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Feb 18 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM HORRY COUNTY
Court of Common Pleas
Benjamin H. Culbertson, Circuit Court Judge

Appellate Case No. 2024-000440
Case No. 2023-CP-26-02475

Nicholas F. Wilson,

Appellant,

v.

Janet P. Gochenour; Janet P. Gochenour Trustee;
James B. Parker; James B. Parker, Sr.; Mary Ann
Parker; Kenneth Gregory Moore; R&G Corp. d/b/a
Century 21 The Harrelson Group; Patton Development
SC, LLC; Flagstar Bank, N.A.; Sonia M. Raymond;
Raymond Law Firm, P.A.,

Respondents,

**MOTION TO SUBSTITUTE SELECT PORTFOLIO SERVICING, INC. FOR
FLAGSTAR BANK, N.A. AND TO AMEND THE CAPTION**

Respondent Flagstar Bank, N.A. (“Flagstar”) respectfully moves as follows:

1. Flagstar Bank, N.A. held mortgage given by Plaintiff Nicholas F. Wilson on the property located at 4708 Hwy 90, Conway, SC 29526 that is the subject of this litigation (“the subject property”) at the time suit was filed.
2. Flagstar recently assigned this mortgage to Select Portfolio Servicing, Inc. (“SPS”) via assignment recorded on January 21, 2025 in Book 6868, Page 937 of the Horry County Register of Deeds. (*See* Assignment, attached as **Exhibit A.**) Therefore, SPS is now the proper party-in-interest.

3. The undersigned counsel will continue as counsel for SPS in this matter and will agree to accept service of the Complaint and the original summons issued in this action without the need for issuance of a new summons. Counsel for SPS is accepting service of process solely for purposes of the substitution of parties in this litigation and shall not be deemed SPS's agent for service of process for any future matters.

4. Therefore, based on the foregoing, the undersigned respectfully requests that the Court issue an Order substituting Select Portfolio Servicing, Inc. as a party respondent for Flagstar Bank, N.A. and for amendment of the caption to reflect the same.

5. The undersigned attempted to consult with all counsel for the other parties, but was unable to obtain all parties' consent as of the time of filing.

Respectfully submitted,

NELSON MULLINS RILEY & SCARBOROUGH LLP

By: s/ Blake T. Williams

Matthew D. Patterson
S.C. Bar No. 68316
E-mail: matt.patterson@nelsonmullins.com
Blake T. Williams
S.C. Bar No. 100794
E-mail: blake.williams@nelsonmullins.com
1320 Main Street / 17th Floor
Post Office Box 11070 (29211-1070)
Columbia, SC 29201
(803) 799-2000

Attorneys for Flagstar Bank, N.A.

Columbia, South Carolina

February 18, 2025

EXHIBIT A

(Assignment)

SOUTH CAROLINA
COUNTY OF **HORRY**
LOAN NO.: 505261253

WHEN RECORDED MAIL TO:
FIRST AMERICAN MORTGAGE SOLUTIONS, 1795 INTERNATIONAL WAY, IDAHO FALLS, ID 83402, PH.
208-528-9895



ASSIGNMENT OF REAL ESTATE MORTGAGE

FOR VALUE RECEIVED, FLAGSTAR BANK, N.A., F/K/A FLAGSTAR BANK, FSB, located at 5151 CORPORATE DRIVE, TROY, MI 48098, Assignor, does hereby transfer, assign, and set over without recourse, representation or warranty, expressed or implied unto SELECT PORTFOLIO SERVICING, INC., located at 3217 S. DECKER DRIVE, SALT LAKE CITY, UT 84119, Assignee, its successors and assigns, forever, that certain Mortgage described below.



Said Mortgage dated MARCH 06, 2020 and executed by NICHOLAS F WILSON, A SINGLE MAN, Mortgagor(s), to MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. ("MERS"), AS MORTGAGEE, AS NOMINEE FOR T2 FINANCIAL LLC DBA/REVOLUTION MORTGAGE, ITS SUCCESSORS AND ASSIGNS, Original Mortgagee, recorded on MARCH 06, 2020 in Mortgage Book 6188 at Page 1316 in the Office of the Clerk or Recorder of Deeds in and for the County of HORRY, State of SOUTH CAROLINA.

AS DESCRIBED IN SAID MORTGAGE

TOGETHER WITH all Assignor's right, title, and interest, accrued or to accrue under said Mortgage. IN WITNESS WHEREOF, the undersigned has caused this Instrument to be executed on JANUARY 17, 2025.

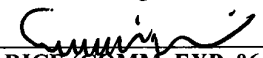
FLAGSTAR BANK, N.A., F/K/A FLAGSTAR BANK, FSB, BY FIRST AMERICAN MORTGAGE SOLUTIONS, AS ATTORNEY IN FACT, POWER OF ATTORNEY RECORDED ON 02/27/2023 IN BOOK 4648 PAGE 1087

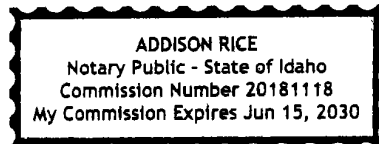

TIPHANY JO WILLIAMS, Witness


REBECCA HIGLEY, VICE PRESIDENT

KATIE OLSON, Witness

STATE OF IDAHO COUNTY OF BONNEVILLE) ss.

On JANUARY 17, 2025, before me, ADDISON RICE, personally appeared REBECCA HIGLEY known to me to be the VICE PRESIDENT of FIRST AMERICAN MORTGAGE SOLUTIONS AS ATTORNEY-IN-FACT FOR FLAGSTAR BANK, N.A., F/K/A FLAGSTAR BANK, FSB the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.


ADDISON RICE (COMM. EXP. 06/15/2030)
NOTARY PUBLIC



**HORRY COUNTY REGISTER OF DEEDS
TRANSMITTAL SHEET**

**TO BE FILED WITH EACH INSTRUMENT PRESENTED ELECTRONICALLY FOR RECORDING.
HORRY COUNTY REGISTER OF DEEDS, 1301 SECOND AVENUE POST OFFICE BOX 470 , CONWAY ,
SOUTH CAROLINA 29526**

DOCUMENT TYPE OF INSTRUMENT BEING FILED: Assignment Mortgage

DATE OF INSTRUMENT: .

DOCUMENT SHALL BE RETURNED TO:

NAME: First American Mortgage Solutions

ADDRESS:

3 FIRST AMERICAN WAY
SANTA ANA, CA 92707

TELEPHONE: (208) 552-8322

FAX: (208) 552-8322

E-MAIL ADDRESS: jfennell@firstam.com

Related Document(s): book **6188** , page **1316**

PURCHASE PRICE / MORTGAGE AMOUNT: \$,

BRIEF PROPERTY DESCRIPTION: ,

TAX MAP NUMBER (TMS #) / PIN NUMBER: .

GRANTOR / MORTGAGOR / OBLIGOR / MARKER (FROM WHO):

FULL BUSINESS NAME

1. FLAGSTAR BANK

GRANTEE / MORTGAGEE / OBLIGEE (TO WHO):

LAST NAME

FIRST NAME

MIDDLE NAME

1. WILSON

NICHOLAS

F

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Century 21 The Harrelson Group; Patton Development
SC, LLC; Flagstar Bank, N.A.; Sonia M. Raymond;
Raymond Law Firm, P.A.,

Respondents,

PROOF OF SERVICE

I, the undersigned Administrative Assistant of the law offices of Nelson Mullins Riley & Scarborough LLP, attorneys for Flagstar Bank, FSB, do hereby certify that I have served the parties below in this action with a copy of the pleading(s) hereinbelow specified to the following address(es):

Pleadings: Motion to Substitute Parties and Amend Caption

Counsel Served: Via U.S. Mail

James B. Parker
James B. Parker, Sr.
919 Waterton Ave.
Myrtle Beach, SC 29579

Pro Se Defendants

Mary Anne Parker
919 Waterton Ave.
Myrtle Beach, SC 29579

Pro Se Defendant

Janet P. Gochenour
Janet P. Gochenour Trustee
2015 Hazlette Loop
Conway, SC 29526

Pro Se Defendants

Via ECF

Wesley D. Few, Esquire
Wesley D. Few, LLC
PO Box 9398
Greenville, SC 29604
wes@wesleyfew.com
cassy@wesleyfew.com

Attorney for Appellant Nicholas F Wilson

Claude T. Prevost, III, Esquire
J. Lucas Richardson, Esquire
Collins and Lacy, P.C.
1330 Lady Street
Post Office Box 12487 (29211)
Columbia, SC 29201
cprevost@collinsandlacy.com
lrichardson@collinsandlacy.com


Attorneys for Defendants R&G Corp. d/b/a Century 21, The Harrelson Group, and Kenneth Gregory Moore

Alexander Hray, Jr., Esquire
Patton Development SC, LLC
389 E. Henry Street, Suite 107
Spartanburg, SC 29302
lex@lexhray.com

Attorney for Defendant Patton Development SC, LLC

R. Bruce Wallace, Esquire
Rhett D. Ricard, Esquire
Maynard Nexsen
205 King Street, Suite 400
Charleston, SC 29401
BWallace@maynardnexsen.com
rricard@maynardnexsen.com

Attorney for Defendants Sonia M. Raymond and Raymond Law Firm P.A



Eileen Hindman
Administrative Assistant

February 18, 2025