

IN THE STATE OF SOUTH CAROLINA
COURT OF APPEALS

FROM RICHLAND COUNTY MASTER IN EQUITY

Honorable Joseph Strickland, Judge

Case No.: 2012-213210

Federal National Mortgage Association..... RESPONDENT

v.

Rlee Johnson, Ford Motor Credit Company, Epting Distributors, Inc... DEFENDANTS

Of whom Rlee Johnson is Appellant.

APPELLANT REPLY TO DESIGNATION OF MATTER

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AUG 09 2013
SC Court of Appeals

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STATEMENT OF THE CASE 1

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I. The Documents listed by the Respondent reflect document mailed to the Master in Equity while the Appellant was Still residing in the State of Indiana.....2

II. The Appellant was not represented by counsel in the State of South Carolina and was unaware of the specific nature between proper filing a reply to the State or paying the required Filing Fees should not be dismissed because the Appellant never had a chance to make a record or assert any matter on the record.....2

III. The Appellants argument do not fail on the merits.

A. The Appellant, while residing in the State of Indian was never notified by the Clerk of the Court for the Master in Equity, that a Filing Fee of \$25.00 or more was necessary to have his document(s) stamped by the courts. Thus the Appellant did not circumvent the Law, but did in fact comply with Rule 201,SCARC based upon answer or none thereof from the Desk where documents are stamped for the Clerk of the Court... 2

B. The Appellant has failed to pay two initial filing fees to the Court of Appeal, because the individual at the desk was unaware if a Filing fee was required., and the second time because he was told there was no filing fee.....2

C. The Appellant mailed all documents directly to the Master in Equity, the Clerk of the Courts of Commons Pleas and copied the Respondent.....2

CONCLUSION 3

TABLE OF AUTHORITIES

CASES

None

STATUTES

None

REGULATIONS

None

OTHER REFERENCES

None

ARGUMENTS

I. The Appellant was told by the Master in Equity that this foreclosure was one and the same as originally filed by the Respondent. Thus the Appellant is now confused as to the nature of all documents filed. The Appellant responded to all documents received from the Respondent with timely response to the Master in Equity or the Clerk of the Courts of Commons Pleas, with copies to the Respondent. The Appellant has no knowledge of ever paying a filing Fee(s) to the Courts of Commons Pleas while residing in the State of Indiana, nor was he ever informed of such a requirement(s). the Appellant did cite authority as needed.

The case should not be dismissed for failure to cite authority because the Appellant did cite authority where relevant. However, the Appellant's arguments are largely factual arguments and not arguments as to misapplication of law since the Appellant was never given a chance to have his case presented to the Master in Equity.

II. The Appeal should not be dismissed because the Appellant never had a chance to make a record or assert any matter on the record.

III. The Appellants argument do not fail on the merits.

A. The Appellant was not properly notified of the hearing. The inability of the parties to communicate is the crux of the problem. Notices were sent to the property address where the Appellant's mother lived while the Appellant was in Indiana. The Appellant correctly stated in his modification application that he lived in the property

address upon his return to South Carolina.

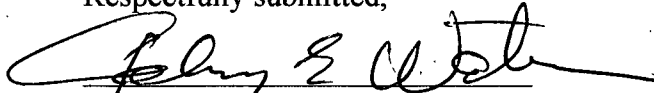
B. The Master in Equity was wrong to deny the Appellant's Motion to Reconsider. The Appellant was not represented by an attorney. The Master could have allowed the Appellant to make a proffer of the evidence he wanted the master to consider. However, the master directed the parties to talk and denied the reconsideration when the parties could not agree so the Appellant never got to present any evidence to the Court.

C. The Appellant would have prevailed at a hearing on the merits. The Appellant is a Viet Nam Veteran with enough income from the VA to pay his mortgage. He qualified for a home modification but and thought he was in one and did not understand why the property was being foreclosed on. He feels that he would have prevailed on the merits.

CONCLUSION

The Appellant respectfully request that this Court remand the case to the Master in Equity for a hearing on the merits in which the Appellant is allowed to present his case against the foreclosure of his home.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jonny E. Watson", written over a horizontal line.

Jonny E. Watson,
Attorney for Rlee Johnson
Viet-Nam Veteran Homeowner

Dated: August 5, 2013
Columbia, South Carolina

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CERTIFICATE OF SERVICE

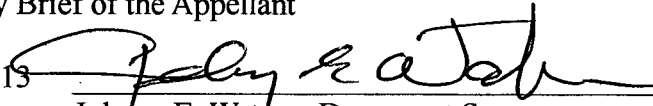
I, Johnny E. Watson, Attorney for the Rlee Johnson, hereby certify that I have served the individual named below with a copy of the documents described herein by depositing the documents in the US Mail, postage prepaid and addressed to them as indicated below:

PERSON SERVED: Genevieve Speese Johnson
Butler and Hosch, PA
Attorney for the Federal National Mortgage Association
1201 Main Street, Ste 1110
Columbia, South Carolina 29201

Clerk of Court, South Carolina Court of Appeal
1201 Sumter Street
Columbia, South Carolina 29201

DOCUMENTS: Designation of Additional Matters to be Included in Record on
Appeal and
Initial Reply Brief of the Appellant

DATE SERVED: August 5, 2013


Johnny E. Watson, Document Server

Columbia, South Carolina

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