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JAN 28 2025

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

John C Nelums: Delmarshi Nelums Appellants

v.

Deutsche Bank/Altisource Solutions Inc, defendant, et al.....Respondent

ON APPEAL FROM RICHLAND COUNTY Court of Common Pleas
Hon Daniel Coble Chief Judge/ as Special Referee, Attorney Bar # 100576
Court of Common Pleas Judge (Lower Court Case No. 24-CP-40-05681)

EX-PARTE APPELLANT'S MOTION TO AMEND NOTICE OF APPEAL

COME NOW, Pursuant to Rule 240, SCACR, appellant John C Nelums:
Delmarshi Nelums hereinafter "The"); Appellants, pro se ("NELUMS") moves to
amend their Notice of Appeal and moves for an extension of time in which to
serve and file appellant 's Amended Notice of Appeal "To all parties of record"
On Judgment Order entered on December 2, 2024, by Hon Daniel Coble Chief
Judge/ as Special Referee, Attorney Bar # 100576, by granting Defendant's
motion to dismiss and by dismissing Plaintiff's in this action as states:

1. That we are proceeding in a court of Constitutional Due Process [under Article III of the Constitution of the United States for America, and the common law]
2. under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter or this or your filing will not be considered:
3. appellant John C Nelums: Delmarshi Nelums moves for ten (10) days

extension of time in which to serve and file appellant 's Amended Notice of Appeal "To all parties of record" Lower Court Case No. 24-CP-40-05681), by Court granting of ten (10) days extension of time.

4. On January 17, 2025, appellant John C Nelums: Delmarshi Nelums received from CATHERINE S. HARRISON CHIEF DEPUTY CLERK stating that Our records reflect you included a copy of an order issued November 15, 2024, in LCT number 2024-CP-40-04715 as well as an order issued December 2, 2024, in LCT number 2024-CP-40-05681 with your notice of appeal. However, we only received one notice of appeal indicating your desire to appeal from the November 15, 2024, order in LCT number 2024-CP-40-04715(See Exhibit 1,

5. On January 18, 2025, appellant John C Nelums: Delmarshi Nelums Stating that any deficiency must be corrected within ten (10) days, that Attorney John S. Kay from Hutchens Law Firm LLP 240 Stoneridge Drive, Suite 400 | Columbia, SC 29210, contacted Mr. Spencer, Shelby my email and by Misinforming case numbers 4715 and 5681. Both cases were dismissed at the same time in separate motion hearings, **From:** John S. Kay

<John.Kay@hutchenslawfirm.com>**Sent:** Wednesday, December 18, 2024 10:11 AM **To:** Spencer, Shelby; jgrimes@dml-law.com; mwren@dml-law.com **Cc:** lroche@dml-law.com; Heid, Emily; Brigitte B. Dull **Subject:** RE: John Nelums v. Deutsche Bank National Trust (2024-002119)

*Good morning, Mr. Shelby. I wanted to check with you on the 2024-002119 case. First, let me start by saying there were two 2024 Common Pleas cases filed by the Nelums ending in case numbers 4715 and 5681. Both cases were dismissed at the same time in separate motion hearings. I am certain the Nelums will appeal both decisions.

*A number of the docs filed with the Court of Appeals by the appellant have the 4715 Common Pleas case number on them, including the copy of the Form 4 order issued by the lower court. However, the copy of the actual Order listed as

being appealed carries the case number of 5681. So, I think that there are docs from both common please cases mixed together on the appeal in appellate case 2021-002119.

6. John S. Kay | Managing Partner, SC
Foreclosure/Real Estate
John.Kay@hutchenslawfirm.com
Hutchens Law Firm LLP
240 Stoneridge Drive, Suite 400 |
Columbia, SC 29210
P.O. Box 8237 | Columbia, SC 29202
T: 803-726-2700 | F: 803-726-2841
HutchensLawFirm.com

7. Dear Counsel,

Attached is a copy of this Court's correspondence. **Please do not respond to this email.** Send all correspondence to ctappfilings@sccourts.org. Any parties not included in this email will receive the attached correspondence via US Mail.

Warmly,

Shelby Spencer

Team Lead - Civil
South Carolina Court of
Appeals 1220 Senate
Street
Columbia, SC 29201
P: 803-734-1890
E-Filing Email: ctappfilings@sccourts.org
Website: www.sccourts.org

8. The Richland County "Case Management System Public Index" does reflect Case No. 2024-CP-40-04715, On November 14, 2024, at 2:00 p.m. the scheduled a Via Webex Hearing occurred, The Hon Daniel Coble Chief Judge/ as Special Referee, Attorney Bar # 100576, presided over Case No. 2024-CP-40-04715, there is no indication on recorded that Case No. 2024-CP-40-05681, existed On November 14, 2024.

9. On December 2, 2024, The Richland County "Case Management System Public Index" does reflect Case No. 24-CP-40-05681, On a Judgment Order entered on December 2, 2024, by Hon Daniel Coble Chief Judge/ as Special Referee, Attorney Bar # 100576, by granting Defendant's motion to dismiss and by dismissing Plaintiff's in this action, that no Hearing occurred, and there is no

indication the Hearing was recorded or transcribed on December 2, 2024. Hon Daniel Coble Chief Judge-fundamentally failed to follow the law.

10. Public access to courts and their records serves several fundamental interests which are crucial to the proper functioning of judicial and government systems. Public access discourages perjury and encourages bringing the truth to light because participants are less likely to testify falsely in a sunlit courtroom before their neighbors than in a private room before court officials. Public access promotes free discussion of governmental affairs by imparting a more complete understanding to the public of the judicial system and issues resolved by that system. Public access serves as a check on inappropriate or corrupt practices by exposing the judicial process to public scrutiny. Lawyers, witnesses, and judges may perform their duties in a more conscientious manner, knowing their conduct will be subject to public scrutiny either at the time of the proceeding or later through disclosure of court records. 369 S.C. at 10-11, 630 S.E.2d at 469-70.

11. appellant John C Nelums: Delmarshi Nelums filed a Notice of Appeal for the judgment Order December 2, 2024- to the above Case, John Nelums v. Deutsche Bank National Trust Civil Action No. 2024-CP-40-05681, A filing fee of \$250 was sent to you for this notice of Appeal, The Honorable Jenny Abbott Kitchings Clerk, South Carolina Court of Appeals Post Office Box 11629 Columbia, South Carolina 29211

12. appellant John C Nelums: Delmarshi Nelums filed a Notice of Appeal for the judgment Order December 2, 2024- to the above Case, John Nelums v. Deutsche Bank National Trust Civil Action No. 2024-CP-40-05681, A filing fee of \$250 was sent to you for this notice of Appeal, The Honorable Jenny Abbott Kitchings Clerk, South Carolina Court of Appeals Post Office Box 11629

Columbia, South Carolina 29211

13. Appellant filed a timely Notice of Appeal on a Judgment Order entered on December 2, 2024, by Hon Daniel Coble Chief Judge/ as Special Referee, Attorney Bar # 100576, by granting Defendant's motion to dismiss and by dismissing Plaintiff's in this action, "To all parties of record twice" in the lower tribunal and to this Court and now this Court are saying we only received one notice of appeal indicating your desire to appeal from the November 15, 2024, which is incorrect, and This delay has burdened the appellant John C Nelums: Delmarshi Nelums. Respondent attorney John S. Kay,

14. Attached hereto is the Official Receipt for the payment of the Appeal Fee For Case No. 2024-CP-40-05681, the Date December 6, 2024, (See **Exhibit 3**,

15. Attached hereto is the Official Receipt for the payment of the Appeal Fee For Case No. 2024-CP-40-05681, the Date December 23, 2024, (See **Exhibit 4**,

16. APPELLANTS John C Nelums: Delmarshi Nelums , unto this Honorable Court, most respectfully had previously gives notice Copy furnished by registered mail: Lawyer of Oppositor Address that they are appealing the Decision of Hon Daniel Coble Chief Judge/ as Special Referee, Attorney Bar # 100576 Court of Common Pleas Judge (Lower Court Case No. 24-CP-40-05681) and the Order dated November 14, 2024, on questions of fact and law, To the Honorable Court of Appeals

17. Copies of this previously gives Notice was sent to the below stated Parties by registered mail, rather than by the preferred mode of personal service, In view of lack of personnel and material time. Substantial evidence standard.

18. In view thereof, APPELLANTS most respectfully manifests sincerity and veracity in the relief prayed for herein and that the same is not in any way intended to delay the proceedings hereof.

PRAYER

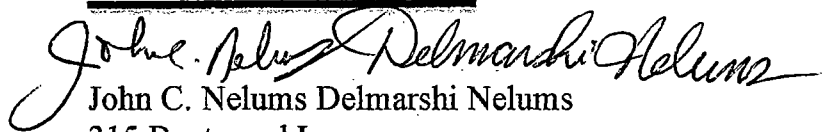
WHEREFORE, it is most respectfully prayed of this Honorable Court that APPELLANTS be given an additional period of Ten (10) days from today or until February 8, 2025, within which to file and submit APPELLANTS Amended Notice of Appeal.

APPELLANTS pray for such other reliefs as may be just and equitable in the premises.

Greetings!

Please take notice that the APPELLANTS, John C Nelums: Delmarshi Nelums hereinafter "The"), pro se, APPELLANTS is submitting the foregoing Ex-Parte Motion for Extension of Time to File APPELLANTS Amended Notice of Appeal. for the consideration and approval of the Honorable Court without need of oral argument.

Respectfully submitted on this 23 day of January 2025



John C. Nelums Delmarshi Nelums
315 Bentwood Ln
803-513-9903
Columbia, SC 29229-8981
Appellant pro se litigants

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a copy of my Motion for Extension of Time to File APPELLANTS Amended Notice of Appeal will be sent by regular to File APPELLANTS Amended Notice of Appeal 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, And by regular U.S. Mail to all parties of Record by Hand Delivery

WILLIAM SHEPRO AND ALTISOURCE
SOLUTIONS, INC. DEUTSCHE BANK
NATIONAL TRUST COMPANY AS
TRUSTEE FOR RESIDENTIAL ASSET

RECEIVED

JAN 28 2025

SC Court of Appeals

**SECURITIZATION TRUST 2005-A8CB
MORTGAGE PASS-THROUGH
CERTIFICATES SERIES 2005-H**

**John Kay, S.C. Bar # 7914
HUTCHENS LAW FIRM
P.O. Box 8237 (29202)
240 Stoneridge Drive, Suite 400
Columbia, SC 29210
Phone: (803) 726-2700
Fax: (803) 726-2832
Email: john.kay@hutchenslawfirm.com
Counsel William Shepro and Altisource solutions,
Inc.**

**Hon. Mr. Daniel McLeod Coble
COUNTY: RICHLAND
CHIEF ADMIN JUDGES
1701 Main Street
Columbia, SC 29202
Office: (803) 576-1773
dcoblej@sccourts.org**

**Richland County, Sheriff Leon Lott
in His Official Capacity as The Sheriff of
The Richland County Sheriffs Department
and Civil Process Division
5623 Two Notch Road Columbia, S.C. 29223
phone: 803-576-3000.
fax: 803-576-319**

**Richland County, Sheriff Leon Lott
in His Official Capacity as The Sheriff of
The Richland County Sheriffs Department
ATTN: Sgt. Kyle Kovalchuk
5623 Two Notch Road
Columbia, S.C. 29223
phone: 803-576-3000.
fax: 803-576-319**

**Hon. Mr. Daniel McLeod Coble
ATTN: Chief Judge Richland County
1701 Main Street
Columbia, SC 29202.
Office: (803) 576-1773
dcoblej@sccourts.org**



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 734-1890
FAX: (803) 734-1839
www.sccourts.org

January 17, 2025

John C. Nelums
315 Bentwood Lane
Columbia SC 29229-8981

Re: John Nelums v. Deutsche Bank National Trust
Appellate Case No. 2024-002119

Dear Mr. Nelums:

Our records reflect you included a copy of an order issued November 15, 2024, in LCT number 2024-CP-40-04715 as well as an order issued December 2, 2024, in LCT number 2024-CP-40-05681 with your notice of appeal. However, we only received one notice of appeal indicating your desire to appeal from the November 15, 2024 order in LCT number 2024-CP-40-04715. If you wish to amend your notice of appeal to include the December 2, 2024 order, you must serve and file a motion in compliance with Rule 240 of the South Carolina Appellate Court Rules (SCACR). We will not take any further action at this time.

Very truly yours,

A handwritten signature in cursive script that reads "Catherine S. Harrison, deputy".

CLERK

cc: Delmarshi Nelums
John Pyatt Grimes, Jr., Esquire
John Sanford Kay, Esquire
Michael Brian Wren, Esquire

Spencer, Shelby

From: John S. Kay <John.Kay@hutchenslawfirm.com>
Sent: Wednesday, December 18, 2024 10:11 AM
To: Spencer, Shelby; jgrimes@dml-law.com; mwren@dml-law.com
Cc: Iroche@dml-law.com; Heid, Emily; Brigitte B. Dull
Subject: RE: John Nelums v. Deutsche Bank National Trust (2024-002119)

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Good morning, Mr. Shelby. I wanted to check with you on the 2024-002119 case. First, let me start by saying there were two 2024 Common Pleas cases filed by the Nelums ending in case numbers 4715 and 5681. Both cases were dismissed at the same time in separate motion hearings. I am certain the Nelums will appeal both decisions.

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John S. Kay | Managing Partner, SC
Foreclosure/Real Estate
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From: Spencer, Shelby <sspencer@sccourts.org>
Sent: Tuesday, December 17, 2024 4:54 PM
To: John S. Kay <John.Kay@hutchenslawfirm.com>; jgrimes@dml-law.com; mwren@dml-law.com
Cc: Iroche@dml-law.com; Heid, Emily <eheid@sccourts.org>
Subject: John Nelums v. Deutsche Bank National Trust (2024-002119)

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Dear Counsel,


Attached is a copy of this Court's correspondence. **Please do not respond to this email.** Send all correspondence to ctappfilings@sccourts.org. Any parties not included in this email will receive the attached correspondence via US Mail.

Warmly,

Shelby Spencer

Team Lead - Civil
South Carolina Court of Appeals
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P: 803-734-1890
E-Filing Email: ctappfilings@sccourts.org
Website: www.sccourts.org

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| Pay to the Order of                 | CLERK OF COURT, S.C. COURT OF APPEALS                                                                        |                                                             |                       |
| REMITTER: JOHN C. NELMS             | <br>Authorized Signature |                                                             |                       |
| ⑆256074974⑆ 280912 11002            |                                                                                                              |                                                             |                       |

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Federal Credit Union

730 Elmwood Avenue  
Columbia, SC 29201  
(803) 736-3110

No. 900609

Date: December 23, 2024

67-7933  
2532

Pay to the order of Clerk, South Carolina Court of Appeals

Amount \$ 250.00

Two Hundred Fifty and 00/100

DOLLARS

AllSouth Federal Credit Union  
Columbia, SC

Negotiate within six months of issue date

Case # 2024-CP-40-05681

Memo

*William A. Koehler*  
Authorized Signature

⑈900609⑈ ⑆253 27903 1⑆ 10411630⑈

