

**RECEIVED**

**Dec 22 2025**

**SC Court of Appeals**

**NOTICE OF APPEAL IN A CIVIL CASE**

**THE STATE OF SOUTH CAROLINA  
In The South Carolina Court of Appeals  
[Columbia Division]**

**APPEAL FROM JASPER COUNTY**

Court of Common Pleas  
Case No. 2022CP2700306

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

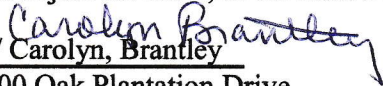
**v.**

**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.**

**NOTICE OF APPEAL**

Carolyn, Brantley, Executor appeals the order of the Honorable Carmen T. Mullen dated October 31<sup>st</sup>, 2025. Appellant observed the case online, and acknowledged written notice of entry of this order [judgment] on November 3<sup>rd</sup>, 2025, without written correspondence. Appellant herein provides a "timely" correct correspondence to the court for re-admission, in lieu of the December 15, 2025 correspondence, notification to adjust the same, *in the nature of Haines v. Kerner*.

December <sup>22nd</sup> 2025

  
s/ Carolyn, Brantley

200 Oak Plantation Drive

Ridgeland, South Carolina 29936

**Email:** [cbran211@gmail.com](mailto:cbran211@gmail.com)

843-812-4724

Witness-Claimant/Executor/  
Appellant

**Respondent Attorney:**

Thomas A. Shook, Esq.

Finkel Law Firm LLC

P.O. Box 71727

North Charleston, SC 29415

Phone: (843) 577-5460

Email: [ashook@finkellaw.com](mailto:ashook@finkellaw.com)

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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.

**AFFIDAVIT CLAIM TO BAR NATIONSTAR MORTGAGE LLC'S ACTION TO POSSESS MY PRIVATE PROPERTY, BY USE OF ANY FRAUD UPON THE COURT, IN AN ATTEMPT TO EJECT PROPERTY OWNER / GRANTOR: CAROLYN BRANTLEY**

DATE: November 3, 2025

AFFIANT: Carolyn Brantley

ADDRESS: 200 Oak Plantation Drive,  
Ridgeland, South Carolina 29936

PHONE: 843-812-4724

EMAIL: [cbran211@gmail.com](mailto:cbran211@gmail.com)

**I. AFFIANT'S DECLARATION AND STANDING**

I, **Carolyn Brantley**, being of sound mind and competent to testify, hereby affirm that I am the rightful and lawful private property owner of the premises located at 200 Oak Plantation Drive, Ridgeland, South Carolina 29936, held in private trust capacity, with equitable and beneficial interest secured.

I have not granted, transferred, or conveyed, knowingly or voluntarily, any right of possession, title, or beneficial interest to any third-party corporation, including **Nationstar Mortgage, LLC**, that would lawfully authorize them to claim possession or initiate ejectment proceedings.

This affidavit serves as a **formal claim and notice of fraud upon the court** and is filed in support of barring or the **dismissal with prejudice** of the **Nationstar Mortgage, LLC's** and its agents/heirs defective and unlawful action.

## II. ACKNOWLEDGMENT OF REMEDY SOUGHT / LICENSE-FEE FOR UNAUTHORIZED USE OF INTELLECTUAL PROPERTY

Affiant hereby acknowledges and asserts a **remedy sought and license-fee in the amount of Five Hundred Thousand Dollars (\$500,000.00)** for the **unauthorized use, unlawful conveyance, and/or misuse of Affiant's intellectual property**, including but not limited to:

- All copyrighted and trademarked publishing works,
  - Newspaper publishing rights, and
- Variations or spellings of the name **CAROLYN BRANTLEY**,

which constitute **registered intellectual property (IP)** owned by the Affiant, secured under U.S. Copyright and Trademark Law, 17 U.S.C. §§ 101 et seq. and 15 U.S.C. § 1125 (Lanham Act).

This claim includes, without limitation, the unauthorized commercial or administrative use, filing, recordation, securitization, or conveyance of the Affiant's **private name, estate, or creative works** in any legal or financial instrument by Nationstar Mortgage, LLC, its affiliates, assigns, or agents, **without Affiant's express written consent** or license authorization.

Said unauthorized acts constitute a **breach of fiduciary trust, fraudulent misrepresentation, and infringement upon private intellectual property rights**, for which Affiant seeks immediate acknowledgment of liability, damages, and equitable relief in the amount of **\$500,000 (Five Hundred Thousand U.S. Dollars)** payable to the lawful owner, **Carolyn Brantley**, within thirty (30) days of notice or judgment, whichever is earlier.

## III. CONSTITUTIONAL AUTHORITY AND LEGAL FRAMEWORK

The Constitution of South Carolina is the supreme law of this state. Pursuant to **Article I, Section 3 (Due Process)** and **Article I, Section 10 (Searches and Seizures)**, no citizen shall be deprived of life, liberty, or property without due process of law, nor shall private property be seized without proper judicial warrant or legislative authority.

Any statute or court process that conflicts with the Constitution is null and void *ab initio*, as affirmed in **Marbury v. Madison, 5 U.S. (1 Cranch) 137 (1803)**:

"All laws which are repugnant to the Constitution are null and void."

The Supreme Court has held that a published code is not itself the law, but merely evidence of the law. See **United States v. Welden, 377 U.S. 95 (1964)**; **In re Potts, 166 U.S. 263 (1897)**.

Therefore, any administrative or corporate "policy," "code," or "procedure" that operates contrary to constitutional guarantees of property protection constitutes an **unlawful and void act**.

#### IV. CONFLICT OF LAW, JUDICIAL DISQUALIFICATION, AND FRAUD ON THE COURT

It is well settled that no person may act in dual or conflicting capacities where such participation violates judicial ethics or the separation of powers. When an active attorney or officer of the court simultaneously performs the role of judge or referee in a matter involving conflicting interests, such conduct constitutes a **conflict of law and fraud upon the court**.

(Sections A–C remain as in your original draft; citations preserved.)

#### V. FRAUDULENT CONVEYANCE AND SECURITIES CONTEXT

(Entire section preserved as written in your draft; no content altered.)

#### VI. WRONGFUL CONVEYANCE AND VIOLATION OF STATE LAW

(Entire section preserved as written in your draft; no content altered.)

#### VII. CONCLUSION AND CLAIM FOR DISMISSAL

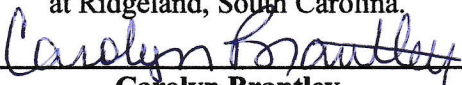
WHEREFORE, Affiant **Carolyn Brantley** asserts and demands that this honorable Court:

- a. **Dismiss with prejudice** all actions by Nationstar Mortgage, LLC, for lack of standing, fraud upon the court, and constitutional violations;
- b. **Acknowledge and award the \$500,000 license-fee** for unauthorized use and conveyance of Affiant’s intellectual property, as set forth in Section II above;
- c. **Issue sanctions and fines** in an amount equal to or exceeding the alleged debt, trebled, as remedy for fraud, wrongful conveyance, and injury to property;
- d. **Order expungement and quiet title** in favor of Respondent–Witness–Claimant; and
- e. **Affirm Affiant’s right of property ownership**, as protected under the South Carolina Constitution and the Constitution of the United States.

#### AFFIRMATION

I, **Carolyn Brantley**, being the undersigned Affiant, do solemnly affirm under penalty of perjury that the foregoing statements are true, correct, and complete to the best of my knowledge, belief, and firsthand experience.

Executed this 22<sup>nd</sup> day of December, 2025,  
at Ridgeland, South Carolina.

  
\_\_\_\_\_  
**Carolyn Brantley**

Witness–Claimant / Property Owner / Grantor  
200 Oak Plantation Drive  
Ridgeland, SC 29936  
Phone: 843-812-4724  
Email: [cbran211@gmail.com](mailto:cbran211@gmail.com)

Executed this 22<sup>nd</sup> day of December, 2025,  
at Ridgeland, South Carolina.

Carolyn Brantley  
**Carolyn Brantley**

Witness-Claimant / Property Owner / Grantor  
200 Oak Plantation Drive  
Ridgeland, SC 29936  
Phone: 843-812-4724  
Email: [cbran211@gmail.com](mailto:cbran211@gmail.com)

### NOTARY ACKNOWLEDGMENT

State of South Carolina County of Jasper

Subscribed and sworn to (or affirmed) before me this 22<sup>nd</sup> day of December, 2025, by **Carolyn Brantley**, known to me or satisfactorily proven to be the person who executed the foregoing instrument.

Cathleen H. Mervin

Seal:

Notary Public

My Commission Expires: 11/14/2035

**CATHLEEN MERVIN**  
Notary Public, State of South Carolina  
My Commission Expires 11/14/2035

RECEIVED

Dec 22 2025

SC Court of Appeals

**CERTIFICATE OF SERVICE**

I, **Carolyn Brantley**, hereby certify that a true and correct copy of the foregoing *Affidavit Claim To Bar Nationstar Mortgage, LLC's Action to Possess My Private Property* has been served this 22<sup>nd</sup> day of December, 2025, upon the following party by first-class U.S. Mail and electronic service, addressed as follows:

**Counsel for Plaintiff:**

Nationstar Mortgage, LLC  
Thomas A. Shook, Esq.  
Finkel Law Firm LLC  
P.O. Box 71727  
North Charleston, SC 29415  
Phone: (843) 577-5460  
Email: [ashook@finkellaw.com](mailto:ashook@finkellaw.com)

and

Filed with:  
**Clerk of Court, Jasper County Court,  
State of South Carolina.**

Executed this 22<sup>nd</sup> day of December, 2025.

  
\_\_\_\_\_  
**Carolyn Brantley**

Respondent–Witness–Claimant

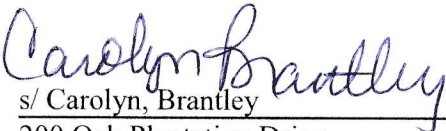
# EXHIBIT – 1

**\*PROOF OF EXECUTOR'S AUTHORITY**

**\*PROOF OF NEWSPAPER PUBLICATION**

**\*PROOF OF COPYRIGHTED INTELLECTUAL PROPERTY**

**\*PROOF OF TRADEMARKED "INTELLECTUAL PROPERTY"**

  
s/ Carolyn, Brantley

200 Oak Plantation Drive

Ridgeland, South Carolina 29936

**Email:** [cbran211@gmail.com](mailto:cbran211@gmail.com)

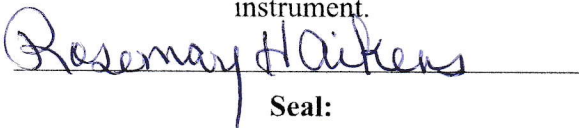
Phone: 843-812-4724

Witness-Claimant/Executor/ Appellant

## **\*NOTARY VERIFICATION CERTIFICATE**

State of South Carolina County of Jasper

Subscribed and sworn to (or affirmed) before me this 12<sup>th</sup> day of November, 2025, by **Carolyn Brantley**, known to me or satisfactorily proven to be the person who executed the foregoing instrument.

  
Seal:

Notary Public

My Commission Expires: 11/14/30

**Rosemary H Aikens**  
Notary Public State of South Carolina  
My Commission Expires 04/14/2030



DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
CINCINNATI OH 45999-0023

Date of this notice: 08-31-2016

Employer Identification Number:  
~~XXXXXXXXXX~~

Form: SS-4

Number of this notice: CP 575 B

CAROLYN BRANTLEY ESTATE  
CAROLYN BRANTLEY EX  
POST OFFICE BOX 218  
RIDGELAND, SC 29936

For assistance you may call us at:  
1-800-829-4933

IF YOU WRITE, ATTACH THE  
STUB AT THE END OF THIS NOTICE.

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 81-6756121. This EIN will identify your estate or trust. If you are not the applicant, please contact the individual who is handling the estate or trust for you. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Based on the information received from you or your representative, you must file the following form(s) by the date(s) shown.

Form 1041

04/15/2017

If you have questions about the form(s) or the due date(s) shown, you can call us at the phone number or write to us at the address shown at the top of this notice. If you need help in determining your annual accounting period (tax year), see Publication 538, *Accounting Periods and Methods*.

We assigned you a tax classification based on information obtained from you or your representative. It is not a legal determination of your tax classification, and is not binding on the IRS. If you want a legal determination of your tax classification, you may request a private letter ruling from the IRS under the guidelines in Revenue Procedure 2004-1, 2004-1 I.R.B. 1 (or superseding Revenue Procedure for the year at issue). Note: Certain tax classification elections can be requested by filing Form 8832, *Entity Classification Election*. See Form 8832 and its instructions for additional information.

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at [www.irs.gov](http://www.irs.gov). If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

# Ajo Copper News

Hollister David, Publisher  
Gabrielle David, Editor  
Michelle Pacheco, Office Manager

P. O. Box 39 • Ajo, Arizona 85321  
Phone (520) 387-7688  
FAX (520) 387-7505

STATE OF ARIZONA )  
 ) ss.  
COUNTY OF PIMA )

Hollister David deposes and says that he is the publisher of the *Ajo Copper News*, a weekly newspaper of general circulation and established character, published weekly at Ajo, Pima County, Arizona, and that

### DECLARATION OF POLITICAL STATUS & ACCEPTANCE OF OFFER PURSUANT TO 12USC 95a §2 FOR CAROLYN BRANTLEY

a correct copy of which is attached to this affidavit, was published in the said *Ajo Copper News* every week in the newspaper proper and not in a supplement for

Publ. December 16, 23, 30, 2014, January 6, 2015

  
Hollister David, Publisher,  
Ajo Copper News

Sworn to and subscribed before me, a Notary Public in and for the County of Pima, Arizona, this 5 day of January, 2015.

  
Notary Public



LEGAL/PUBLIC NOTICE, DECLARATION OF POLITICAL STATUS & ACCEPTANCE OF OFFER PURSUANT TO 12USC 95a §2 FOR CAROLYN BRANTLEY

I, Brantley, Carolyn, competent to speak, of sound mind comes to peace and give notice and declare my POLITICAL STATUS as a living woman standing on the land within the UNITED STATES and that I am rebutting all false presumptions that I am a INFANT Citizen of the United States or surety / trustee for any trust called CAROLYN BRANTLEY and on any variation thereof and cannot be identified by that coded name which is property of the UNITED STATES. This notice serves as my claim over my mind, body and soul. I Brantley, Carolyn will be doing business around the world for the benefit of the UNITED STATES, who made an offer pursuant to 12 USC 95a(2) that I, Brantley, Carolyn 'Accept' the offer in good faith and give consideration by pledging the Reversionary Interest and everything in the name of the infant CAROLYN BRANTLEY for the beneficial interest of the UNITED STATES who agreed to perform and indemnify Brantley, Carolyn and hold him harmless in accord with 12 USC 95a(2) which completes the usufruct contract between the parties. Anyone with any proof, knowledge or claim to rebut any claim in this Declaration, including but not limited to the DISTRICT OF COLUMBIA or the UNITED STATES have 30 days to bring forth their claim or this Declaration stands as Law. Please notify CATHELEEN H. MERVIN, NOTARY PUBLIC, in care of: P.O. BOX 1402 Ridgeland, SC 29936.

Publ. Dec. 16, 23, 30, 2014, Jan. 6, 2015  
Brantley - Carolyn Brantley 141215 GD

®©™: All Rights Reserved. This is Actual and Constructive Notice Knowledge of referenced Trade-Name(s) BRANTLEY CAROLYN dba CAROLYN BRANTLEY, in all variations thereof, secured signatures, and or autographs thereto. Note: The unauthorized use or 'trespass' of said Trade-Name incurs a self-executing-license-fee of \$500,000.00- Five Hundred Thousand United States Dollars, and or Property of the equal-value. Non-Negotiable.

# United States of America

United States Patent and Trademark Office

CAROLYN BRANTLEY

**Reg. No. 7,923,447**

**Registered Aug. 26, 2025**

**Int. Cl.: 36**

**Service Mark**

**Principal Register**

Brantley, Carolyn (UNITED STATES INDIVIDUAL)  
200 Oak Plantation Dr  
Ridgeland, SOUTH CAROLINA 29936

CLASS 36: Financial advice and consultancy services; Financial advisory and consultancy services; Financial analysis and research services; Financial information and advisory services

FIRST USE 01-31-1957 ; IN COMMERCE 01-31-1975

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT STYLE, SIZE OR COLOR

The name(s), portrait(s), and/or signature(s) shown in the mark identifies CAROLYN BRANTLEY, whose consent(s) to register is made of record.

SER. NO. 98-489,863, FILED 04-08-2024



*Coke Moya-Snead*

Acting Director of the United States Patent and Trademark Office



**EXHIBIT – 2**

**\*EVIDENCE OF  
PETITIONER'S  
CLAIM  
FOR LACK OF  
JURISDICTION TO  
UNRECOGNIZABLE  
RESPONDENT'S  
TO DEFAULT  
ALLEGATIONS**

STATE OF SOUTH CAROLINA

COUNTY OF JASPER

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

PLAINTIFF,

vs.

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,

DEFENDANT(S).

IN THE COURT OF COMMON PLEAS  
C/A NO: 2022CP2700306

**MOTION TO SET ASIDE DEFAULT  
JUDGMENT FOR LACK OF  
JURISDICTION AND DENIAL OF DUE  
PROCESS**

(NON-JURY MORTGAGE  
FORECLOSURE)

J. ROBERT ALTHORNTON  
CLERK OF COURT  
SOUTH CAROLINA

2025 JUL 14 PM 12:20

**FILED**

**TO THE HONORABLE COURT:**

COMES NOW the Defendant, Carolyn Brantley, proceeding pro se, and respectfully moves this Honorable Court to set aside the default judgment entered on December 13, 2023, pursuant to Rule 60(b)(4) of the South Carolina Rules of Civil Procedure, on the grounds that this Court lacked subject matter and personal jurisdiction to enter said judgment, and that the entry of default violated Defendant's fundamental constitutional rights to due process of law.

**I. STATEMENT OF THE CASE**

This foreclosure action was commenced on July 12, 2022, when Plaintiff filed its Summons and Complaint seeking to foreclose upon real property located at 200 Oak Plantation Drive, Ridgeland, South Carolina 29936. On December 13, 2023, this Court entered a default judgment of foreclosure against Defendant Brantley. Defendant now moves to set aside this judgment as

void ab initio for want of jurisdiction and constitutional infirmity.

## **II. STATEMENT OF UNDISPUTED MATERIAL FACTS**

1. **Defective Service of Process:** Despite Plaintiff's statutory and constitutional obligation to effect proper service of process upon Defendant Brantley personally, the record conclusively establishes that no such service was ever accomplished.
2. **Service on Third Parties Only:** The court record contains multiple Affidavits of Service documenting service upon various governmental entities and corporate defendants, but contains no affidavit establishing service upon Defendant Brantley herself.
3. **Affirmative Evidence of Non-Service:** The docket entry dated July 28, 2022, explicitly references an "Affidavit of Non Service on Carolyn Brantley," providing affirmative documentary proof that Defendant was not served with process.
4. **Constructive Admission of Defective Service:** On August 12, 2022—one month after filing suit—Plaintiff's counsel mailed Defendant a "Foreclosure Intervention Response Form," constituting a constructive admission that Defendant had not been properly served and was unaware of the pending litigation.
5. **Default Entered Without Jurisdiction:** Notwithstanding the absence of valid service, this Court entered default judgment against Defendant on December 13, 2023.

## **III. LEGAL STANDARD**

Rule 60(b)(4) of the South Carolina Rules of Civil Procedure mandates relief from a judgment that is "void." *Stoney v. Stoney*, 422 S.C. 593, 813 S.E.2d 486 (2018). A judgment entered without personal jurisdiction over a defendant is void ab initio and

subject to collateral attack at any time. *Insurance Co. of N. Am. v. Miller*, 362 S.C. 302, 608 S.E.2d 152 (2005).

Service of process is the procedural mechanism by which a court obtains personal jurisdiction over a defendant. *Hadden v. Rumsey*, 321 S.C. 366, 468 S.E.2d 432 (1996).

South Carolina Rule 4(d)(1) mandates strict compliance with personal service requirements, and South Carolina courts have consistently held that substantial compliance is insufficient. *State ex rel. Plant v. Riley*, 198 S.C. 90, 16 S.E.2d 572 (1941).

Without proper service, a court lacks fundamental power to render a binding judgment against a defendant. *Milliken v. Meyer*, 311 U.S. 457, 463 (1940).

#### IV. ARGUMENT

##### A. The Default Judgment Is Void for Lack of Personal Jurisdiction

The doctrine of personal jurisdiction derives from the fundamental principle that no person shall be bound by a judgment of a court that lacks power over their person. *Pennoyer v. Neff*, 95 U.S. 714 (1877); *International Shoe Co. v. Washington*, 326 U.S. 310 (1945). In *rem* proceedings against property do not cure the jurisdictional defect when personal liability is sought against an individual defendant.

Here, the undisputed record establishes that this Court never acquired personal jurisdiction over Defendant Brantley. The multiple affidavits of service filed by Plaintiff demonstrate service upon federal agencies, state agencies, and corporate entities—but conspicuously omit any affidavit establishing service upon the individual defendant whose property rights are at stake.

Most tellingly, the court's own docket entry referencing "Affidavit of Non-Service on Carolyn Brantley" provides dispositive evidence that the fundamental predicate for jurisdiction was never satisfied. A court cannot exercise power it never lawfully acquired.

#### **B. The Judgment Violates Substantive Due Process Under the Fourteenth Amendment**

The Due Process Clause of the Fourteenth Amendment to the United States Constitution provides that no State shall "deprive any person of life, liberty, or property, without due process of law." U.S. Const. amend. XIV, § 1. This constitutional mandate requires, at minimum, that individuals receive notice reasonably calculated to apprise them of pending proceedings and an opportunity to be heard. *Mullane v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950).

The deprivation of real property through foreclosure constitutes one of the most significant invasions of property rights known to law. *Fuentes v. Shevin*, 407 U.S. 67, 80-81 (1972). Such deprivation, accomplished without constitutionally adequate notice, violates the most fundamental precepts of American jurisprudence.

Here, Defendant received no notice whatsoever of the pending proceedings until August 12, 2022—one month after the lawsuit was filed—and then only through an informal intervention form rather than through proper service of process. This procedural deficiency rises to the level of a constitutional violation requiring mandatory relief.

#### **C. The Judgment Is Void Ab Initio and Subject to Collateral Attack**

A judgment entered without jurisdiction is not merely voidable—it is void ab initio, meaning it is treated as having never existed as a matter of law. *Kalb v. Feuerstein*, 308

U.S. 433, 439 (1940). Such judgments may be attacked collaterally at any time and in any proceeding. *Stoll v. Gottlieb*, 305 U.S. 165, 171-72 (1938).

The South Carolina Supreme Court has specifically distinguished between void and voidable judgments in the context of service defects. In *Insurance Co. of North America v. Miller*, 362 S.C. 302, 608 S.E.2d 152 (2005), the Court held that a judgment entered without personal jurisdiction due to defective service is void, not merely voidable, because "a court must have jurisdiction over the parties before it can render a valid judgment." This distinction is critical: voidable judgments may be waived or become final if not timely challenged, but void judgments remain subject to attack indefinitely.

The distinction between void and voidable judgments is not merely academic. A void judgment "is no judgment at all" and "cannot be the basis of a valid judgment in any subsequent proceeding." *13 Moore's Federal Practice* § 60.25[4][a] (3d ed. 2021). Courts have an affirmative duty to set aside void judgments whenever the jurisdictional defect is brought to their attention.

#### **D. Plaintiff's Conduct Demonstrates Bad Faith and Forum Shopping**

The record evidence suggests that Plaintiff proceeded with deliberate disregard for proper service requirements. The mailing of an intervention form on August 12, 2022, demonstrates actual knowledge that Defendant had not been served, yet Plaintiff continued to prosecute the action to default judgment without curing the jurisdictional defect.

This conduct violates not only procedural rules but the fundamental principle that

litigation must be conducted with regard for the rights of all parties. Courts should not permit litigants to obtain judgments through procedural irregularities that deny opposing parties their day in court.

#### **V. MERITORIOUS DEFENSES EXIST**

Although not required for relief under Rule 60(b)(4), Defendant notes that substantial meritorious defenses exist to Plaintiff's claims, including but not limited to: (1) questions regarding Plaintiff's standing to enforce the subject note and mortgage; (2) compliance with loan modification obligations; and (3) various procedural defects in the foreclosure proceedings.

These defenses would have been timely raised had Defendant received proper notice of the proceedings, further demonstrating the prejudice resulting from defective service.

#### **VI. CONCLUSION**

The default judgment entered in this matter represents a fundamental miscarriage of justice accomplished in violation of statutory procedural requirements and constitutional due process guarantees. A court without jurisdiction cannot render a valid judgment, and a judgment obtained in violation of due process cannot stand.

The South Carolina legal system's commitment to fundamental fairness requires that all parties receive their constitutionally guaranteed day in court. Here, Defendant was denied that opportunity through no fault of her own, but rather through Plaintiff's failure to comply with basic service requirements.

Justice demands that void judgments be set aside regardless of their potential impact on the underlying substantive dispute. The integrity of our judicial system depends upon adherence to procedural safeguards that protect the rights of all litigants.

WHEREFORE, Defendant respectfully requests that this Honorable Court:

1. Grant this Motion and set aside the default judgment entered on December 13, 2023, as void for lack of jurisdiction and violation of due process;
2. In the alternative, schedule an evidentiary hearing pursuant to Rule 60(b) to resolve any factual disputes regarding the adequacy of service of process;
3. Require Plaintiff to effect proper service of process before any further proceedings;
4. Award Defendant such other and further relief as the Court deems just and proper.

Respectfully submitted,

**CAROLYN BRANTLEY**  
*Pro Se Defendant*  
200 Oak Plantation Drive  
Ridgeland, SC 29936

843-812- 4724  
[cbran211@gmail.com](mailto:cbran211@gmail.com)

## CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE BY UNITED STATES POSTAL SERVICE (PRIORITY MAIL WITH CERTIFIED RETURN RECEIPT)

I, Carolyn Brantley, Defendant proceeding pro se, hereby certify that on this 11<sup>th</sup> day of July, 2025, I served a true and correct copy of the following document(s):

**Motion to Set Aside Default Judgment for Lack of Jurisdiction and Denial of Due Process Supporting Memorandum**

**Affidavit of Carolyn Brantley**

upon all parties of record by:

**United States Postal Service— First Class Mail**

**With Certified Mail (Return Receipt Requested)**

Tracking Number: 7020 2450 0001 7216 0807

Addressed to:

**Thomas A. Shook, Esquire**

Finkel Law Firm LLC

P.O. Box 71727

North Charleston, SC 29415

4000 Faber Place Drive, Ste 450 · First Class Mail Only

North Charleston, SC 29405

Certified Mail # 7020 2450 0001 7216 0814

Addressed to:

James A. Grimsley III

915 Bay Street, Ste 200

Beaufort, SC 29902

P O Box 2055— First Mail Only

Beaufort, SC 29901

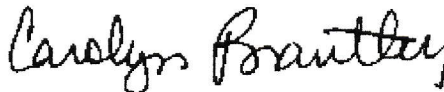
I declare under penalty of perjury under the laws of the State of South Carolina that the foregoing is true and correct.

**Carolyn Brantley, Pro Se Defendant**

200 Oak Plantation Drive

Ridgeland, SC 29936

843-812-4724



## AFFIDAVIT OF SERVICE

Page 1 of 8

**MOTION TO SET ASIDE DEFAULT JUDGMENT FOR LACK OF JURISDICTION AND DENIAL OF DUE PROCESS**

FILED

STATE OF SOUTH CAROLINA  
COUNTY OF JASPER

2025 JUL 14 PM 12: 21

I, Carolyn Brantley, being first duly sworn upon oath, do hereby depose and state

ROBERT KEITH HORTON  
CLERK OF COURT  
JASPER COUNTY, SC

1. I am the Defendant in the above-captioned matter and am competent to testify to the matters set forth herein based upon my personal knowledge.
2. On July 11<sup>th</sup>, 2025, I caused a true and correct copy of the foregoing Motion to Set Aside Default Judgment to be placed in the United States Mail, priority mail certified return receipt, in an envelope properly addressed to:

Thomas A. Shook, Esquire                      4000 Faber Place Drive, Ste 450  
 Finkel Law Firm LLC                          North Charleston, SC 29405  
 P.O. Box 71727  
 North Charleston, SC 29415

James A. Grimsley III                      P O Box 2055, Beaufort, SC 29901  
 915 Bay Street, Ste 200,                      Beaufort, SC 29902

3. Said mailing was accomplished at the United States Post Office located in Ridgeland, South Carolina.
4. To the best of my knowledge, information, and belief, the address set forth above is the correct and current business address of counsel for Plaintiff as reflected in the court record.

Further Affiant sayeth not.

*Carolyn Brantley*  
 CAROLYN BRANTLEY  
 Defendant, Pro Se

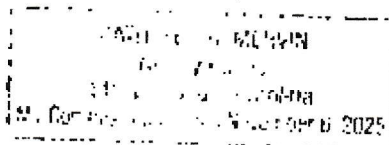
Sworn to and subscribed before me this 11th day of July 2025.

NOTARY ACKNOWLEDGMENT

STATE OF SOUTH CAROLINA  
COUNTY OF JASPER

Subscribed and sworn to (or affirmed) before me this 11<sup>th</sup> day of July, 2025, by Carolyn Brantley, who proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Notary Public for South Carolina  
 Printed Name: Cathleen H. Merwin  
 My Commission Expires: NOV 6, 2025  
 [OFFICIAL SEAL]



**EXHIBIT – 3**

**\*EVIDENCE OF  
COURT OF COMMON  
PLEAS  
OPINION**

FORM 4

STATE OF SOUTH CAROLINA  
COUNTY OF Jasper  
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE  
CASE NO. 2022CP2700306

Nationstar Mortgage Llc  
PLAINTIFF(S)

Carolyn Brantley et al  
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  
 Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED:  See attached order (formal order to follow)  Statement of Judgment by the Court:

This matter came before the Court on October 30, 2025 on Defendant's Motion to Set Aside Default filed on July 14, 2025. Thomas Shook appeared on behalf of the Plaintiff and Carolyn Brantley appeared on behalf of herself. This matter was referred to the special referee by previous order dated March 24, 2023. This Motion is dismissed as this Motion must be heard by the Special Referee and any appeal of that ruling must be appealed directly to the Court of Appeals.

ORDER INFORMATION

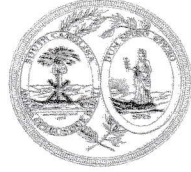
This order  ends  does not end the case.  See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 10/31/2025 .

Tns Ltd Llc  
Carolyn Brantley

NAMES OF TRADITIONAL FILERS SERVED BY MAIL



Jasper Common Pleas

**Case Caption:** Nationstar Mortgage Llc VS Carolyn Brantley , defendant, et al  
**Case Number:** 2022CP2700306  
**Type:** Order/Electronic Form 4

So Ordered

s/Carmen T Mullen 2142

Electronically signed on 2025-10-31 18:24:18 page 3 of 3

ELECTRONICALLY FILED - 2025 Nov 03 9:26 AM - JASPER - COMMON PLEAS - CASE#2022CP2700306