

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

---

APPEAL FROM HORRY COUNTY  
Court of Common Pleas  
Alan D. Clemmons, Master in Equity

**RECEIVED**

**Mar 25 2025**

**SC Court of Appeals**

Appellate Case No. 2024-001119

---

Specialized Loan Servicing LLC,

Respondent,

v.

Cindy B. Hunt,

Defendants,

Of whom, Cindy B. Hunt is the Appellant.

---

RESPONDENT'S RENWED MOTION TO DISMISS APPEAL

---

Chad W. Burgess, Esq.  
(S.C. Bar No.: 72520)  
BROCK & SCOTT, PLLC  
3800 Fernandina Road, Suite 110  
Columbia, South Carolina 29210  
(803) 454-3540  
*Attorney for Respondent*

**NOW COMES** Respondent, Specialized Loan Servicing, LLC (“SLS” or “Respondent”), by and through its undersigned attorney, and pursuant to Rule 260 of the South Carolina Appellate Court Rules, hereby moves this Court for an Order dismissing the instant appeal filed by Cindy B. Hunt (“Appellant”), averring as follows:

### **BRIEF PROCEDURAL HISTORY**

This subject action is one of foreclosure of a mortgage on real property located in Horry County. On May 18, 2007, Appellant executed and delivered a note in favor of Coastal Federal Bank whereby Appellant promised to repay the principal sum of \$147,200.00 plus interest at the rate of 6.3750% per annum until the loan is fully repaid. The note was secured by a mortgage on real property fully described therein and commonly known as 195 - D Willow Greens Dr., a/k/a 195 Willow Green Dr., Unit D, Conway, SC 29526. The mortgage was recorded in the Horry County Registry on May 23, 2007, in Book 4906 at Page 1953. The note and mortgage were subsequently transferred to Branch Banking and Trust Company (“BB&T”) through corporate merger. BB&T initiated the foreclosure suit on April 16, 2013. Appellant, proceeding as a self-represented litigant, filed an answer and counterclaims on August 2, 2013. Voluminous litigation followed which included Appellant attempting to default BB&T for failing to respond to Appellant’s counterclaims despite their having timely filed a motion to dismiss those counterclaims. The matter was referred to the Horry County Master in Equity on October 15, 2013.

On October 28, 2014, the Master entered an order denying Appellant’s motion for default judgment as to her counterclaims. On January 13, 2015, the Master entered an order granting BB&T’s motion to dismiss Appellant’s counterclaims. On June 3, 2015, the Master entered an order denying Appellant’s motion for attorney’s fees and costs. Appellant sought reconsideration

of these orders, and, on June 15, 2016, the Master denied Appellant's request to alter or amend. Appellant appealed the June 15, 2016, order. *See* Appellate Case No. 2016-001550. On December 18, 2019, this Court issued unpublished opinion 2019-UP-389, affirming the Master's June 3, 2015, order. Following denial of Appellant's request for a rehearing, Appellant sought certiorari to the South Carolina Supreme Court. Certiorari was denied and the case remitted to the Circuit Court on October 19, 2020.

Following remittitur, the subject note and mortgage were transferred to Respondent. An assignment of the mortgage into Respondent was recorded in the Horry County Registry on November 18, 2021, in Book 6480 at Page 2673. Respondent was substituted as the Plaintiff in place of BB&T by order filed May 10, 2022.

Appellant filed several motions expressing her objections to, *inter alia*, substitution of the Plaintiff and Plaintiff's counsel, and jurisdictional challenges. A bench trial and hearing on all pending motions was held March 5, 2024, and reconvened on May 8, 2024. On June 6, 2024, the Master entered an order granting Respondent foreclosure and ordering the sale of the property. The Master's order formally addressed, and denied, all of Appellant's pending motions.

This appeal followed on July 3, 2024. Appellant submitted a document purporting to be her initial brief and designation of matter on September 19, 2024. Though Appellant is a South Carolina licensed attorney in good standing, her initial brief and designation of matter were so deficient as to render it impossible for Respondent to brief any issues on appeal. Respondent filed a motion to dismiss appeal on October 1, 2024.

On December 20, 2024, this Court issued an order denying Respondent's motion to dismiss. The December 20<sup>th</sup> order struck Appellant's initial brief and designation of matter and directed appellant to file and serve an amended initial brief and designation of matter that complies

with the rules within thirty days of the order. On January 15, 2025, Appellant served a motion titled “Motion to Hold in Abeyance”. Respondent opposed Respondent’s “Motion to Hold in Abeyance” and requested that the appeal be dismissed due to Appellant not serving and filing an amended initial brief and designation as instructed in this Court’s December 20, 2025, order. On March 10, 2025, this Court issued an order denying Appellant’s “Motion to Hold in Abeyance” as well as Respondent’s request to dismiss the appeal. The March 10<sup>th</sup> order directed Appellant to file and serve an amended initial brief and designation of matter that complies with the Rules within ten days. Appellant submitted documents purporting to be her initial brief and designation of matter on March 20, 2024. Appellant’s latest initial brief and designation of matter, like the prior versions of these documents, are so deficient as to render it impossible for Respondent to brief any issues on appeal. Therefore, this Court should dismiss the appeal.

### **ARGUMENT AND CITATION OF AUTHORITY**

Because Appellant’s resubmitted initial brief and designation of matter remain so deficient as to make it impossible for Respondent to issue its brief, the Court should dismiss her appeal.

“[T]he Appellate Court Rules ‘are not mere technicalities but provide the parties and this Court with an orderly mechanism through which to guide appeals in this State. It is incumbent upon counsel to provide material that complies with the Rules and facilitates appellate review.’” *Forner v. Butler*, 319 S.C. 275, 276 n.1, 460 S.E.2d 425, 426 n.1 (1995) (quoting *Henning v. Kaye*, 307, S.C. 436, 436, 415 S.E.2d 794, 794 (1992)). “Whenever it appears that an appellant . . . has failed to comply with the requirements of these Rules, the clerk shall issue an order of dismissal, which shall have the same force and effect as an order of the appellate court.” Rule 260(a), SCACR. All litigants, whether pro se or represented by counsel, are held to the same standards

and are expected to adhere to the Rules of the Court. *See State v. Barnes*, 407 S.C. 27, 31, 753 S.E.2d 545, 547 (2014) (“Appellant [who moved to be allowed to proceed pro se] acknowledged he understood he would be held to the same standards as an attorney regarding the rules of court and of evidence.”).

Appellant’s latest initial brief and designation of matter do not comply with the Rules. They are just as deficient as those filed September 19, 2024. Like the stricken version, the latest initial brief and designation of matter can only be described as a “stream of consciousness monologue” wholly comprised of rambling incoherent statements which are largely indecipherable. The brief appears to set forth nine issues on appeal. The first eight issues appear to be re-copied statements related to various motions filed by Appellant from October 28, 2020 through January 16, 2024 asserting that Respondent did not contemporaneously objects to those motions. Respondent notes that it filed memoranda opposing the various motions filed by Appellant. The Master in Equity heard arguments from the parties regarding each of Appellant’s motions at the March 5, 2024 hearing. Each of Appellant’s motions were verbally denied at the hearing and a bench trial on the merits followed. It is unclear how a contemporaneous objection would be applicable to any of Appellant’s various motions. The body of Appellant’s latest brief provides nothing to clarify any issue on appeal, thereby making it impossible for Respondent to submit an appellate brief.

Appellant’s latest designation of matter also fails to comply with Rule 209, SCACR. While the document appears to contain a list of numerous documents, most of the listed documents appear to relate to Appellant’s frivolous federal lawsuits that have been uniformly dismissed. These items would not be properly included in the record on appeal. Further, the document appears to be a photocopy of the index to the record on appeal submitted in Appellant’s prior appeal (Appellate

Case No.: 2016-001550) where Appellant merely struck through the date the document was submitted and wrote in a new date.

Appellant's latest filings fall far short of complying with this Court's March 10, 2025, order, and her appeal should be dismissed. *Harkins v. Greenville Cnty.*, 340 S.C. 606, 616, 533 S.E.2d 886, 891 (2000) (affirming trial court decision where appellant failed to satisfy burden of presenting an adequate record on appeal); *Milton v. Richland Cnty.*, No. 2015-MO-046, 2015 S.C. Unpub. LEXIS 45, at 6, 2015 WL 4642832 (S.C. Aug. 5, 2015) (dismissing appeal "[b]ecause [p]etitioner failed to submit a sufficient record, th[e] case present[ed] nothing more than a dispute of a hypothetical character"); *Epps v. Epps*, No. 2012-UP-146, 2012 S.C. App. Unpub. LEXIS 207, at \*1 (S.C. Ct. App. Mar. 7, 2012) (dismissing an appeal because procedural defects precluded meaningful review of the appeal).

### CONCLUSION

For the foregoing reasons, Respondent respectfully requests that this appeal be dismissed and requests such other relief this Court deems just and proper.

Respectfully submitted,

BROCK AND SCOTT, PLLC

s/Chad W. Burgess  
S.C. Bar No.: 72520  
3800 Fernandina Road, Suite 110  
Columbia, South Carolina 29210  
(803) 454-3540  
*Attorney for Respondent Specialized Loan  
Servicing, LLC*

Dated: March 25, 2025