

IN THE SOUTH CAROLINA COURT OF APPEALS

JP Morgan Chase Bank, National Association, Respondent,

V

Clorenda Mae White, John Henry White, Andrea Denise

Appellants New Motion for
Supersedeas

White, as Legal Heir and as Personal Representative of the

case# 2013-001576

Estate of Anthony Franklin White, Melanie White, Jason

White, and Mark White, as Legal Heirs of the Estate of

Aug. 28, 2013

Anthony Franklin White, and Charleston County

Clerk of Courts, Defendants

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AUG 29 2013

SC Court of Appeals

Of whom John Henry White is the Appellant:

Movant pro se, John H. White has heretofore filed with this Honorable Court supplemental

Ground for the issuance of an order of supersedeas under rule 241 of the SCRAP on Aug. 20,2013, which

filing was either overlooked or presented to the court after this court ruled only on the originally filed

petition. Hence movants tender of the supplemental ground embraced within Rule17 (c) of SCRPC was

given no consideration. Accordingly, Movant seeks conderation of New Motion embodies in the said

Rule 241 SCRAP as Follows:

Movant represents to this Honorable Court that irreporable injury will be done to him, to wit:

1.

He will be evicted from his home and premises now occupied by him on August 30, 2013 by virtue of the Order of eviction arising out of Master of Equity order of foreclosure without any notice of hearing to him nor his counsel at the time.

2.

What is more , appellee Chase Bank was aware of such lack of notice at the time and never the less Proceeded to secure order of foreclosure and sale dated October 30, 2012.

3.

In an effort to abate and prevent the efforts, scourge and miscarriage of due process of the law

Including prior notice and the right to be heard, appellant timely filed his Rule 60 (b) motion to vacate

Judgement and wrongful foreclosure, a copy of which is hereto attached as exhibit "c". Not withstanding

The Master in Equity for Charleston County, Honorable Mikel Scarborough, although scheduling a

Hearing thereupon, refused and prevented appellant from being heard. A "clear cut" and flagrant

denial of due process and the equal protection of the law protected by the 14th amendment of the U. S.

Constitution and like provisions of the constitution of the state of South Carolina and, not the least of

Which, Rule 60 (b) of the SCRPC.

4.

Appellant is thus justified in his earnest apprehension that a "stay of the order of sale" would not be

Granted by the very court below which refused to allow him to be heard on his timely and previously

Rule 60 (b) motion to vacate judgement.

5.

In addition to the foregoing; no record of a foreclosure hearing was either retained not filed by the Master

in Equity for Charleston County in regard to this pending case as required by the rules of SCRPC

Finally Appellant Movant makes reference to Rule17 (c) of SCRPC where in the appointment of a

guardian ad litem is made mandatory which mandate was complied with and the need thereof made

apparent from the reference to the named defendants in the pleadings below, nor was there any timely

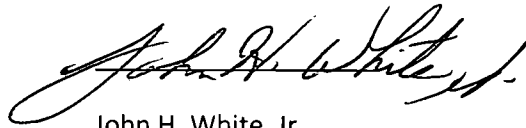
lis pendens filed with respect to this appellant nor publication there of made in the proceedings below.

Movant verily believes that just cause is shown in the premises to warrant the intervention of

This court to grant the issuance of a stay of supersedeas to avoid irreparable injury before this matter can be heard on appeal and the salient questions of law be rendered moot.

1510 Grimball Rd. EXT.
Charleston, S.C. 29412
(843) 406-5089

Respectfully Submitted:



John H. White, Jr.

Aug. 28, 2013

Appellant

Additional Points of law and Authorities:

1. Rule 241 (4) SCRAP
2. Rule 17 (c) SCRPC
3. 14TH Amendment U.S. Constitution
4. Rule60 (b) SCRPC
5. Rule 17 (e)
6. S.C. code of laws 15-67-40
(service by publication)

Decided cases:

1. Wilson v. Ball 337,C.C.493
2. Rouvet v. Atkins 340 S.C.340

Other References:

Kindly refer to authorities cited in original and supplemental application of appellant.

IN THE SOUTH CAROLINA COURT OF APPEALS

69591

Chase Home Finance LLC, Respondent,

Certificate of Counsel Pro se

V

Case# 2013-001576

Clorenda Mae White, John Henry White, Andrea

August 28, 2013

Denise White, as Legal Heir and as personal

Representative of the Estate of Anthony

Franklin White, Melanie White, Jason White and

Mark White, as Legal Heirs of the Estate of

Anthony Franklin White and Charleston County

Clerk of Court.

To whom John H. White, Jr. is the appellant

I the undersigned counsel pro se John h. White, Jr., hereby confirm that I have on this date

Aug.28, 2013 addressed to appellees attorney Mr. Dow A. Davidson, poat office Box1806 Charleston,

S.C. 29402-1806 and deposited in the U.S.mail to him, a copy of appellant's New Motion For

Supersedeas with sufficient U.S. Postage affixed thereto

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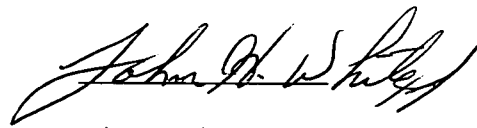
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Chas. S.C. 29412

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John H. White, Jr.

Appellant

Appellant