

IN THE COURT OF COMMON PLEAS
LEXINGTON COUNTY, SOUTH CAROLINA

Judith-Ann Kelly, Co-Trustee,
Judith Ann Kelly Family Trust,
Defendant / Appellant,

v.

PennyMac Loan Services, LLC,
Plaintiff / Respondent.

Case No. 2023-CP-32-02327

RECEIVED

Nov 04 2025

SC Court of Appeals

FILED

2025 NOV -4 AM 9:54

LISA M. COMER
CLERK OF COURT
LEXINGTON, SC

**NOTICE AND OBJECTION TO FURTHER PROCEEDINGS FOR LACK OF
JURISDICTION**

Judith-Ann Kelly, Co-Trustee of the Judith Ann Kelly Family Trust ("Appellant"), hereby gives formal notice and lodges objection to any further hearings, bond determinations, or enforcement actions in this matter.

1. Transfer of Jurisdiction.

On October 31, 2025, Appellant filed a Notice of Appeal and a Motion for Supersedeas Stay Pending Appeal. Under Rule 205, South Carolina Appellate Court Rules, the filing of the notice of appeal immediately transferred jurisdiction to the South Carolina Court of Appeals, and all further proceedings in this Court are stayed unless specifically authorized by the appellate court.

2. Pending Appellate Motion.

Appellant has also filed an Emergency Motion for Writ of Supersedeas and Stay of Foreclosure Sale Pending Appeal directly with the Court of Appeals, requesting that court to assume full supervisory jurisdiction and to stay all foreclosure activity.

3. Lack of Authority for Further Action.

Any attempt by this Court or by counsel for the plaintiff to schedule or conduct hearings, determine a bond, or enforce the judgment would be ultra vires and without jurisdiction. See *Ex parte Cannon*, 321 S.C. 44 (Ct. App. 1996); *Garris v. Governing Bd. of S.C. Reinsurance Facility*, 333 S.C. 432 (1998); *State v. Burton*, 356 S.C. 259 (2003).

4. Request.

Appellant respectfully requests that this Court refrain from taking any further action in this matter until jurisdiction is returned from the Court of Appeals.