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Nov 21 2025

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals
Appellate Case No.: 2025-002267

Appeal From the Court of Common Pleas
Kershaw County
Judge William Cox, Jr., Master-in-Equity
Case No.: 2025-CP-28-00383

Ex Parte: Laura Bowen, Appellant,

In re:

GITSIT Solutions, LLC, not in its individual capacity but solely in its
capacity as separate Trustee of GITSIT Mortgage Loan Trust BBPLC1,
Respondent,

v.

Calvin Theodore Bowen, Jr., individually and as Personal Representative of
the Estate of Calvin T. Bowen, Sr. a/k/a Calvin Theodore Bowen, Sr.;
Ronald J. Bowen, and any other Heirs-at-Law or Devisees of Calvin T.
Bowen, Sr. a/k/a Calvin Theodore Bowen, Sr., Deceased, their Heirs,
Personal Representatives, Administrators, Successors and Assigns, and all
other persons entitled to claim through them; all unknown persons with any
right, title or interest in the real estate described herein; also any persons
who may be in the military service of the United States of America, being a
class designated as John Doe; and any unknown minors or persons under a
disability being a class designated as Richard Roe; Ascension Point
Recovery Services, LLC; Bank of America, N.A.; Safe Federal Credit
Union; and Kershaw County EMS, Defendants.

APPELLANT'S MOTION FOR RECONSIDERATION

OF ORDER DENYING MOTION TO STAY

(Rule 221, SCACR)

Appellant Laura Bowen, pro se, respectfully moves this Court to reconsider its Order filed November 21, 2025 denying Appellant's Motion to Stay pursuant to Rule 221 of the South Carolina Appellate Court Rules. Reconsideration is warranted because the Court's order applies Rule 241(b)(4) in a manner that does not account for the void-judgment grounds raised in the appeal, the absence of a hearing record, and the severe risk of mootness if the foreclosure sale proceeds on December 1, 2025. Additionally, the Court's order acknowledges that no return was filed, meaning the motion was unopposed.

I. THE COURT MISAPPLIED RULE 241(b)(4)

Rule 241(b)(4) governs automatic stays of foreclosure judgments when a valid judgment exists, and an appellant seeks a supersedeas bond. This appeal does not involve an ordinary or valid foreclosure judgment. Appellant challenges the foreclosure judgment as void under Rule 60(b)(4), SCRPC, based on lack of subject-matter jurisdiction, defective loan documentation, affidavit-only hearing, no transcript, defective satisfaction and standing issues, and denial of due process. A void judgment is a legal nullity. Rule 241(b)(4)'s supersedeas bond requirement presumes the judgment is valid and enforceable—an assumption directly in dispute.

II. THE COURT'S RELIANCE ON *C-Sculptures, LLC v. Brown* IS MISPLACED

The Court's reliance on *C-Sculptures, LLC v. Brown* involved a valid foreclosure judgment with a full record. Here, the Master-in-Equity held an affidavit-only hearing with no sworn testimony, no sworn witnesses, and no audio record. The Master-in-Equity office staff confirmed no transcript exists. This scenario raises constitutional and jurisdictional issues absent in *C-Sculptures, LLC v. Brown*.

III. IRREPARABLE HARM WILL OCCUR ON DECEMBER 1, 2025

If the foreclosure sale proceeds, the property is at risk of being sold to a third party, title will transfer, and the appeal may become meaningless. South Carolina law recognizes that the loss of real property constitutes irreparable harm. A stay is necessary to preserve the status quo.

IV. ALLOWING THE SALE TO PROCEED RISKS MOOTING THE APPEAL

Foreclosure appeals are frequently rendered moot once a property is sold. Given the lack of transcript and the pending jurisdictional issues, allowing the sale to occur risks eliminating any meaningful appellate review.

V. RESPONDENT FILED NO RETURN

The Court's order expressly states that no return was filed, indicating it ruled *sua sponte*, as no return was requested and no return was filed. The lack of opposition weighs strongly in favor of reconsideration, as the Court ruled on a purely procedural basis.

Reconsideration is particularly appropriate here because the Respondent filed no return, the motion was unopposed, and the issues raised by the Appellant involve jurisdictional defects that cannot be waived.

WHEREFORE, Appellant respectfully requests that this Court:

1. Reconsider its Order filed November 21, 2025.
2. Grant a temporary stay of the foreclosure sale scheduled for December 1, 2025, and preserve the status quo pending completion of this appeal, as necessary to avoid mootness.

3. Hold that Rule 241(b)(4)'s supersedeas bond requirement does not apply to void-judgment appeals.
4. Preserve the status quo pending appellate review, as required to avoid mootness.
5. Grant any other relief deemed just and proper.

Respectfully submitted this 21 day of November 2025.

A handwritten signature in black ink, appearing to read 'Laura Bowen', written over a horizontal line.

Laura Bowen, Pro Se

Appellant/Family Descendant

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Certificate of Service

I hereby certify that I have served a true and correct copy of the foregoing Appellant's Motion for Reconsideration upon counsel for Respondent by electronic mail, pursuant to Rule 262(d), SCACR.

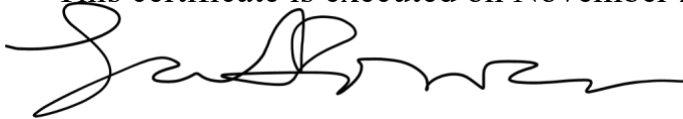
Service was made on November 21, 2025 by sending the filed Motion for Reconsideration via email to the following counsel of record:

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This certificate is executed on November 21, 2025.



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