

No. 2024-001062

---

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

JANET L. NELUMS; CHRIS NELUMS

**RECEIVED**

Plaintiff-Appellee/s,

OCT 01 2024

v.

DEUTSCHE BANK NATIONAL TRUST COMPANY, ET AL.  
Defendants- Respondent,

SC Court of Appeals

---

ON APPEAL FROM RICHLAND COUNTY Court of Common Pleas  
BEN N. MILLER III as Special Referee, Court of Common Pleas Judge  
Lower Court Case No. 2017CP4001687

---

**APPELLANT'S MOTION REQUESTING PERMISSION TO FILE  
AMENDED INITIAL BRIEF  
AND RULE 269 FRIVOLOUS APPEALS, PETITIONS, MOTIONS,  
OR RETURNS**

---

COME NOW, Pursuant to Rule 240, SCACR, appellant Janet Nelums & Chris Nelums hereinafter "The"), Appellants, pro se ("NELUMS") moves for an extension of time in which to serve and file appellant's Initial Brief and **Fraud On The Court** to be included in the Record on Appeal ("**Fraud On The Court**"). appellant Janet Nelums & Chris Nelums requests an extension of twenty days to file the Initial Brief and ("**Fraud On The Court**"). which are currently due July 28,2024. This is the first request for an extension

filed by Janet Nelums & Chris Nelums hereinafter "The"), pro se appellant, In support of the motion, most respectfully state that:

1. The appellant's initial brief is presently due to be filed no later than September 23, 2024.

2. appellant Janet Nelums & Chris Nelums appeals the order judgment of the Special Referee for Richland County, Attorney Ben N. Miller, III SC Bar # :3977, as Special Referee issued an order dated May 13, 2024, which was received by appellant's, in May 19, 2024. Pursuant to Rules 53(b) of the South Carolina Rules of Civil Procedure, without the parties' consent to the master reference. 28 U.S.C. § 636(b)(2), lack subject-matter jurisdiction. See, under 28 U.S.C. § 636(c)(1), The ground for this motion is that other impending professional matters and obligations have created a need for additional time to prepare the Initial Brief and ("**Fraud On The Court** "). A twenty-day delay will not prejudice the rights of any of the parties. We have notified counsel for the parties below of our intent to file this motion. No party has objected.

Counsel for the Counsel of Record: FOR NELSON MULLINS RILEY &

SCARBOROUGH LLP, Matthew A. Abee, SC Bar No. 101100,  
Madison C. Guyton, SC Bar No.105205, 1320 Main Street / 17th  
Floor) Columbia, SC 29201, SCOTT AND CORLEY, P.A. Attorneys  
and Counsellor's at Law Street Address: 2712 Middleburg Drive,  
Suite 200 Columbia, SC 29204, the opposing party with respect to  
the order from which appellant Janet Nelums & Chris Nelums has  
appealed,

3. appellant Janet Nelums & Chris Nelums Appeal Case No.  
2024-001062, was transfer by the Honorable Patricia A. Howard  
Clerk, Supreme Court of South Carolina Post Office Box 11330  
Columbia, South Carolina 29211, to South Carolina Court of  
Appeals on June 28, 2024, in order to defend our cause, the  
appellants Janet Nelums & Chris Nelums anticipates that they will  
not be able to finish said appellants Brief within the period provided.  
Hence, that they are constrained to ask for an extension of twenty  
(20) days from today or until \_\_\_ August 2024 within which to file  
and submit appellants Brief.

4. Appellant motion for extension of time to File brief for twenty

day was granted. The new filing date of initial Brief was schedule for September 18, 2024

5. On September 18, 2024, appellant Janet Nelums & Chris Nelums filed NOTICE TO AMENDED THE APPEAL filed timely in the South Carolina Court of Appeals on September 18, 2024,

6. The Time remaining under South Carolina Court of Appeals for filing the appellant's initial brief is insufficient to ensure an adequate presentation of the appellant's arguments on appeal

7. There is no timeline for filing an amended brief, but you do need to move the court for permission to file an amended brief

8. Appellant submitted a motion to this court on September 18, 2024,

9. In September 2024, Catherine S. Harrison, Chief Deputy Clerk of the South Carolina Court of Appeals as stated in her letter to appellants Janet Nelums & Chris Nelums, that there was some Deficiencies in the appellants Janet Nelums & Chris Nelums, NOTICE TO AMENDED THE APPEAL FILED, that was timely submitted on September 23, 2024, to this Court.

10. Appellants submitted; APPELLANTS CORRECTED AMENDED OPENING BRIEF motion to this court on September 23, 2024,

11. In September 2024, Catherine S. Harrison, Chief Deputy Clerk of the South Carolina Court of Appeals as stated in her letter to appellants Janet Nelums & Chris Nelums, The Court Received your amended initial brief of Appellants, if you wish to File an amended brief, you must first a motion requesting Permission to file an amended initial brief.

12. on information and belief, appellants don't need to leave To file corrected brief in the South Carolina Court of Appeals

#### **PRAYER**

For these reasons, appellants Janet Nelums & Chris Nelums, **APPELLANT'S MOTION QUESTING PERMISSION TO FILE AMENDED INITIAL BRIEF**, requests an extension of the deadline for filing and serving the Initial Brief and ("**Fraud On The Court** "). Rule 11 requires lawyers and parties involved in a lawsuit To certify that every pleading, motion, or other paper they submit to the court is not frivolous, legally sound, and supported by evidence. In simpler terms, it says, "If you're going to court, be prepared, be honest, and be respectful." This case arises from Jeffrey M. Tzerman special referee for Richland County on Tuesday September 6, 2022, Attorney Jeffrey M.

Tzerman cancelled the Foreclosure Sale on the Plaintiffs Property and stated that he carefully reviewed the **Nelum's Motion** and note that it includes unsubstantiated allegations of wrongdoing by the Respondent's in this Case by the Respondent's counsel of Record, prior holders of the loan in question, prior Servicer of the loan DEUTSCHE BANK, and the lower Court itself. Mr. Tzerman Pursuant to Canon (2) of the Code of Judicial Conduct, Contained within Rule 501 of the SC Rules of Professional Reasonability having Concluded that I am unable to hear the Motion, I am recusing myself and returning jurisdiction to the Circuit Court, Respondent's Motion to Dismiss and for Sanctions **DID** NELSON MULLINS RILEY & SCARBOROUGH LLP, Matthew A. Abee, SC Bar No. 101100, violates Rule 11 by making False statements or filing frivolous lawsuits **RULE 269 FRIVOLOUS APPEALS, PETITIONS, MOTIONS, OR RETURNS**, in the South Carolina Court of Appeals on September 19, 2024.

---

<sup>1</sup>Supreme Court of South Carolina ADMINISTRATIVE ORDER The power of the circuit court to appoint a referee is governed by Rule 53 of the South Carolina Rules of Civil Procedure. Subsection (b) of the Rule provides only that "causes of action in a case" may be referred under the circumstances listed in the Rule. A discovery dispute is not a "cause of action." **Thus, Rule 53(b) provides no authority for the order of reference in this case.** In matters brought to our attention; the special referee appointed by the circuit court is typically a lawyer. s/Donald W. Beatty C.J. s/John W. Kittredge C.J.

### ***Greetings!***

Please take notice that the Appellants Janet Nelums & Chris Nelums hereinafter "The"), pro se, Appellants is submitting the foregoing, **APPELLANT'S MOTION QUESTING PERMISSION TO FILE AMENDED INITIAL BRIEF AND RULE 269 FRIVOLOUS APPEALS, PETITIONS, MOTIONS, OR RETURNS**, for the consideration and approval of the Honorable Court with need of

oral argument.

Respectfully submitted on this 1 day of October 1, 2024

---

**Janet Louise Nelums**   
**Chris Nelums**   
**813 N. Highland Forest Dr,**  
**Columbia, SC 29203-1929**  
**(803) 730-6003**  
**jinelums@gmail.com**  
**chrisnelums@yahoo.com**

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a copy of APPELLANT'S MOTION REQUESTING PERMISSION TO FILE AMENDED INITIAL BRIEF, AND RULE 269 FRIVOLOUS APPEALS, PETITIONS, MOTIONS, OR RETURNS, APPELLANT'S Brief will be sent by regular U. S. Mail to The Honorable Jenny Abbott Kitchings Clerk, South Carolina Court of Appeals Post Office Box 11629 Columbia, South Carolina 29211, hand delivered, or by regular U. S. Mail to all parties of Record

Other Counsel of Record:

NELSON MULLINS RILEY & SCARBOROUGH LLP

Matthew A. Abee, SC Bar No. 101100

Madison C. Guyton, SC Bar No.105205

1320 Main Street / 17th Floor

Post Office Box 11070 (29211-1070)

Columbia, SC 29201

(803) 799-2000

Email: [matt.abee@nelsonmullins.com](mailto:matt.abee@nelsonmullins.com)

Email: [madison.guyton@nelsonmullins.com](mailto:madison.guyton@nelsonmullins.com)

**RECEIVED**

OCT 01 2024

SC Court of Appeals

Mr. Ben N. Miller, III

Mckenzie Lybrand, LLP

1704 Main Street

Columbia, South Carolina 29201

[bmiller@mckenzielybrand.com](mailto:bmiller@mckenzielybrand.com)

(803) 223-6155

Jeanette McBride

Richland County Clerk of Court

Richland County Judicial Center

1701 Main Street, Room 205 (29201)

Post Office Box 2766

Columbia, South Carolina 29202

SCOTT AND CORLEY, P.A.

Attorneys and Counsellors at Law

Street Address:

2712 Middleburg Drive, Suite 200

Columbia, SC 29204

(803) 252-3340

The Honorable Kristi F. Curtis

215 North Harvin Street  
Sumter, SC 29150  
OFFICE: (803) 436-2152  
FAX: (803) 774-2825  
[kcurtissc@sccourts.org](mailto:kcurtissc@sccourts.org)

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629 Columbia,  
South Carolina 29211

The Honorable Patricia A.  
Howard Clerk, Supreme Court  
of South Carolina Post Office Box 11330  
Columbia, South Carolina 29211]

Respectfully submitted on this 1 day of October 1, 2024

**RECEIVED**

OCT 01 2024

SC Court of Appeals

---

Janet Louise Nelums *Janet Louise Nelums*  
Chris Nelums *Chris Nelums*  
813 N. Highland Forest Dr,  
Columbia, SC 29203-1929  
(803) 730-6003  
[jnelums@gmail.com](mailto:jnelums@gmail.com)  
[chrisnelums@yahoo.com](mailto:chrisnelums@yahoo.com)