included in the term 'costs' in the absence of some statutory provision, rule of court, or contract of the parties." *Shuler v. Crook*, 290 S.C. 538, 541, 351 S.E.2d 862, 863 (1986).

Rule 41(d) concerns successive voluntary dismissals by a plaintiff and authorizes the payment of costs only, not attorney's fees. BB&T has not voluntarily dismissed any case against Hunt in which it was the plaintiff. In Hunt's federal lawsuits against BB&T, Hunt was the

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plaintiff and BB&T was the defendant. All three actions were dismissed by court orders, not by voluntary dismissals. Therefore, Rule 41(d) is inapplicable.

Finally, a *pro se* litigant, whether an attorney or layperson, does not become liable for or subject to fees charged by an attorney. *Calhoun v. Calhoun*, 339 S.C. 96, 100, 529 S.E.2d 14, 17 (2000). Hunt has represented herself throughout this case, and therefore she has not incurred any attorney's fees.

For these reasons, Hunt's "Motion: Lack of Jurisdiction, SCRPC 59 and SCRPC 60" filed on August 11, 2015, is denied.

NOW, THEREFORE, it is ordered that:

1. The following motions of Defendant Cindy B. Hunt are DENIED:

- a. "Motion to alter or amend the Judgment/Orders of the Court under SCRPC 59(e)" filed herein on October 30, 2014, to the extent it pertained to the Form 4 Order entered October 28, 2014;
- b. "Motion: Lack of Jurisdiction, SCRPC 59 and SCRPC 60 re Order filed on 1/13/2015" filed herein on August 11, 2015; and
- c. "Motion: Lack of Jurisdiction, SCRPC 59 and SCRPC 60" filed herein on August 11, 2015.

AND IT IS SO ORDERED.

*6*  
*CPH*  
June 14, 2016

*Cynthia Graham Howe*  
Cynthia Graham Howe  
Master in Equity for Horry County

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HORRY COUNTY, SC





THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE  
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING  
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

Branch Banking and Trust Company, Respondent,

v.

Cindy B. Hunt, Willow Greens Homeowners  
Association, Inc., CJ Developers, LLC, Defendants

of Whom Cindy B. Hunt is the Appellant.

Appellate Case No. 2016-001550

Appeal From Horry County  
Cynthia Graham Howe, Master-in-Equity

Unpublished Opinion No. 2019-UP-389  
Submitted October 1, 2019 – Filed December 18, 2019

**AFFIRMED**

Cindy B. Hunt, pro se, of Conway, for Appellant.

Sean Matthew Foerster, of Rogers Townsend & Thomas,  
PC, of Columbia, for Respondent.

PER CURIAM: Cindy B. Hunt appeals the Master-in-Equity's order denying her  
motions to alter, amend, or vacate previous orders, which denied her motion for

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default judgment, dismissed her counterclaims, and denied her motion for attorney's fees and costs. We affirm.

1. The master did not abuse her discretion in denying Hunt's motion to alter, amend, or vacate the order that dismissed her amended counterclaims for lack of jurisdiction. See *BB&T v. Taylor*, 369 S.C. 548, 551, 633 S.E.2d 501, 502-03 (2006) (stating the decision to grant or deny a motion under Rule 60(b), SCRPC, lies within the sound discretion of the trial court); *Pollard v. Cty. of Florence*, 314 S.C. 397, 402, 444 S.E.2d 534, 536 (Ct. App. 1994) (stating the decision to grant or deny a motion under Rule 59(e), SCRPC, lies within the sound discretion of the trial court); *Taylor*, 369 S.C. at 551, 633 S.E.2d at 503 ("An abuse of discretion arises where the judge issuing the order was controlled by an error of law or where the order is based on factual conclusions that are without evidentiary support."); *Limehouse v. Hulsey*, 404 S.C. 93, 105, 744 S.E.2d 566, 573 (2013) ("Removal proceedings impact the jurisdiction of the state court in that removal of a state case to federal court 'divests' the state court of jurisdiction."). After issuing an oral order on October 14, 2014, stating she would dismiss Hunt's counterclaims, the master issued a Form 4 order that denied Hunt's motion for default judgment and confirmed the dismissal of her amended counterclaims on October 28, 2014. Hunt did not file the notice of removal until November 10, 2014. See 28 U.S.C. § 1446(d) (2018) ("Promptly after the filing of [a] notice of removal of a civil action the defendant or defendants shall give written notice thereof to all adverse parties and shall file a copy of the notice with the clerk of such [s]tate court, which shall effect the removal and the [s]tate court shall proceed no further unless and until the case is remanded." (emphasis added)). Accordingly, we affirm as to this issue.

2. The master did not err in denying Hunt's motion for default judgment on her amended counterclaims. See *Holden v. Cribb*, 349 S.C. 132, 137, 561 S.E.2d 634, 637 (Ct. App. 2002) ("A threshold inquiry for any court is a determination of justiciability, i.e., whether the litigation presents an active case or controversy." (quoting *Lennon v. S.C. Coastal Council*, 330 S.C. 414, 415, 498 S.E.2d 906, 906 (Ct. App. 1998))); *id.* ("The concept of justiciability encompasses the doctrines of ripeness, mootness, and standing."); *id.* at 137-38, 561 S.E.2d at 637 ("A case becomes moot when judgment, if rendered, will have no practical effect upon [an] existing controversy." (quoting *Seabrook v. City of Folly Beach*, 337 S.C. 304, 306, 523 S.E.2d 462, 463 (1999))).

3. The master did not err in declining to find BB&T engaged in forum shopping and vexatious litigation. See *Pye v. Estate of Fox*, 369 S.C. 555, 564, 633 S.E.2d

505, 510 (2006) ("It is well settled that an issue cannot be raised for the first time on appeal, but must have been raised to and ruled upon by the trial court to be preserved."); *I'On, L.L.C. v. Town of Mt. Pleasant*, 338 S.C. 406, 422, 526 S.E.2d 716, 724 (2000) ("If the losing party has raised an issue in the lower court, but the court fails to rule upon it, the party must file a motion to alter or amend the judgment in order to preserve the issue for appellate review.").

4. The master did not abuse her discretion in denying Hunt's motion to alter, amend, or vacate the order that denied Hunt's motion for attorney's fees and costs. See *Taylor*, 369 S.C. at 551, 633 S.E.2d at 503 (stating the decision to grant or deny a motion under Rule 60(b), SCRPC, lies within the sound discretion of the trial court); *Pollard*, 314 S.C. at 402, 444 S.E.2d at 536 (stating the decision to grant or deny a motion under Rule 59(e), SCRPC, lies within the sound discretion of the trial court); *Taylor*, 369 S.C. at 551, 633 S.E.2d at 503 ("An abuse of discretion arises where the judge issuing the order was controlled by an error of law or where the order is based on factual conclusions that are without evidentiary support."); *Heath v. Cty. of Aiken*, 302 S.C. 178, 182, 394 S.E.2d 709, 711 (1990) (stating attorney's fees are generally only awarded to a prevailing party); *Heath*, 302 S.C. at 182-83, 394 S.E.2d at 711 (defining a prevailing party as "[t]he one who successfully prosecutes the action or successfully defends against it, prevailing on the main issue, even though not to the extent of the original contention [and] is the one in whose favor the decision or verdict is rendered and judgment entered" (quoting *Buza v. Columbia Lumber Co.*, 395 P.2d 511, 514 (Alaska 1964))); Rule 41(d), SCRPC ("If a plaintiff who has once dismissed an action in any court commences an action based upon or including the same claim against the same defendant, the court may make such order for the payment of costs of the action previously dismissed as it may deem proper and may stay the proceedings in the action until the plaintiff has complied with the order."); *Shuler v. Crook*, 290 S.C. 538, 541, 351 S.E.2d 862, 863 (1986) ("The general rule, however, is that attorney fees are not included in the term 'costs' in the absence of some statutory provision, rule of court, or contract of the parties."); *Calhoun v. Calhoun*, 339 S.C. 96, 100, 529 S.E.2d 14, 17 (2000) (finding pro se litigants, whether an attorney or lay person, may not recover attorney's fees).

**AFFIRMED.**<sup>1</sup>

**LOCKEMY, C.J., and KONDUROS and HILL, JJ., concur.**

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<sup>1</sup> We decide this case without oral argument pursuant to Rule 215, SCACR.

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF COMMON PLEAS

**RECEIVED**  
JUL 10 2024  
SC Court of Appeals

APPEAL FROM Horry COUNTY

Court of Common Pleas

Judge Clemmons, Presiding Master-In-Equity

Judge Cynthia Howe, retired Master-In-Equity

Case No.: 2013-CP-26-02528

Branch Banking and Trust Company ..... Plaintiff and Respondent

v.

Cindy B. Hunt; Willow Greens

Homeowners Association, Inc.;

CJ Developers, LLC..... Defendants,

Of Whom Cindy B. Hunt is ..... Appellant.

PROOF OF SERVICE

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HORRY COUNTY  
2024 JUL -8 A 8:18  
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HORRY COUNTY, SC

**Certificate of Service by Mail  
Civil Action # 2013-CP-26-02528:**

**Proof of Service:** I hereby certify that on July 8, 2024 I have served the 10/28/2014, 1/13/2015, 6/3/2015, 6/15/2016 Orders of Retired Judge Cynthia Howe and 12/18/2019 unpublished opinion to be added to the Order and Judgment of Foreclosure and Sale, Deficiency Waived by depositing a copy in the United States Mail, postage pre-paid, addressed to the following:

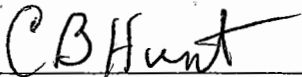
TO: Jenny Abbott Kitchings  
Clerk of Court SC Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

To: R. Elvis, by hand  
Horry County Clerk of Court – US Mail  
PO Box 677  
Conway, SC 29526

To: Sean Forester – US Mail  
Rogers, Townsend & Thomas, PC  
PO Box 100200  
1221 Main Street, 14<sup>th</sup> Floor  
Columbia., SC 29202

To: Chad Burgess - email  
Brock & Scott, PLLC  
3800 Fernandina Road Suite 110  
Columbia., SC 29201

Thank You,



Cindy B. Hunt, Pro Se (S.C. Bar #65408)  
195 D Willow Green Drive Conway, S. C. 29526  
843 488-1131

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Ms Cindy B Hunt  
Unit D 195 Willow Green Dr  
Conway, SC 29526

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Ms Jenny Kitchings  
Clerk of Court  
SC COURT of Appeals  
1220 Senate Street  
Columbia, SC 29201

