

STATE OF SOUTH CAROLINA)
)
COUNTY OF KERSHAW)

GITSIT Solutions, LLC,)
)
Plaintiff,)
)
v.)
)
Calvin Theodore Bowen, Jr.,)
individually and as Personal)
Representative of the Estate of)
Calvin T. Bowen, Sr., et al.)

IN THE COURT OF COMMON PLEAS

C/A 2025-CP-28-00383

RECEIVED
Nov 11 2025
SC Court of Appeals

ORDER ON RULE 60(B) MOTION

This matter came before the Court on a motion filed pursuant to Rule 60(b)(4), SCRCF by Laura Bowen, pro se, (“Movant”) as an Interested Party and Family Descendant of Calvin Theodore Bowen, Sr., on October 30, 2025 in the office of the Clerk of Court for Kershaw County requesting that the Order of Foreclosure of this Court issued October 10, 2025 be voided for lack of subject matter jurisdiction and material misrepresentation of fact and also requesting that the sale of the subject property at 1131 Brookgreen Court, Camden, SC set for November 3, 2025 be cancelled as a result. Out of an abundance of caution and equity while knowing that a reprieve to gather more information would not overly prejudice either party, by Order of this Court, the sale was postponed until the Plaintiff could submit a reply to the motion. Plaintiff’s reply was filed October 31, 2025.

As set forth in detail below, the Court DENIES the Movant’s motion in all aspects and authorizes the sale of the property at the December, 2025 sales day.

No parties named as Defendants or anyone else claiming to be interested parties by through or under the estate of the deceased Defendants ever appeared or answered the Complaint of the Plaintiff, except for the Guardian ad Litem, and all Defendants were held in default.

The Court has thoroughly reviewed the submissions of the parties and neither party disputes the filing of two mortgages in the office of the Kershaw County ROD given by Alma T. Bowen and Carl T. Bowen, Sr. to secure a loan from Reverse Mortgage USA, Inc., on August 21, 2012. The first mortgage was recorded in Book 2981 at page 220 and the second mortgage was recorded in Book 2981 at page 233, presumably to prevent the Borrowers from further encumbering the remaining equity in the property. The Movant alleges that the filing of the satisfaction of the second mortgage satisfies the debt owed and secured by the remaining first mortgage. Following the death of both Borrowers, the second mortgage was satisfied of record but the first mortgage remained open of record, due to the fact that debt remained on the original note. As a result of the mortgages being filed in Kershaw County and the matter having been referred to this Court pursuant to an Order of Reference, this Court properly has subject matter jurisdiction over this matter.

Pursuant to SC Code Section 14-11-110, the Plaintiff properly presented written testimony after having provided notice of the intent to do so in its Notice of Hearing and no party objected to such testimony or appeared at the hearing. I find that the sworn submitted testimony provided by the Plaintiff's Foreclosure Specialist at the hearing is appropriate and binding on the Defendants. I find that there was no material misrepresentation in the submission of the written testimony.

Based on the testimony of the Foreclosure Specialist, I find that the satisfaction of the second mortgage did not equate to a satisfaction of the underlying original note debt nor was it filed as a result of payment in full of the underlying debt and therefore the foreclosure of the note and first mortgage following the death of the second borrower was appropriate.

Pursuant to Rule 60(b), SCRCF, I find that the Movant has no standing to bring this

motion due to the fact that she is neither the Borrower nor the legal representative of the Borrower. Further, even if she did have some standing, she failed to Answer the Complaint or appear in any way in the matter prior to the issuance of the final Order of this Court and is not entitled to have the final Order overturned or dismissed.

The Plaintiff is authorized to submit, following the sale, a Petition for additional costs and attorney fees, to be reviewed by the Court, for the filing of its reply to this motion to be awarded from any surplus funds.

AND IT IS SO ORDERED!



Kershaw Common Pleas

Case Caption: Gitsit Solutions Llc , plaintiff, et al VS Calvin Theodore Bowen Jr ,
defendant, et al
Case Number: 2025CP2800383
Type: Master/Order/Other

So Ordered

s/William B. Cox, Jr.