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May 27 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals
APPEAL FROM JASPER COUNTY
Court of Common Pleas
James A. Grimsley, Special Referee
Appellate Case No. 2024-00039
Trial Court Case No. 2022-CP-2700306

Nationstar Mortgage, LLC d/b/a Mr. Cooper.....Respondent,

v.

Carolyn Brantley; The United States of America acting by and through its agency, the Secretary of Housing and Urban Development; The United States of America acting by and through its agency, the Internal Revenue Service; South Carolina Department of Revenue; and T.N.S. LTD., LLC, Defendants, Of which Carolyn Brantley is the Appellant.

WITNESS-CLAIMANT’S MOTION TO SET ASIDE MAY 13, 2025 VOID ORDER

COMES NOW, Carolyn Brantley, the living woman, Witness-Claimant, sui juris, and respectfully moves this Honorable Court to set aside and reverse the VOID ORDER dated May 13, 2025, issued by the Special Referee James A. Grimsley. This Motion is based on constitutional violations, misrepresentation, and fraudulent acts upon the court, and is submitted in the interest of justice, due process, and the protection of estate property.

I. GROUNDS FOR MOTION

1. Due Process Violations and Improper Standing

Witness-Claimant Carolyn Brantley entered this matter as a firsthand living woman and attorney-in-fact, not a bar-certified attorney nor a third-party intervener. The record clearly shows that this Court was put on notice knowledge concerning the constitutional nature of this action, including reference to *Schwabe v. Board of Bar Examiners*, 353 U.S. 232 (1957), and *Haines v. Kerner*, 404 U.S. 519 (1972). Despite this, the Court issued an order absent lawful standing from Respondent Nationstar Mortgage, LLC and its counsels Rachel F. Bailey, Esq. and Thomas A. Shook, Esq.

2. Absence of Real Party in Interest and Proper Accusatory Instrument

Neither Nationstar Mortgage, LLC nor its counsels have provided evidence of lawful ownership, insurance bonding, nor any properly verified accusatory instrument, which would qualify them as a real party in interest. The failure to present this prerequisite amounts to a jurisdictional defect, rendering the order void ab initio.

3. Violation of Court Rules and Unlawful Trespass

By acting without standing and in violation of procedural rules, Respondent’s counsel has committed a trespass upon the estate and property interests of Witness-Claimant. As held in *Trinsey v. Pagliaro*, 229 F. Supp. 647 (E.D. Pa. 1964), attorney statements without affidavits or competent evidence are insufficient to sustain judicial rulings.

4. Fraud on the Court and Misappropriation of Estate Property

The May 13th Order constitutes legal fraud, misrepresentation, and an unlawful conveyance attempt of estate property—without the consent of the Witness-Claimant and in direct violation of rights secured under the United States and South Carolina Constitutions. This includes elements of securities fraud and judicial misfeasance.

II. RELIEF REQUESTED

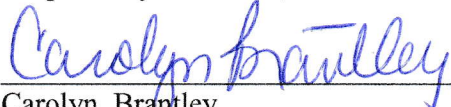
Witness-Claimant respectfully requests the following relief:

1. That the VOID ORDER entered on May 13, 2025, be SET ASIDE immediately as void ab initio.
2. That the Attorney General of South Carolina and the State Comptroller be subpoenaed and directed to assist in the protection of the Carolyn Brantley estate and prevent further misappropriation or fraud.
3. That the Respondent and its counsel be ordered to cease and desist all further unlawful actions until standing and lawful authority are lawfully established, if at all.
4. That a STAY be placed upon the action and any attempted transfers of estate property pending full adjudication and just compensation review.
5. That any and all other relief in law or equity available be granted in favor of the Witness-Claimant.

III. CONCLUSION

Failure to set aside the May 13th, 2025 Order would allow continued fraud on the court and prejudice the substantial rights of the estate and the living woman, Carolyn Brantley. For these reasons, and in the interests of justice, this Honorable Court must vacate the VOID ORDER, acknowledge the constitutional violations at play, and provide the redress requested herein.

Respectfully submitted,



Carolyn, Brantley

Witness-Claimant / Appellant, sui juris

cbran211@gmail.com

+1 (843) 812-4724

Dated: May ____, 2025

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Nationstar Mortgage, LLC d/b/a Mr. Cooper.....Respondent,

AFFIDAVIT IN SUPPORT OF MOTION TO SET ASIDE VOID ORDER

I, Carolyn Brantley, being of sound mind and over the age of eighteen (18), and competent to testify to the matters stated herein, do hereby affirm and declare the following under penalty of perjury:

1.I am the Appellant and firsthand Witness-Claimant in the above-captioned matter and make this affidavit in support of my Motion to Set Aside the VOID Order dated May 13th, 2025.

2.I appear in this matter sui juris and in good faith, having provided prior notice and knowledge to the Honorable Court that this appeal involves substantial constitutional questions and due process violations that were never addressed by either the lower court or opposing counsel.

3.The Respondents, Nationstar Mortgage, LLC d/b/a Mr. Cooper, and its counsel, Attorneys Rachel L. Ferguson and Thomas A. Shook, have not demonstrated standing or interest as real parties in interest, nor have they produced valid assignments, insurance bonds, or accusatory instruments as required by law to claim against the Carolyn Brantley Estate.

4.I affirm that the May 13th, 2025 Order is constitutionally void ab initio and constitutes legal fraud and trespass, as it was issued despite the Court's prior awareness of violations of the Due Process and Equal Protection Clauses, and without the proper examination of material facts or evidentiary challenges.

5.The Court has been presented with binding precedents, including Schware v. Board of Bar Examiners, Haines v. Kerner, and Trinsey v. Pagliaro, which govern the procedural and substantive rights of pro se parties and prohibit orders based solely on the arguments or assumptions of counsel without proper evidence.

6.I affirm under oath that neither the Respondent nor its attorneys are authorized representatives of the Carolyn Brantley Estate and that any act to convey property without my informed consent and without lawful process constitutes misappropriation, constructive fraud, and securities fraud.

7.I respectfully request the Court to set aside the void order of May 13th, 2025, grant a stay of proceedings, and call upon the competent assistance of the Attorney General and Comptroller for intervention, protection of the estate, and assurance of just compensation.

8.I make this affidavit freely, without coercion, and based on firsthand knowledge of all matters herein.

FURTHER AFFIANT SAYETH NAUGHT.

Date: May 27th, 2025

Location: Ridgeland, South Carolina
Carolyn Brantley
Appellant/Witness-Claimant, Sui Juris
Email: cbran211@gmail.com
Phone: +1 843-812-4724

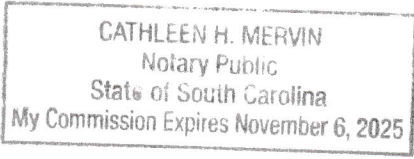
JURAT

Sworn to and subscribed before me this 27th day of May, 2025.

Cathleen H. Mervin

Notary Public's Signature
Notary Public for the State of South Carolina

My Commission Expires: Nov. 6, 2025



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CERTIFICATE OF SERVICE

I, CAROLYN BRANLEY, Petitioner/Settlor certify that I have this day served counsel for the opposing parties in the foregoing matter with a copy of this pleading by EMail a copy of the same in a properly addressed envelope with adequate postage thereon.

Office of the Carolyn Brantley
c/o:200 Oak Plantation Drive
Ridgeland, South Carolina near 29936.
cbran211@gmail.com
843.812.4724

cc: Thomas A. Shook, Esquire
PO Box 71727
N. Charleston, SC 29415
843-577-5460
ashook@finkellaw.com

cc: Rachel F. Bailey, Esquire
4000 Faber Road, Ste 450
N. Charleston, SC 29405
843-576-6348
rbailey@finkellaw.com

Date: 05/27th 2025

Petitioner's Signature:

Carolyn Brantley 05/27/2025

cc: **Nationstar Mortgage, LLC d/b/a/ Mr. Cooper.**
cc: **Attorney General's Office**
cc: **Governor's Office**
cc: **State Bar of South Carolina**
cc: **South Carolina Insurance Commissioner**