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Aug 06 2024

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
Joseph M. Strickland, Master-In-Equity

Appellate Case No.: 2023-001054

Wells Fargo Bank, National Association, not in its individual or banking capacity, but solely as Trustee on behalf of Green Tree Mortgage Trust 2005-HE1.....Respondent,

vs.

James E. Turner, a/k/a James Turner, Sr.....Appellant.

**STATUS REPORT OF BANKRUPTCY PROCEEDINGS
As of August 2, 2024**

NOW COMES APPELLANT, James E. Turner, Sr., by and through the undersigned attorney, providing the Court a status of his bankruptcy proceedings.

Appellant provides the following status report to the Court:

1. Appellant filed Chapter 13 bankruptcy on March 04, 2024. The case is still active, and on July 23, 2024, confirmation for the plan was continued and is

scheduled for August 22, 2024. Appellant, through an entity known as Shellpoint, is objecting to the confirmation of the plan. The Chapter 13 bankruptcy Case Number is 24-001054.

2. On May 14, 2024, Appellant filed an adversary proceeding seeking to cancel any lien the Respondent claims on the property, whose claim in the bankruptcy court is being asserted by Shellpoint. Shellpoint is the alleged servicer of the loan for the Respondent. The Case Number for the adversarial proceeding is 24-80030-hb.
3. The adversarial proceeding in the bankruptcy court addresses the issues raised in the appeal now pending before this Court. If the adversarial proceeding is successful, the issues in the above-captioned appeal will be moot.
4. On July 22, 2024, Shellpoint filed a Motion to Dismiss the adversary proceeding. Appellant's response is due to the Motion to Dismiss on August 06, 2024, and it is expected that the Motion to Dismiss will be resolved thereafter shortly by the Court.
5. Therefore, Appellant requests that the case in this Court remains stayed pending the outcome of the adversarial proceedings in the bankruptcy court.

WHEREFORE, based on the information provided in this Status Report, Appellant requests that the above-referenced case remains stayed pending the outcome in the adversarial proceeding now pending in the bankruptcy court.

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August 2, 2024

/s/ Glenn Walters, Sr.

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Attorney for Appellant

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Trustee on behalf of Green Tree Mortgage Trust 2005-
HE1.....Respondent,

vs.

James E. Turner, a/k/a James Turner, Sr.....Appellant

PROOF OF SERVICE

I, Glenn Walters, Sr., certify that I have served a copy of Appellant's **Status Report as of August 02, 2024** on Respondent Wells Fargo Bank, National Association, by depositing a copy of it in the United States Mail, postage prepaid, on August 2, 2024, addressed to its attorneys of record as follows: **Lindsay B. Crawford, III, Esquire, PO Box 4216, Columbia SC 29240** I also emailed Attorney Crawford a copy of the same on May 29, 2024.

At Orangeburg, SC

August 2, 2024

/s/ Glenn Walters, Sr.
Glenn Walters, Sr.
Attorney for Appellant

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