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SC Court of Appeals

STATE OF SOUTH CAROLINA
COURT OF APPEAL

Ali, Adebisi
Appellant

VS

LAKEVIEW LOAN SERVICING, LLC
Respondent

case no. 001700

RE: Initial Brief

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PARTIES:

1. Ali Adebisi, Appellant, Sui Juris, has a principal place of dwelling in Florence County.
2. LAKEVIEW LOAN SERVICING, LL, Respondent, operating as a Corporation in the State of South Carolina.

JURISDICTION:

This Court has jurisdiction pursuant to Article V Section 5 of the South Carolina Constitution. Venue is proper as the Court of Appeals get it jurisdiction from the Supreme Court.

STATEMENT OF FACTS:

1. On October 14, 2021, LAKEVIEW LOAN SERVICNG, LLC initiated foreclosure proceedings against CHARLES RAY THOMAS II, case no. 2021CP2102234.
2. On May 24, 2022, William Haigh Porter of Florence County Common Court of Pleas rendered judgement against CHARLES RAY THOMAS II in that foreclosure proceeding.
3. Due to the decision that was made against CHARLES RAY THOMAS II, On May 26, 2023, I, Adebisi Ali, initiated an action for quite title in case no. 2023CP2101258, in Florence County Common Court of Pleas.
4. On October 27, 2023, the action for quite title was dismissed by George McFadden.
5. On October 30, 2023, I, Adebisi Ali, initiated an appeal with the Court of Appeals, to overturn the decision of the lower court.
6. On March 20, 2024, chapter 7 bankruptcy proceedings initiated by CHARLES RAY THOMAS II ESTATE.

7. On July 8, 2024, an order for discharge was issued by the federal bankruptcy Court relieving the debtor of financial obligation to LAKEVIEW LOAN SERVICING, LLC.

LEGAL CLAIM:

1. Appellant has a legal claim to the property as beneficiary of the estate of CHARLES RAY THOMAS II.
2. The appellant has been relieved of the all the debtor's financial obligation by the bankruptcy court (see attached order). Rule 56(c) of the South Carolina Rules of Civil Procedure provides that summary judgment shall be granted if there is no genuine issue as to any material fact and the moving party is entitled to judgment as a matter of law.

RELIEF:

1. As of July 8, 2024, there is no financial obligation for the plaintiff/ debtor to fulfill to LAKEVIEW LOAN SERVICING, LLC by order of the bankruptcy court.
2. Plaintiff seeks for the appellate court to overturn the lower court's administrative decision with prejudice and grant quiet title to the Plaintiff.

CONCLUSION:

For the foregoing reasons, the appellant respectfully requests that this Court reverse the lower court's judgment and grant the appellant summary judgment.

Dated: July 29, 2024

Respectfully submitted,

Ali Adebisi