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No. 2025-000382

MAY 16 2025

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

SC Court of Appeals

**John C. Nelums; Delmarshi Nelums; Woodlake Homeowners Association, Inc., ..... Appellants**

v.

**Deutsche Bank National Trust Company as Trustee for Residential Asset Securitization Trust 2005-A8CB Mortgage Pass-Through Certificates Series 2005-H, et Al.. .....Respondent**

**ON APPEAL FROM RICHLAND COUNTY Court of Common Pleas Hon Joseph M. Strickland Master in Equity Judge/ as Special Referee, Attorney Bar # 5388 Court of Common Pleas Judge (Lower Court Trial Court C/A NO: 2021-CP-40-000895)**

**Submitted: February 28 ,2025 Decided: February 19, 2025,**

**MOTION FOR A 60-DAY EXTENSION OF TIME TO FILE APPELLANT TRANSCRIPT AND NOTICE TO THE COURT**

**Thursday, May 15, 2025**

**Respectfully submitted,**

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

*John C. Nelums  
Delmarshi Nelums*

COME NOW, pursuant to Rule 240, Rule 207, and Rule 206, of South Carolina Appellate Court Rules, MOTION FOR A 60-DAY EXTENSION OF TIME TO FILE APPELLANT TRANSCRIPT AND NOTICE TO THE COURT, Appellants John C. Nelums & Delmarshi Nelums hereinafter “The” Appellant Pro se (“Nelums”) Respectfully submit to THE STATE OF SOUTH CAROLINA In the Court of Appeals,

**1.** Appellants On February 28, 2025, file a timely Notice of Appeal with the court.

**2.** On February 5, 2025, at 11:17 AM, Defendant(s) John Nelums and Delmarshi Nelums, of the property located at 315 B Bentwood Lane, Columbia, SC 29229, do show cause on a 4-year-old Case: # **2021CP4000895**, if any they can, before me, Joseph M. Strickland, Master in Equity for Richland County, at 2500 Decker Boulevard, Courtroom 1, Columbia, South Carolina on February 14, 2025, at 9:30 AM as to why a Writ of Assistance should not be issued by this Court (See **Appendix 1**,

**3.** On February 19, 2025, this matter came before me to require the above-named Defendant(s) John Nelums and Delmarshi Nelums or any occupant of the property located at 315 Bentwood Lane, Columbia, SC 29229, to show cause why a Writ of Assistance should not be issued by this Court, The Order of Writ of Assistance

in this case, it is so Ordered by Joseph Strickland, On February 19, 2025, in fact, on February 5, 2025, 14 days after the fact that Joseph M. Strickland, Master in Equity rule on the same Writ of Assistance of a 4-year-old Case:#2021CP4000895.(See **Appendix 2**

**4.** The Appellants John Nelums and Delmarshi Nelums, on Jan 23, 2024 the Master-in-Equity Joseph Strickland lost his job, as The House voted 62-31 to reject is reappointment.

**5.** On March 4, 2025, Judge Stephanie Lawrence Appointment as the Richland County Master-in-Equity in March 2025. The appointment was made with the advice and consent of the South Carolina General Assembly, after she was deemed qualified by the Judicial Merit Selection Commission and her name was submitted by the Richland County Legislative Delegation.

**6.** On information and belief, Judge Stephanie Lawrence Appointment as the Richland County Master-in-Equity, Replaced The Hon, Joseph M. Strickland somewhere Between March 25, 2025, and April 1. 2025.

**7.** On Tuesday May 13, 2025, Mr. Nelums arrives at the Richland County Master-in-Equity Court at round 11: 30am and Proceeded toward the Clerk of court office hoping to obtain audio recordings of the court hearing dated February 5, 2025, February

14, 2025, and February 19, 2025, that the secretary said that the New Judge Stephanie Lawrence Appointment as the Richland County Master-in-Equity just started using the audio for the judges This month. Therefore, the Master-in-Equity the Hon, Joseph Strickland failed to utilize the system for years. Therefore, Obtaining audio recordings of the court hearing, and sending the Audio Recordings to the Court Reporting Company would not Happen, The Hon, Joseph M. Strickland United States Magistrate Judge, fundamentally failed to follow the law. without satisfying any of the requirements set forth in the statute. The General Assembly in including the specific requirements of section See FED. R. Civ. P. 53(b), 28 U.S.C. §§ 636(c)(1) & (c)(3). See 28 U.S.C. § 636(b)(2) 28 U.S.C. § 636(c)(4); 28 U.S.C. §636(c)(5), that must be satisfied before authority to Rule 28 U.S.C. §§ 636(c) as South Carolina Supreme Court has held, "The term 'shall' in a statute means that the action is mandatory

**8.** How do I obtain a transcript?

**9.** Pursuant to Rule 207 and 607 of South Carolina Appellate Court Rules, the transcribed paper copy is the official

Record of court proceedings. Any party or attorney representing a Party, who is interested in obtaining a transcript from a court Proceedings held in Circuit or Family Court must complete the Transcript Request Form, SCCA 800, to order the transcript. If the Requestor is a non-party, the court reporter must obtain permission from the court in order to produce the transcript. You may request a transcript by completing the form online or in hard copy and returning it via postal mail.

**10.** On information and belief, Transcripts are not available for proceedings in Municipal, Magistrate, Master-in-Equity, or Probate Courts. If you would like to order a transcript of a proceeding that was held in Circuit or Family Courts, for each hearing that you would like a transcript for, you must complete the SCCA Form 800 in its entirety. If you are ordering the transcript for a consecutive, multi-day trial, you only need to use one form.

**11.** On information and belief, to complete the Transcript Request Form, you will need the following information on hand:

#### Transcript Information

- Court type (A - Circuit or B - Family)
- County
- Docket Number
- Date(s) of proceeding
- Presiding Judge

- Opposing counsel's information (name and email or mailing address)
- Parties to the proceeding information (name and email or mailing address)

**12.** On information and belief, (4) Failure to Receive Transcript. If appellant has not received the transcript within the allotted time nor received notification of an extension within ten (10) days after the allotted time, appellant shall notify the clerk of the appellate court, and the administrative tribunal in writing.

**13.** The appellant's deadline was May 10, 2025

**14.** The appellants file their MOTION FOR A 60-DAY EXTENSION OF TIME TO FILE APPELLANT TRANSCRIPT AND NOTICE TO THE COURT on Thursday, May 15, 2025

**15.** Appellants John C Nelums and Delmarshi Nelums Failure to Receive Transcript of the proceedings in this "complex case" from the Trial Court Case No. 2021CP4000895, this unprofessional standards in this action requires "exceptional judicial management" to avoid burdens on the court and litigants, On February 5, 2025, February 14, 2025, and On February 19, 2025, the same order was Entered, Appellants John C Nelums and Delmarshi Nelums will file a motion with the court for a sixth (60) day extension. On this complex situation concerning nonexistence Transcript As of this day, appellant has not received the transcript

from the court reporter.

**16.** On February 5, 2025, The Hon, Joseph M. Strickland Did not obtain audio recordings of the court hearing and make all such records public." Apparently upon receiving his February 5, 2025, order, and send the audio Recordings to the Court Reporting Company.

**17.** February 14, 2025, The Hon, Joseph M. Strickland Did not obtain audio recordings of the court hearing and make all such records public." Apparently upon receiving his February 14, 2025, order, and send the audio Recordings to the Court Reporting Company.

**18.** On February 19, 2025, The Hon, Joseph M. Strickland Did not obtain audio recordings of the court hearing and make all such records public." Apparently upon receiving his February 19, 2025, order, and send the audio Recordings to the Court Reporting Company.

**19.** On information and belief, The Supreme Court has ruled on issues related to the violation of audio recordings of court hearings, emphasizing the importance of maintaining the integrity of court proceedings.

Key Points:

- Court Recordings: Audio recordings of court hearings are official records that must be preserved and accurately reflect the proceedings.
- Judicial Conduct: Judges are expected to uphold the law and ensure that court procedures are followed, including the proper handling of audio recordings.
- Violations: Instances where judges violate protocols regarding audio recordings can lead to disciplinary actions or appeals, depending on the severity of the violation.
- Legal Precedents: The Supreme Court's decisions often set precedents that guide lower courts in handling similar issues, reinforcing the need for transparency and accountability in judicial processes.

**20.** The Hon, Joseph M. Strickland United States Magistrate Judge exceeded his authority on February 5, 2025, February 14, 2025, And February 19, 2025, by violating The General Assembly in including the specific requirements of section See FED. R. Civ. P. 53(b), 28 U.S.C. §§ 636(c)(1) & (c)(3). See 28 U.S.C. § 636(b)(2) 28 U.S.C. § 636(c)(4); 28 U.S.C. §636(c)(5), that must be satisfied before authority to Rule 28 U.S.C. §§ 636(c) as South Carolina Supreme Court has held, "The term 'shall' in a statute means that the action is mandatory, fundamental principles of law. First,

All our courts are bound to follow clear and unambiguous statutory law,

**21.** John C. Nelums and Delmarshi Nelums to IndyMac Bank, F.S.B. in the amount of Two Hundred Seventy Thousand Nine Hundred And 00/100 (\$270,900.00), dated January 27, 2003 and recorded in the Office of the Register of Deeds for Richland County in Book No. 00755, at Page 0615 on February 6, 2003. [See **Appendix 3**

**The Hon. Joseph M. Strickland Civil Case NO. 2021CP4000895,**

**22.** “The Court take judicial notice that In South Carolina, jurisdiction, or the basic authority of a judge to hear and exercise Judgment of a matter is based upon three considerations: territorial jurisdiction, subject matter jurisdiction, and the amount in controversy, (\$270,900.00),

Territorial jurisdiction for each magistrate extends throughout the county in which he is appointed in both civil and criminal matters.

To understand the latter two determinations of jurisdiction, subject matter jurisdiction and amount in controversy, one must look to S.C. Code Ann. §§ 22-3-10, and 22-3-20. Section 22-3-10, as limited by § 22-3-20, sets out magisterial jurisdiction over fourteen

areas of civil subject matter as follows:

1. Actions on contracts for the recovery of money, where the claim does not exceed \$7,500.00.
2. Actions for damages for injury to rights pertaining to the person, or personal or real property, where the damages do not exceed \$7,500.00.
3. Actions for a penalty, fine or forfeiture, not to exceed \$7,500.00.
4. Actions commenced by attachment of property, as provided by statute, where debt or damages do not exceed \$7,500.00.
5. Actions upon a bond conditioned for the payment of money, not exceeding \$7,500.00, whether the money is due in sum total or in installments;
6. Actions upon a surety bond taken by the magistrate, when penalty or amount claimed does not exceed \$7,500.00.
7. Actions upon a judgment rendered in magistrate's court when it is not prohibited by the South Carolina Rules of Civil Procedure.
8. Taking and entering judgment on the confession of a defendant in the manner prescribed by law when the amount confessed does not exceed \$7,500.00.
9. Actions for damages or for fraud in the sale, purchase, or exchange of personal property, not to exceed \$7,500.00.
10. All landlord and tenant matters, as well as those included in Chapter 33 through 41 of Title 27, encompassing matters of leasehold estates, rent, ejection of tenants and undertenants of life tenants.
11. Actions to recover the possession of personal property, whose stated value does not exceed \$7,500.00.
12. In all actions provided for in this section when a filed counterclaim involves a sum not exceeding \$7,500.00.
13. In interpleader actions arising from real estate contracts for the recovery of earnest money, only if the sum claimed does not exceed \$7,500.00.
14. In actions for damages arising from a person's failure to return leased or rented personal property within 72 hours after the expiration of the lease or rental agreement, such damages to be based

on the loss of revenue or replacement value of the property, whichever is less, if the damages claimed does not exceed \$7,500.00; However, the lease or rental agreement must be set forth in which the amount of the loss of revenue or replacement value of the item leased or rented is calculated.

**Rule 4 - SPECIAL MASTER REFERENCES AND TRIALS BY CONSENT**

**23.** A magistrate judge may serve as a special master subject to the procedures and limitations of 28 U.S.C. Section 636(b)(2) and Fed. R. Civ. P. 53. Unless the district judge orders that a transcript of the proceedings are not filed, any order of reference under this subsection or under Section 4(b) of these Rules must include a directive that the parties, in such proportionate share as the district judge determines to be appropriate, will bear the expense of preparing the transcript required to be filed under Fed. R. Civ. P. 53(e)

(a) With the consent of the parties and the approval of the district judge To whom the case has been assigned, a magistrate judge may serve as special master in any civil case without regard to the provisions of Fed. R. Civ. P. 53(b). The entry of final judgment under this subsection, however, must be ordered by a district judge of the court, or at the direction of a district judge.

(1) Notwithstanding any provision of law to the contrary—Upon the consent of the parties (including added parties), a magistrate judge, when specially designated to exercise such jurisdiction by the district court, may conduct any and all proceedings in a jury or non-jury civil case and order judgment in the case. A record of the proceedings must be made in accordance with the requirements of 28 U.S.C. § 636(c)(5).

(2) The Clerk of the Court will notify the parties in all civil cases That they may consent to have a magistrate judge conduct any or all proceedings in the case and order the entry of the final judgment. Such notice will be handed or mailed to the plaintiff or plaintiff's representative at the time an action is filed and to the other parties as attachments to copies of the complaint and summons, when served. Additional notices may be furnished to the parties at later stages of the proceedings and may be included with pretrial notices. If new parties are added after the initial filing, the plaintiff is responsible for obtaining an executed consent form from the new parties.

(3) The Clerk must not accept a consent form unless it has been

signed by all the parties in a case. The plaintiff is responsible for obtaining the executed consent form from the parties and filing the form with the Clerk of the Court within 20 days of the filing of an answer or other responsive pleading by the parties, unless the time is enlarged by order of the court. Thereafter, either a district judge or a magistrate judge may again, advise the parties of the availability of trial by consent before a magistrate judge, but in so doing, must also advise the parties that they are free to withhold consent without adverse substantive consequences.

**24. Cooper v. Aaron**, 358 U.S. 1, 78 S. Ct. 1401 (1958) Note: Any judge who does not comply with his oath to the Constitution of the United States wars against that Constitution and engages in acts in violation of the supreme law of the land. The judge is engaged in acts of treason. The U.S. Supreme Court has stated that "no state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it". See also *In Re Sawyer*, 124 U.S. 200 (188); *U.S. v. Will*, 449 U.S. 200, 216, 101 S. Ct. 471, 66 L. Ed. 2d 392, 406 (1980); *Cohens v. Virginia*, 19 U.S. (6 Wheat) 264, 404, 5 L. Ed 257 (1821).

**25. Marbury v. Madison**, 5 U.S. (2 Cranch) 137, 180 (1803)

"... the particular phraseology of the constitution of the United States confirm and strengthens the principle, supposed to be essential to all written constitutions, that a law repugnant to the constitution is void, and that courts, as well as other departments, are bound by that instrument." "In declaring what shall be the supreme law of the land, the Constitution itself is first mentioned; and not the laws of the United States generally, but those only which shall be made in pursuance of the Constitution, have that rank". "All law (rules and practices) which are repugnant to the Constitution are VOID". Since the 14th Amendment to the Constitution states "NO State (Jurisdiction) shall make or enforce any law which shall abridge the rights, privileges, or immunities of citizens of the United States nor deprive any citizens of life, liberty, or property, without due process of law, ... or equal protection under the law", this renders judicial immunity unconstitutional.

**26. Scheuer v. Rhodes**, 416 U.S. 232, 94 S. Ct. 1683, 1687 (1974) Note: By law, a judge is a state officer. The judge then acts not as a judge, but as a private individual (in his person). When a judge acts as a trespasser of the law, when a judge does not follow the law, the Judge loses subject-matter jurisdiction and the judges' orders are not voidable, but VOID, and of no legal force or effect.

The U.S. Supreme Court stated that "when a state officer acts under a state law in a manner violative of the Federal Constitution, he comes into conflict with the superior authority of that Constitution, and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of his individual conduct. The State has no power to impart to him any immunity from responsibility to the supreme authority of the United States.

**27.** " Miller v. U.S., 230 F. 2d. 486, 490; 42 "There can be no sanction or penalty imposed upon one, because of his exercise

**28.** Shuttlesworth v. City of Birmingham, Alabama, 373 U.S. 262 "If the State converts a right (liberty) into a privilege, the citizen can ignore the license and fee and engage in the right (liberty) with impunity."

**29.** Davis v. Wechler, 263 U.S. 22, 24; Stromberb v. California, 283 U.S. 359; NAACP v. Alabama, 375 U.S. 449 "The assertion of federal rights, when plainly and reasonably made, are not to be defeated under the name of local practice."

**30.** Elmore v. McCammon (1986) 640 F. Supp. 905 "... the The right to file a lawsuit pro 'se is one of the most important rights under the constitution and laws."

**31. Sims v. Aherns**, 271 SW 720 (1925) "The practice of law is an occupation of common right." "Because of what appears to be a lawful command on the surface, many Citizens, because of their respect for what appears to be law, are cunningly coerced into waiving their rights due to ignorance."

**32.** S.C.R. 1795, *Penhallow v. Doane's Administrators* (3 U.S. 54; 1 Led. 57; 3 Dall. 54), "The prosecutor is not a witness; and he should not be permitted to add to the record either by subtle or gross improprieties. Those who have experienced the full thrust of the power of government when leveled against them know that the Only protection the citizen has is in the requirement for a fair trial."

**33. Donnelly v. Dechristoforo**, 1974.SCT.41709 ¶ 56; 416 U.S. 637 (1974) **McNally v. U.S.**, 483 U.S. 350, 371-372, Quoting **U.S. v Holzer**, 816 F.2d. 304, 307 Fraud in its elementary common law sense of deceit... includes the deliberate concealment of material information in a setting of fiduciary obligation. A public official is a fiduciary toward the public, and if he deliberately conceals material information from them, he is guilty of fraud.

**34.** "The law requires proof of jurisdiction to appear on the record of the administrative agency and all administrative proceedings."

**35. Stock v. Medical Examiners** 94 Ca 2d 751. 211 P2d 289

In Interest of M.V., 288 Ill.App.3d 300, 681 N.E.2d 532 (1st Dist. 1997) "Where a court's power to act is controlled by statute, the court is governed by the rules of limited jurisdiction, and courts exercising jurisdiction over such matters must proceed within the structures of the statute." "The state citizen is immune from any and all government attacks and procedure, absent contract." see, **Dred Scott vs. Sanford**, 60 U.S. (19 How.) 393 or as the Supreme Court has stated clearly, "...every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowmen without his consent."

**36. Jorgensen v. State**, 567 N.E.2d 113, 121. "To establish the corpus delicti, independent evidence must be presented showing the occurrence of a specific kind of injury and that a criminal act was the cause of the injury."

**37. Porter v. State** , 391 N.E.2d 801, 808-809. "When governments enter the world of commerce, they are subject to the same burdens as any private firm or corporation" -- **U.S. v. Burr**, 309 U.S. 242 See: 22 U.S.C.A.286e, **Bank of U.S. vs. Planters Bank of Georgia**, 6L, Ed. (9 Wheat) 244; 22 U.S.C.A. 286 et seq., C.R.S. 11-60-103

38. **Redfield v Fisher**, 292 P 813, at 819 [1930] "...an officer may be held liable for damages to any person injured in consequence of a breach of any of the duties connected with his office...The liability for nonfeasance, misfeasance, and for malfeasance in office is in his 'individual' , not his official capacity.

39. **Boyce v. Grundy**, 3 Pet. 210 "Fraud vitiates the most solemn contracts, documents and even judgments.

40. " **U.S. v. Throckmorton**, 98 US 61 WHEREAS, officials and even judges have no immunity (See, Owen vs. City of Independence, 100 S Ct. 1398; Maine vs. Thiboutot, 100 S. Ct. 2502; and **Hafer vs. Melo**, 502 U.S. 21; officials and judges are deemed to know the law and sworn to uphold the law; officials and judges cannot claim to act in good faith in willful deprivation of law, they certainly cannot plead ignorance of the law, even the Citizen cannot plead ignorance of the law, the courts have ruled there is no such thing as ignorance of the law, it is ludicrous for learned officials and judges plead ignorance of the law therefore there is no immunity, judicial or otherwise, in matters of rights secured by the Constitution for the United States of America. See: Title 42 U.S.C. Sec. 1983. "When lawsuits are brought against federal officials, they must be brought against them in their "individual"

capacity not their official capacity. When federal officials perpetrate constitutional torts, they do so ultra vires (beyond the powers) and lose the shield of immunity."

**41. Williamson v. U.S.** Department of Agriculture, 815 F.2d. 369, ACLU Foundation v. Barr, 952 F.2d. 457, 293 U.S. App. DC 101, (CA DC 1991). "It is the duty of all officials whether legislative, judicial, executive, administrative, or ministerial to so perform every official act as not to violate constitutional provisions."

**42. HALE v. HENKEL 201 U.S.** 43 at 89 (1906) Hale v. Henkel was decided by the united States Supreme Court in 1906. The opinion of the court states: "The "individual" may stand upon "His Constitutional Rights" as a CITIZEN. He is entitled to carry on his "private" business in his own way. "His power to contract is unlimited." He owes no duty to the State or to his neighbors to divulge his business, or to open his doors to an investigation, so far as it may tend to incriminate him. He owes no duty to the State, since he receives nothing there from, beyond the protection of his life and property. "His rights" are such as "existed" by the Law of the Land (Common Law) "long antecedent" to the organization of the State", and can only be taken from him by "due process of law", and "In accordance with the Constitution." "He owes nothing" to the

public so long as he does not trespass upon their rights."

**43. HALE V. HENKEL 201 U.S. 43 at 89 (1906) Hale v. Henkel** is binding on all the courts of the United States of America until another Supreme Court case says it isn't. No other Supreme Court case has ever overturned **Hale v. Henkel** None of the various issues of **Hale v. Henkel** has ever been overruled since 1906, **Hale v. Henkel** has been cited by the Federal and State Appellate Court systems over 1,600 times! In nearly every instance when a case is cited, it has an impact on precedent authority of the cited case. Compared with other previously decided Supreme Court cases, no other case has surpassed **Hale v. Henkel** in the number of times it has been cited by the courts. "The rights of the individuals are restricted only to the extent that they have been voluntarily surrendered by the citizenship to the agencies of government."

**44. Bennett v. Boggs, 1 Baldw 60**, "Statutes that violate the plain and obvious principles of common right and common reason are null and void". Would we not say that these judicial decisions are straight to the point --that there is no lawful method for government to put restrictions or limitations on rights belonging to the people? Other cases are even more straight forward: "The assertion of federal rights, when plainly and reasonably made, is

not to be defeated under the name of practice.

**45. Sherer v. Cullen** , 481 F 946. We could go on, quoting court decision after court decision, however, the Constitution itself answers our question □ Can a government legally put restrictions on the rights of the American people at anytime, for any reason?

The answer is found in Article Six of the U.S. Constitution: **Miranda v. Arizona**, 384 U.S. 426, 491; 86 S. Ct. 1603 "Where rights secured by the Constitution are involved, there can be no 'rule making' or legislation which would abrogate them."

**46. From:** JOHN NELUMS <[johnnelums@yahoo.com](mailto:johnnelums@yahoo.com)>

**47. To:** [contact@creelreporting.com](mailto:contact@creelreporting.com) <[contact@creelreporting.com](mailto:contact@creelreporting.com)>  
m

**48. Cc:** JOHN NELUMS <[johnnelums@yahoo.com](mailto:johnnelums@yahoo.com)>

**49. Sent:** Tuesday, May 13, 2025, at 05:17:07 AM EDT

**50. Subject:** Transcript Request for Deutsche Bank National Trust Company vs John C. Nelums (C/A No: 2021-CP-40-00895)

**51.** This is John Nelums I left a message on the phone yesterday (Monday ,12 May after hours) requesting transcript service for the case includes above. I have included a copy of the Writ of Assistance for the transcript. I will call to confirm the Transcript request today. Thank You.

**52.** That on May 12, 2025, Appellants did request the Transcript from Creel Court Reporting, Inc. 1230 Richland Street Columbia, SC 29201(See **APPENDIX-4**

**53.** On May 13, 2025, Heather from Creel Court Reporting, Inc., she stated, "Dear Mr. Nelums, the Appellants Please There is no invoice for Service, because there is no finding of any Order dated February 19, 2025, No audio Recordings from The Hon, Joseph M. Strickland United States Magistrate Judge, the hearing transcribed, Deutsche Bank National Trust Company vs John C. Nelums (C/A No: 2021-CP-40-00895)

**54.** The Hon, Joseph M. Strickland United States Magistrate Judge, fundamentally failed to follow the law. without satisfying any of the requirements set forth in the statute. The General Assembly in including the specific requirements of section See FED. R. Civ. P. 53(b), 28 U.S.C. §§ 636(c)(1) & (c)(3). See 28 U.S.C. § 636(b)(2) 28 U.S.C. § 636(c)(4); 28 U.S.C. §636(c)(5), that must be satisfied before authority to Rule 28 U.S.C. §§ 636(c) as South Carolina Supreme Court has held, "The term 'shall' in a statute means that the action is mandatory

**55.** The Hon, Joseph M. Strickland United States Magistrate Judge, On February 5, 2025, February 14, 2025, and On February

19, 2025, Orders were outside the circuit court's authority and contrary to the law.

**56.** Supreme Court South Carolina Code SECTION 14-3-410. Court of record; public inspection of records.

- The Supreme Court shall be a court of record, and the records thereof shall at all times be subject to the inspection of the citizens of the State or other people interested. The records shall be kept in a manner prescribed by the justices of the court.

**57.** On March 14, 2025, Appellants filed Motion Relieve Withdraw / Substitute as Counsel

**58.** On May 1, 2025, Non-Dispositional Decision - Order - Relieve / Withdraw / Substitute as Counsel

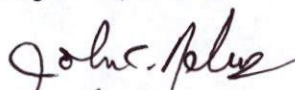

**59.** Appellants John C Nelums and Delmarshi Nelums Without Receiving the Transcript of the proceedings in this "Complex case" from the Trial Court Case No. 2021CP4000895, this unprofessional standards in this action, Appellants therefore move this Court to allow the Initial Brief of Appellants.

**60.** This extension request is not intended for purposes of Delay, but rather to ensure that the Transcript statutory rights And procedures are researched, prepared, and followed correctly. WHEREFORE, Appellants Pray that the Court extend the deadline

for the Motion Out of Time for First Extension service and filing of the Initial Transcript of Appellants in this Case for sixty (60) days. and for such other and further relief as the Court deems just and Proper.

**Thursday, May 15, 2025**

Respectfully submitted,

---

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

# APPENDIX-1

## (RULE TO SHOW CAUSE)

(NON-JURY MORTGAGE FORECLOSURE C/A NO: 2021-CP-40-00895

**Feb 5, 2025, 11:17 AM**

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF RICHLAND

Deutsche Bank National Trust Company as  
Trustee for Residential Asset Securitization  
Trust 2005-A8CB Mortgage Pass-Through  
Certificates Series 2005-H,

PLAINTIFF,

vs.

John C Nelums; Delmarshi Nelums; Woodlake  
Homeowners Association, Inc.,

DEFENDANT(S)

WRIT OF ASSISTANCE  
(NON-JURY MORTGAGE  
FORECLOSURE)

C/A NO: 2021-CP-40-00895

**THIS WRIT OF ASSISTANCE APPLIES TO ALL OCCUPANTS AND OTHERS  
(Including their possessions) WITH RESPECT TO THE PROPERTY DESCRIBED  
BELOW.**

This matter came before me to require the above named Defendant(s) John Nelums and Delmarshi Nelums or any occupant of the property located at 315 Bentwood Lane, Columbia, SC 29229, to show cause why a Writ of Assistance should not be issued by this Court to the Sheriff of Richland County of South Carolina, ordering and directing him to remove, peaceably or forcibly the Defendant(s) John Nelums and Delmarshi Nelums or any occupant at the above referenced property together with any and all persons claiming said Defendant(s), and all of their personal property located within or on the subject premises described in the verified Petition of the above named Plaintiff.

It appears that the subject premises was sold by judicial sale held on December 5, 2022. As a result of said sale, the Plaintiff became the owner of the subject property by virtue of a Master's Deed recorded December 21, 2022 in Book 2803, Page 3870 in the Office of the Register of Deeds - Richland County. Therefore, Plaintiff is entitled to possession of the subject premises.

NOW, THEREFORE, UPON MOTION OF Hutchens Law Firm LLP, Attorneys for the Plaintiff,

IT IS HEREBY ORDERED that the Plaintiff is entitled to recover possession of the premises described as follows:

LEGAL DESCRIPTION AND PROPERTY ADDRESS:

All that certain piece, parcel or lot of land, with improvements thereon, situate, lying and being in the County of Richland, State of South Carolina, being shown and delineated as Lot 13, Woodlake Subdivision, Phase VII, on a plat recorded in Plat Book 149, page 947 and having such metes and bounds as reference to said plat will show, all measurements being a little more or less.

Being the identical property conveyed to John C. Nelums and Delmarshi Nelums by Deed of Bridge Creek Associates dated January 28, 2003 and recorded February 6, 2003 in Book 755 at Page 612, in the Office of the Register of Deeds for Richland County, South Carolina.

315 Bentwood Lane  
Columbia, SC 29229  
TMS #: 23116-01-21

IT IS FURTHER ORDERED that, upon service of a copy of this Order, the Sheriff of Richland County, South Carolina, or his authorized deputies be, and they hereby are, directed and authorized to enter upon the aforementioned premises, by force if necessary, on a date and time to be set by the Sheriff or as soon thereafter as practical, and seize the said premises and to remove therefrom any and all such persons who may be occupying the same, together with all of their possessions, and to put the Plaintiff in full, peaceful and quiet possession of the premises without delay, and thereafter, within ten (10) days, make due Return to the Clerk of Court for Richland County, South Carolina, showing how this Order has been executed.

If personal service cannot be reasonably achieved, then service of this Writ of Assistance may be accomplished by personal service on Occupants or by posting this document upon the door of the dwelling or some other prominent place on the property by the Sheriff.

IT IS FURTHER ORDERED that the property described herein be vacated by 9:00 o'clock  
    A.M. on March 24, 2025.

AND IT IS SO ORDERED.

**JOSEPH M. STRICKLAND'S SIGNATURE PAGE TO FOLLOW**

I SO MOVE:

s/ Alan M. Stewart  
February 11, 2025  
Alan M. Stewart (S.C. Bar No. 15576)  
Attorneys for Plaintiff  
Hutchens Law Firm LLP  
P.O. Box 8237  
Columbia, SC 29202  
(803) 726-2700



Richland Common Pleas

**Case Caption:** Deutsche Bank National Trust Company Trustee , plaintiff, et al vs  
John C Nelums , defendant, et al  
**Case Number:** 2021CP4000895  
**Type:** Order/Writ Of Assistance

It is so Ordered

s/Joseph M. Strickland, 3055

Electronically signed on 2025-02-19 13:26:49 page 4 of 4

# APPENDIX-2

## (WRIT OF ASSISTANCE)

(NON-JURY MORTGAGE FORECLOSURE C/A NO: 2021-CP-40-00895

**Feb 19, 2025, 3:39 PM**

STATE OF SOUTH CAROLINA  
COUNTY OF RICHLAND

IN THE COURT OF COMMON PLEAS

Deutsche Bank National Trust Company as  
Trustee for Residential Asset Securitization  
Trust 2005-A8CB Mortgage Pass-Through  
Certificates Series 2005-H,

PLAINTIFF,

vs.

John C Nelums; Delmarshi Nelums; Woodlake  
Homeowners Association, Inc.,

DEFENDANT(S)

WRIT OF ASSISTANCE  
(NON-JURY MORTGAGE  
FORECLOSURE)

C/A NO: 2021-CP-40-00895

**THIS WRIT OF ASSISTANCE APPLIES TO ALL OCCUPANTS AND OTHERS  
(Including their possessions) WITH RESPECT TO THE PROPERTY DESCRIBED  
BELOW.**

This matter came before me to require the above named Defendant(s) John Nelums and Delmarshi Nelums or any occupant of the property located at 315 Bentwood Lane, Columbia, SC 29229, to show cause why a Writ of Assistance should not be issued by this Court to the Sheriff of Richland County of South Carolina, ordering and directing him to remove, peaceably or forcibly the Defendant(s) John Nelums and Delmarshi Nelums or any occupant at the above referenced property together with any and all persons claiming said Defendant(s), and all of their personal property located within or on the subject premises described in the verified Petition of the above named Plaintiff.

It appears that the subject premises was sold by judicial sale held on December 5, 2022. As a result of said sale, the Plaintiff became the owner of the subject property by virtue of a Master's Deed recorded December 21, 2022 in Book 2803, Page 3870 in the Office of the Register of Deeds - Richland County. Therefore, Plaintiff is entitled to possession of the subject premises.

NOW, THEREFORE, UPON MOTION OF Hutchens Law Firm LLP, Attorneys for the Plaintiff,

IT IS HEREBY ORDERED that the Plaintiff is entitled to recover possession of the premises described as follows:

LEGAL DESCRIPTION AND PROPERTY ADDRESS:

All that certain piece, parcel or lot of land, with improvements thereon, situate, lying and being in the County of Richland, State of South Carolina, being shown and delineated as Lot 13, Woodlake Subdivision, Phase VII, on a plat recorded in Plat Book 149, page 947 and having such metes and bounds as reference to said plat will show, all measurements being a little more or less.

Being the identical property conveyed to John C. Nelums and Delmarshi Nelums by Deed of Bridge Creek Associates dated January 28, 2003 and recorded February 6, 2003 in Book 755 at Page 612, in the Office of the Register of Deeds for Richland County, South Carolina.

315 Bentwood Lane  
Columbia, SC 29229  
TMS #: 23116-01-21

IT IS FURTHER ORDERED that, upon service of a copy of this Order, the Sheriff of Richland County, South Carolina, or his authorized deputies be, and they hereby are, directed and authorized to enter upon the aforementioned premises, by force if necessary, on a date and time to be set by the Sheriff or as soon thereafter as practical, and seize the said premises and to remove therefrom any and all such persons who may be occupying the same, together with all of their possessions, and to put the Plaintiff in full, peaceful and quiet possession of the premises without delay, and thereafter, within ten (10) days, make due Return to the Clerk of Court for Richland County, South Carolina, showing how this Order has been executed.

If personal service cannot be reasonably achieved, then service of this Writ of Assistance may be accomplished by personal service on Occupants or by posting this document upon the door of the dwelling or some other prominent place on the property by the Sheriff.

IT IS FURTHER ORDERED that the property described herein be vacated by 9:00 o'clock  
    A M. on March 24, 2025.

AND IT IS SO ORDERED.

**JOSEPH M. STRICKLAND'S SIGNATURE PAGE TO FOLLOW**

I SO MOVE:

s/ Alan M. Stewart  
February 11, 2025  
Alan M. Stewart (S.C. Bar No. 15576)  
Attorneys for Plaintiff  
Hutchens Law Firm LLP  
P.O. Box 8237  
Columbia, SC 29202  
(803) 726-2700

ELECTRONICALLY FILED - 2025 Feb 19 3:39 PM - RICHLAND - COMMON PLEAS - CASE#2021CP4000895



Richland Common Pleas

**Case Caption:** Deutsche Bank National Trust Company Trustee , plaintiff, et al vs  
John C Nelums , defendant, et al  
**Case Number:** 2021CP4000895  
**Type:** Order/Writ Of Assistance

It is so Ordered

s/Joseph M. Strickland, 3055

Electronically signed on 2025-02-19 13:26:49 page 4 of 4

ELECTRONICALLY FILED - 2025 Feb 19 3:39 PM - RICHLAND - COMMON PLEAS - CASE#2021CP4000895

# APPENDIX-3

## (LIS PENDENS)

(NON-JURY MORTGAGE FORECLOSURE C/A NO: 2021-CP-40-00895

**March 1, 2021, 8:11 AM**

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF RICHLAND

Deutsche Bank National Trust Company as  
Trustee for Residential Asset Securitization  
Trust 2005-A8CB Mortgage Pass-Through  
Certificates Series 2005-H,

PLAINTIFF,

vs.

John C. Nelums; Delmarshi Nelums; Woodlake  
Homeowners Association, Inc.,

DEFENDANT(S)

LIS PENDENS

(NON-JURY MORTGAGE  
FORECLOSURE)

C/A NO:

DEFICIENCY WAIVED

NOTICE IS HEREBY GIVEN that an action has been commenced and is now pending in this court upon Complaint of the above-named Plaintiff against the above-named Defendant for foreclosure of a certain mortgage of real estate given by John C. Nelums and Delmarshi Nelums to IndyMac Bank, F.S.B. in the amount of Two Hundred Seventy Thousand Nine Hundred And 00/100 (\$270,900.00), dated January 27, 2003 and recorded in the Office of the Register of Deeds for Richland County in Book No. 00755, at Page 0615 on February 6, 2003.

Thereafter, by virtue of an assignment dated December 2, 2020, recorded December 14, 2020 in Mortgage Book 2564 at Page 1571, Federal Deposit Insurance Corporation as receiver for Indymac Federal Bank assigned said mortgage unto Deutsche Bank National Trust Company as Trustee for Residential Asset Securitization Trust 2005-A8CB Mortgage Pass-Through Certificates Series 2005-H.

The premises covered and affected by the said mortgage as by the foreclosure thereof, were, at the time of the making thereof, and at the time of the filing of this Notice, described as follows:

**LEGAL DESCRIPTION AND PROPERTY ADDRESS:**

**All that certain piece, parcel or lot of land, with improvements thereon, situate, lying and being in the County of Richland, State of South Carolina, being shown and delineated as Lot 13, Woodlake Subdivision, Phase VII, on a plat**

recorded in Plat Book 149, page 947 and having such metes and bounds as reference to said plat will show, all measurements being a little more or less.

Being the identical property conveyed to John C. Nelums and Delmarshi Nelums by Deed of Bridge Creek Associates dated January 28, 2003 and recorded February 6, 2003 in Book 755 at Page 612, in the Office of the Register of Deeds for Richland County, South Carolina.

315 Bentwood Lane  
Columbia, SC 29229  
TMS# 23116-01-21

s/Sarah O. Leonard

February 26, 2021

John S. Kay (S.C. Bar No. 7914)  
John B. Kelchner (S.C. Bar No. 13589)  
Ashley Z. Stanley (S.C. Bar No. 74854)  
Alan M. Stewart (S.C. Bar No. 15576)  
Sarah O. Leonard (S.C. Bar No. 80165)  
Attorneys for Plaintiff  
Hutchens Law Firm LLP  
P.O. Box 8237  
Columbia, SC 29202  
(803) 726-2700  
john.kay@hutchenslawfirm.com  
john.kelchner@hutchenslawfirm.com  
ashley.stanley@hutchenslawfirm.com  
alan.stewart@hutchenslawfirm.com  
sarah.leonard@hutchenslawfirm.com

**APPENDIX-4**  
**(TRANSCRIPT REQUEST FORM)**

**May 12, 2025,**



SOUTH CAROLINA  
JUDICIAL BRANCH

**TRANSCRIPT REQUEST FORM**

Pursuant to Rule 207 and 607 of the South Carolina Appellate Court Rules, the transcribed paper copy is the official record of court proceedings. You may request a transcript by completing this form and emailing it to the Court Reporter/Transcriptionist and to South Carolina Court Administration at [transcripts@sccourts.org](mailto:transcripts@sccourts.org). If WebEx or DCRP were used to capture the record, please indicate below and send the form to [transcripts@sccourts.org](mailto:transcripts@sccourts.org).

Requestor's Information			
Full Name John C. Nelums	Law Firm/Agency	Phone Number 803-513-9903	
Email Address <a href="mailto:johnnelums@yahoo.com">johnnelums@yahoo.com</a>	Mailing Address 315 Bentwood Lane, Columbia S.C. 29229-8961		
Is the requestor a party in the case? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If no, does the requestor represent a party? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, name of party			
Transcript Information			
Docket Number 2021-CP-40-00895	Full Case Caption (i.e. State v. John Doe or John Smith v. Jane Smith) Deutsche Bank National Trust Company v. John C. Nelums		Circuit <input type="checkbox"/> Family <input type="checkbox"/>
Date(s) of Proceeding 2025 Feb 19	County Richland	Appeal pending <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Death Penalty <input type="checkbox"/> Yes <input type="checkbox"/> No
Presiding Judge Judge Joseph M. Strickland		Special Circumstances Is the hearing to be transcribed one of the following: <input type="checkbox"/> Termination of parental rights <input type="checkbox"/> Adoption <input type="checkbox"/> Any actions involving child custody/visitation.	
Opposing Counsel(s) (name and email address) John S. Kay <a href="mailto:john.kay@hutchenslawfirm.com">john.kay@hutchenslawfirm.com</a> John B. Kelchner <a href="mailto:john.kelchner@hutchenslawfirm.com">john.kelchner@hutchenslawfirm.com</a> Sarah O. Leonard <a href="mailto:sarah.leonard@hutchenslawfirm.com">sarah.leonard@hutchenslawfirm.com</a> Ashley Zarrett Stanley <a href="mailto:ashley.stanley@hutchenslawfirm.com">ashley.stanley@hutchenslawfirm.com</a> Alan M. Stewart <a href="mailto:alan.stewart@hutchenslawfirm.com">alan.stewart@hutchenslawfirm.com</a>			
Court Reporter(s)	<input type="checkbox"/> WebEx <input type="checkbox"/> DCRP	Delivery Timeframe (check Rule 607 for current page rates) <input type="checkbox"/> Quote <input type="checkbox"/> Rough Draft <input type="checkbox"/> Overnight delivery <input type="checkbox"/> Daily delivery <input checked="" type="checkbox"/> Expedited delivery (7 days) Due on/before: 27 May 2025 <input type="checkbox"/> Regular delivery (60 days)	
Portion of proceeding to be transcribed <input type="checkbox"/> Entire hearing <input type="checkbox"/> Voir dire by juror <input type="checkbox"/> Jury selection <input type="checkbox"/> Plaintiff's opening statement <input type="checkbox"/> Defendant's opening statement <input type="checkbox"/> Plaintiff's closing arguments <input type="checkbox"/> Defendant's closing arguments <input type="checkbox"/> Entire direct examination <input type="checkbox"/> Entire cross examination <input type="checkbox"/> Entire redirect <input type="checkbox"/> Examination of witness (W) by attorney (A) W: _____ A: _____ <input checked="" type="checkbox"/> Ruling of the court		Delivery Method (additional fees may apply) <input type="checkbox"/> PDF / Email <input type="checkbox"/> Hard Copy/Priority Mail (\$50 + shipping) <input checked="" type="checkbox"/> PDF & Hard Copy/Priority Mail (\$50 + shipping)	
Next Hearing Date		Responsible Payor <input checked="" type="checkbox"/> Private / Self <input type="checkbox"/> Court Appointed Counsel Appeals Attorney Email <input type="checkbox"/> Other	

Requestor's Signature: John C. Nelums Date: 12 May 2025  
(Typed name will serve as signature)

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was filed into Action **No. 2025-000382**, and served on this 15<sup>th</sup> day of May 2025, as indicated on Thursday, May 15, 2025, was served by Certified Registered which constitutes service on all parties.

WILLIAM SHEPRO AND ALTISOURCE  
SOLUTIONS, INC. DEUTSCHE BANK  
NATIONAL TRUST COMPANY AS  
TRUSTEE FOR RESIDENTIAL ASSET  
SECURITIZATION TRUST 2005-A8CB  
MORTGAGE PASS-THROUGH  
CERTIFICATES SERIES 2005-H

**RECEIVED**  
MAY 16 2025  
SC Court of Appeals

Mr. Michael Brian Wren  
**County: Richland**  
**Davidson & Wren, PA**  
Columbia, SC 292028568  
Office: (803) 806-8222  
Fax: (803) 806-8855  
**mwren@dml-law.com**

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


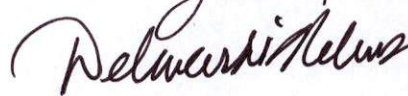
Richland County, Sheriff Leon Lott  
in His Official Capacity as The Sheriff of  
The Richland County Sheriffs Department  
and Civil Process Division 5623 Two Notch  
Road Columbia, S.C. 29223  
phone: 803-576-3000.  
fax: 803-576-319

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.

Coble Law Group, LLC  
ATTN: Attorney, Mr. Daniel Mcleod Coble  
6923 N. Trenholm Road  
Columbia, SC 29206  
Phone: (803) 200-2739  
803-576-1773

**Thursday, May 15, 2025**

Respectfully submitted,

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

**NOTICE THAT THE TRANSCRIPT HAS  
NOT BEEN TIMELY RECEIVED**

**RECEIVED**

MAY 16 2025

SC Court of Appeals

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

**Thursday, May 15, 2025**

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629 Columbia,  
South Carolina, 29211

RE: Appellate Court Case No. 2025-000382

RE: Trial Court Case No. 2021CP4000895

**John C Nelums: Delmarshi Nelums ..... Appellants**

v.

**Deutsche Bank National Trust Company as Trustee for  
Residential Asset Securitization Trust 2005-A8CB Mortgage  
Pass-Through Certificates Series 2005-H, et Al.....Respondent**

Dear Ms. Kitchings:

Appellants John C Nelums and Delmarshi Nelums Failure to Receive Transcript of the proceedings in this "complex case" from the Trial Court Case No. 2021CP4000895, this unprofessional standards in this action requires "exceptional judicial management" to avoid burdens on the court and litigants, On February 5, 2025, February 14, 2025, and On February 19, 2025, the same order was Entered, Appellants John C Nelums and Delmarshi Nelums will file a motion with the court for a sixth (60) day extension. On this complex situation concerning nonexistence Transcript As of this day, appellant has not received the transcript from the court reporter.

Very truly yours

John C. Nelums and Delmarshi Nelums



JN/DN,  
Enclosed