

March 4, 2025

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STATE OF SOUTH CAROLINA  
COUNTY OF LEXINGTON

IN THE FAMILY COURT 11<sup>TH</sup> JUDICIAL CIRCUIT  
ONGOING SUPPORT

South Carolina Department of Social Services (PLAINTIFF) vs Kory J. Green

DOCKET NO. 2009DR3200721

CASE ID: 0791562

STATE OF SOUTH CAROLINA  
COUNTY OF LEXINGTON

IN THE COURT OF COMMON PLEAS  
NON-JURY MORTGAGE FORECLOSURE

US Bank National Association (PLAINTIFF) vs Tracie L. Green; Cardinal Pines Homeowners'  
Association, Inc; Palmetto Citizens Federal Credit Union (DEFENDANTS)

CASE# 2022CP3200784

**Motion to Move to Inactive Roster with Previously Submitted Motions for Stay  
With Certificate of Service**

Due to current federal jurisdiction and this Courts acknowledgement simultaneous state jurisdiction is unlawful, the Defense motions to move this case to inactive roster [including canceling any and all auctions and further state level activity] pending completion of **all** federal activity as per the rules of civil procedure. Included below are the Motion for stays.

**Note:** Federal documents submitted for filing on March 3, 2025 appear to also be unusually delayed [as per multiple previous reports of suspected mail tampering]; these documents remain in New York as of the date and time of this filing. Hence, attached are copies with requests for all courts to file the documents as mailing delays seem to be a persistent issue. **The Defense request for investigation please.** **Note2:** Multiple Defense documents are missing from Lexington County Public Index, as last filed document is dated 2/7/25. Please file any and all documents submitted.

**Express** United States Postal Service, mailed with tracking:

- |  |               |
|--|---------------|
| 1. Supreme Court of the United States                    | ER174167028US |
| 2. United States Court of Appeals for the Fourth Circuit | ER174166994US |
| 3. Lexington County Courthouse                           | ER174167005US |
| 4. Hutchen's Law Firm                                    | ER174166985US |
| 5. Richardson Plowden                                    | ER174167014US |

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CASE# 2022CP3200784

No. \_\_\_\_\_

IN THE  
SUPREME COURT OF THE UNITED STATES

Tracie L. Green — PETITIONER

vs.

US Bank National et al — RESPONDENT(S)

**PROOF OF SERVICE**

I, Tracie L. Mitchem-Green, do swear or declare that on this date, March 3, 2025, as required by Supreme Court Rule 29 I have served the enclosed MOTION TO EXTEND TIME TO FILE WRIT OF CERTORARI WITH APPENDIX [EXCLUDING INFORMA PAUPERIS] on each party to the above proceeding or that party's counsel, and on every other person required to be served, by depositing an envelope containing the above documents in the United States mail properly addressed to each of them and with first-class postage prepaid, or by delivery to a third-party commercial carrier for delivery within 3 calendar days.

The names and addresses of those served are as follows:

1. US Court of Appeals for the Fourth Circuit, Clerk Office, 1100 East Main St, Suite 501, Richmond, VA 23219
2. Lexington County Courthouse, 205 E. Main Street, Ste 146, Lexington, South Carolina 29072
3. Hutchens Law Firm, PO Box 8237, Columbia, South Carolina 29202
4. Richardson Plowden, PO Drawer 7788, Columbia, SC 29202

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 3, 2025

  
(Signature)

March 4, 2025

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CASE# 2022CP3200784

**Motions for Stays**

February 11, 2025

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

US Bank National Association,

Case No. \_\_\_\_\_  
Jury trial: Yes \_\_\_\_\_

Against

Tracie L. Green;  
Cardinal Pines Homeowners' Association, Inc;  
Palmetto Citizens Federal Credit Union

**Motion for Stay or Injunction Pending Appeal**

Pursuant to Federal Rules of Civil Procedure 62, this ProSe Defendant moves for this Court to stay Lexington County Courthouse November 14, 2024 judgement order and January 29, 2025 denial to vacate judgment order to prevent further foreclosure and auctioning activities pending appeal completion. Copies of both orders were previously included with the Notice of Removal on file with this Court.

As discussed in the Notice of Appeal [Second Amendment] submitted to the South Carolina Court of Appeals on February 2, 2025 (2 pages; See Appendix A, which also includes Appellant Letter to the Court (9 pages)):

*...Staying Judgement for Sale or Delivery of Land: Pursuant to SC Code 18-9-170 (2023), the below signed appellant, during the possession of such property, will not commit or suffer to be committed any waste thereon and if the judgment be affirmed, will pay the value of the use and occupation of the property from the time of the execution of the undertaking until the delivery of possession thereof pursuant to the judgment, not exceeding a sum to be fixed by a judge of the court by which judgment was rendered and which shall be specified in the undertaking. When the judgment directs the sale of land to satisfy a mortgage thereon or other lien, the undertaking shall prove that in case the judgment appealed from be affirmed and the land be final sold for less than the judgment debt and costs then the appellant shall pay for any waste committed or suffered to be committed on the land and shall pay a reasonable rental value for the use and occupation of the land from the time of the execution of the undertaking to the time of the sale, but not exceeding the amount of such deficiency, which sum shall be duly entered as a payment on the judgement; and in case the land shall be unimproved land, then in any action or proceedings now pending or hereafter begun in any of the courts of this State the undertaking shall further provide for the payment by appellant, if the judgment be affirmed, or any taxes due at the time of the appeal or already paid by the mortgagee, or becoming due during the pendency of the appeal, and also for the payment by appellant*

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STATE OF SOUTH CAROLINA  
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February 11, 2025

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

US Bank National Association,

Case No. \_\_\_\_\_  
Jury trial: Yes \_\_\_\_\_

Against

Tracie L. Green;  
Cardinal Pines Homeowners' Association, Inc;  
Palmetto Citizens Federal Credit Union

*of the interest on the debt falling due during the pendency of such appeal. Due to the presence of criminal activity occurring and this Defendants Informa pauperis status, this court is requested to utilize the pending \$3 million judgement in lieu of the requested two sureties.*

The undersigned now understands that a stay is not automatic in this case. However, given the strong, compelling evidence of fraudulent activity detailed in the Notice of Removal, a stay is warranted in the interest of justice. Moreover, financial responsibility is evident, as the contested property, 123 Cardinal Pines Drive, Lexington, South Carolina 29073 (valued at approximately \$230,000, judgement order is for \$150,213.73), is occupied by the undersigned with a strong security system through CPI Security; while the undersigned remains a resident of New York (having left South Carolina for safety concerns). However, as discussed in the Notice of Removal, evidence shows that CPI Security may be involved with the fraud, thus law enforcement has been notified. Therefore, the judgement (i.e. acquisition of said property) is secure and not in danger of loss. Irreparable harm will be done if a stay is not granted halting the acutioning of this property, which has been a home of the undersigned for 18 years. Lastly, granting a stay or injunction is in the best interest of the public as noted in this January 31, 2025 500pm correspondence:

*...If this court and plaintiff proceeds with sale despite notice of appeal, its considered theft. Thus danger to public as they would be encouraged to participate in fraudulent activity...*

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

US Bank National Association,

Case No. \_\_\_\_\_  
Jury trial: Yes \_\_\_\_\_

Against

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Cardinal Pines Homeowners' Association, Inc;  
Palmetto Citizens Federal Credit Union

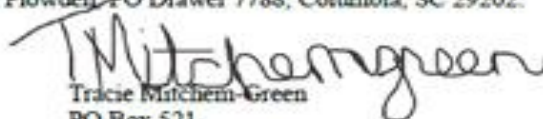
Again, the undersigned now understands that a stay is not automatic. However, despite the February 2, 2025 submission to the Court of Appeals addressing the stay, Lexington County Courthouse still proceeded with the auction on February 3, 2025, now labeling it a preliminary auction, while adding a final auction date for March 2025. It is the duty of this Court to determine if Lexington County Courthouse actions were proper or intended to cause harm and distress given that a stay request had been filed the day prior.

**Conclusion**

For the foregoing reasons, the United States District Court for the District of South Carolina should grant a stay or injunction to Lexington County Courthouse November 14, 2024 judgement order and January 29, 2025 denial to vacate judgment order to prevent further foreclosure and auctioning activities pending appeal completion.

Certificate of Service

I hereby certify that on this 11<sup>th</sup> day of February 2025, a copy of the foregoing Motion was mailed, postage prepaid, to Plaintiff US Bank National Association via Counsel Hutchen's Law Firm, PO Box 8237, Columbia, South Carolina 29202; and Co-Defendant Palmetto Citizens Federal Credit Union via Counsel Richardson Plowden, PO Drawer 7788, Columbia, SC 29202.



Tracie Matchem-Green  
PO Box 521  
1585 Central Park Ave.  
Yonkers, New York 10710  
(803) 361-0602, [drgreen@nyyahoo.com](mailto:drgreen@nyyahoo.com)  
ProSe Appellant

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CASE# 2022CP3200784

Form 1  
NOTICE OF APPEAL IN A CIVIL CASE  
[Second Amendment]

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals [In The Supreme Court]  
APPEAL FROM LEXINGTON COUNTY  
Court of Common Pleas  
James O. Spence, Master-In-Equity

Cave No. 2022-CP-32-00784

John Kay, et al as Personal  
Representatives of the Estate of US Bank National, Respondent  
v.  
Tracie L. Green; Appellant  
Cardinal Pines Homeowners' Association, Inc;  
Nelson Weston, as Personal Representative of the  
Estate of Palmetto Citizens Federal Credit Union

NOTICE OF APPEAL [Second Amendment]

Tracie L. Green [Mitchem-Green] appeals the order denying motion to vacate judgement order of the Honorable James O. Spence dated January 29, 2025. Appellant received written notice of entry of this order denying motion to vacate judgement order on January 30, 2025. Staying Judgement for Sale or Delivery of Land: Pursuant to SC Code 18-9-170 (2023), the below signed appellant, during the possession of such property, will not commit or suffer to be committed any waste thereon and if the judgment be affirmed, will pay the value of the use and occupation of the property from the time of the execution of the undertaking until the delivery of possession thereof pursuant to the judgment, not exceeding a sum to be fixed by a judge of the court by which judgment was rendered and which shall be specified in the undertaking. When the judgment directs the sale of land to satisfy a mortgage thereon or other lien, the undertaking shall prove that in case the judgment appealed from be affirmed and the land be final sold for less than the judgment debt and costs then the appellant shall pay for any waste committed or suffered to be committed on the land and shall pay a reasonable rental value for the use and occupation of the land from the time of the execution of the undertaking to the time of the sale, but not exceeding the amount of such deficiency, which sum shall be duly entered as a payment on the judgement; and in case the land shall be unimproved land, then in any action or proceedings now pending or hereafter begun in any of the courts of this State the undertaking shall further provide for the payment by appellant, if the judgment be affirmed, or any taxes due at the time of the appeal or already paid by the mortgagee, or becoming due during the pendency of the appeal, and also for the payment by appellant of the interest on the debt falling due during the pendency of such appeal. Due to the presence of criminal activity occurring and this Defendants in forma pauperis status, this court is requested to utilize the pending \$3 million judgement in lieu of the requested two sureties.

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### Certificate of Service

I hereby certify that a copy of this Motion to Move to Inactive Roster with Previously Submitted Motions for Stay is being submitted to Supreme Court of the United States, United States Court of Appeals for the Fourth Circuit, Lexington County Courthouse, Hutchen's Law Firm, and Richardson Plowden.

  
Tracie Mitchem-Green, Defendant

3/4/25

Date