

The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, South Carolina 29201

November 1, 2013  
Attachment - 1

Re: Respondent South Carolina Federal Credit Union/SCFCU's 10/31/2013 LETTER, SHOWS the Appearance of EXPARTE Communication, or Private Communication, involving allegedly! this said Appeals Court Clerk's "CONVERSATION on October 29, 2013...", which SCFCU Appears to suggest for this Appeals Court Clerk, to Improperly/or UNETHICALLY ALLOW SCFCU to DELAY!/or Extend!! for a THIRD!! TIME! SCFCU's required!! RESPONSE to Appellant-Whaley's filed Initial BRIEF! DUE by Nov. 4, 2013 - filed since about September 2013; Now!! SCFCU is REPRESENTING/or/Requesting Special FAVORS from this APPEALS COURT - for the Respondent Bank of America - although! both said Respondents' DEFENSES are Not!! legally JOINT!! /nor Consolidated by/nor within the said LOWER TRIAL COURT - and CAN BE JUDGED Separately.

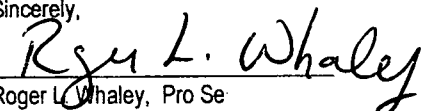
Dear Ms. Kitchings:

With no disrespect intended to this said Appeals Court's Clerk, who is indeed being misled/and or it is Obvious, that South Carolina Federal Credit Union/ SCFCU now! again! continued!! requests for SPECIAL FAVORS from this said Appeals Court Clerk, to yet! now! again to grant a THIRD!! EXTENSION!! so to file its REQUIRED!! Responsive, Initial Brief that was extended a Second time from being filed in the month of OCTOBER, 2013, to be filed on NOVEMBER 4, 2013, and now again! frivolously!! request/or Suggestion that SCFCU will not file its REQUIRED Responsive Initial Brief on NOVEMBER 4, 2013, Unless! this said Appeals Court Clerk ORDERS, or write again! such a request that's ALREADY!! been DEMANDED by this said Appeals Court, which must! be upheld by the said Respondent SCFCU, otherwise SCFCU is making the appearance of this said Appeals Court is providing Special Favors for a party of interest.

Therefore, the said already provided law(s)! and rule(s)! requires!! for the said Respondent SCFCU must! file its required Responsive Brief on the Ordered!! date NOVEMBER 4, 2013, as indeed the Respondent Bank of America's recent OWN filed UNTIMELY! pleadings within this said Appeals court, ADMITS! (although! Appellant do not necessarily agree) that it is WITHOUT ANY DOUBT!!/and or is UNDISPUTED!! that ONLY!! Respondent SCFCU was indeed! Appellant Whaley's signed. CONTRACTED!! BANK that took Appellant Whaley's MONEY and in return provided Appellant Whaley with the said CASHIER CHECKS, that are in question in this said Appeals Case matter. Whereas, ONLY shows Respondent SCFCU can not be JUDGED on the Exact SAME terms as the Respondent Bank of America/BOA, whose filed UNTIMELY Motion to Dismiss - is Obviously just! another! CONSPIRED TRICKERY of DELAY!!/and DECEPTION involving the Respondent SCFCU, when indeed, the Respondent BOA NEVER! DENIED!, and can not deny that Respondent BOA's LAW FIRM - NELSON, MULLINS... can!! not!! Legally!! Represent!! their Client - BOA's involvements with the Appellant Whaley's said CASHIERS CHECKS named PAYEE/CCG, when!! Respondent BOA's said PAID!! LAW FIRM NELSON, MULLINS ...is ALSO the SAME!! Law Firm who was APPOINTED/or PAID! to Represent Appellant Whaley interest so to get his RETURN of the same said Cashiers Checks.

WHEREFORE, in order for this said Appeals Court Clerk not to have the appearance of Bias/or Personal Interest in this said case matter, as it appears to be suggested by the Respondent SCFCU's letter dated "October 31, 2013". This said Appeals Court Clerk/or Judge(s) has ALREADY WRITTEN its said ORDER of EXTENSION Twice!! in favor of the said Respondent SCFCU, so to file its required Responsive Initial Brief. Therefore if SCFCU does not file its required Responsive Initial Brief on the said Ordered date "November 4, 2013", which this said Appeals Court's ORDERED!, then this said Appeals Court must! consider Appellant Whaley's said filed Appeals Requests must be granted in full, against the Respondent SCFCU who also! can not!/and has not Denied! any! of Appellant Whaley's filed claims for Appeals, pursuant with SCRAP 208(a)(2)(4).

Sincerely,



Roger L. Whaley, Pro Se  
8673 Laurel Grove Lane  
North Charleston, South Carolina 29420

cc: Jody Alan Bedenbaugh, Esquire, Erik Tison Norton, Esquire, Drew Hamilton Butler, Esquire,

RECEIVED

NOV 04 2013

SC Court of Appeals

October 31, 2013

Columbia  
Direct Dial: (803) 576-3718  
sbias@RichardsonPlowden.com

**VIA Hand Delivery**

The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, South Carolina 29201

**Re: Roger L. Whaley v. South Carolina Federal Credit Union**  
**C/A No.: 2012-CP-1800539**  
**Appellate Case # 2012-213208**  
**Our File No. 7130-36**

Dear Ms. Kitchings:

I am writing to follow up on our conversation of October 29, 2013 regarding Respondent Bank of America's Motion to Dismiss staying the perfection of the appeal under Rule 240(b), SCACR. Therefore, it is my understanding that Respondent South Carolina Federal Credit Union's Initial Brief, which has a due date of November 4, 2013, is effectively stayed until the Court issues a decision with regard to the Motion to Dismiss the appeal. Therefore, Respondent South Carolina Federal Credit Union will await this Court's decision on the Motion and further instruction before filing its Initial Brief in this appeal. If my understanding is incorrect, please notify my office so that we may act accordingly.

By copy of this letter we are serving *pro se* Appellant and all opposing counsel with this response.

Thank you for taking the time to review this letter and with kind regards, I am

Sincerely,

*Sheila M. Bias*

Sheila M. Bias  
SC Bar # 100005

SMB/dfb

cc: Roger Whaley, Pro se  
Jody Alan Bedenbaugh, Esquire  
Erik Tison Norton, Esquire  
Drew Hamilton Butler, Esquire

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SC Court of Appeals

Tara C. Sullivan, Esquire