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Jan 10 2025

SC Court of Appeals



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January 10, 2025

The South Carolina Court of Appeals
Post Office Box 11629
Columbia, S.C. 29211

Transmitted via U.S. Mail and via email
ctappfilings@sccourts.org

Re: U.S. Bank Trust Company v. Anna Palasz
Lower Court Case No. 2023CP3200792
Appellate Case No. 2024-001733

Dear Court of Appeals:

I represent the Plaintiff/Respondent, U.S. Bank Trust Company, in the above referenced matters. I am writing this letter to formally object to the Motion to Reopen Case dated January 9, 2025, in the above referenced appeal. I received the motion from the Defendant/Appellant, Anna Palasz, via email today. The motion represents the third such attempt by Ms. Palasz to resurrect this appeal.

This case involves a foreclosure of a promissory note and commercial mortgage given by Ania Real Estate and Property Management LLC ("Ania") and an accompanying suit on a guaranty agreement executed by Ms. Palasz personally. The lower court granted the foreclosure via a Master's Order on April 19, 2024, and the Order was not appealed. On April 29, 2024, the Defendant, Palasz filed a motion to amend or vacate the Master's Order and attempted represent the corporate defendant, Ania. On September 9, 2024, the lower court denied the motion and this appeal of that Order followed.

By letter dated November 14, 2024, the Clerk of Court for the Court of Appeals notified Palasz that she had to provide proof of the filing of the notice of appeal with the Lexington County Clerk of Court. The November 14, letter, further advised that filing with the Court of Common Pleas cannot be accomplished via email. Despite filing the motion to reopen

the appeal, a review of the public index today confirms that the notice of appeal has not been filed by Palasz, as directed by the Clerk of Court.

Lastly, the Defendant/Appellant, Anna Palasz, cannot represent the corporate entity, Ania Real Estate and Property Management LLC in the appeal or in the lower court. This was explained to Ms. Palasz in detail by the Master in Equity, The Hon. James O. Spence, at several of the previous hearings in this case. Therefore, Ms. Palasz would only be able to represent herself in this matter.

U.S. Bank Trust Company, Respondent/Plaintiff respectfully requests that the Court deny the motion to reopen the appeal in this matter.

Yours very truly,



John S. Kay

cc: Anna Palasz
JSK/dim

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PROOF OF SERVICE

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas

James O. Spence, Master in Equity

Case No. 2023-CP-32-00792

U.S. Bank Trust Company,

Respondent

v.

Anna Palasz,

Appellant.

PROOF OF SERVICE

I certify that I have served the Objection of U.S. Bank Trust Company to motion to reopen appeal on Anna Palasz by depositing a copy of it in the United States Mail, postage prepaid, on January 10, 2025, addressed to Anna Palasz, 1608 West Main Street, Columbia, S.C. 29072.

January 10, 2025


s/ John S. Kay

John S. Kay

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Columbia, South Carolina 29072

(803) 726-2700 (ext. 2705)

Attorney for Respondent