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Jan 22 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Perry H. Gravely, Circuit Court Judge
Charles B. Simmons, Jr., Master in Equity Judge

Case No. 2024-002207

Wells Fargo Bank, N. A. Plaintiff – Respondent

v.

Michelle Hodges, Individually and as Personal Representative
of the Estate of Ruth Ladson Witherspoon; Stanley Witherspoon;
SC Housing Corp.; and Twin Creeks Homeowners Association,
Inc. Defendants,

Of Whom Michelle Hodges, in her Individual capacity,
is the Appellant.

CORRECTED
PETITION FOR REHEARING OF
EMERGENCY STAY AND BOND WAIVER

Comes now the Petitioner, Michelle Hodges, pursuant to Rule 221, of the South Carolina Appellate Court Rules, and respectfully requests this Honorable Court to rehear and reconsider its Order of January 7, 2026, denying her request for an emergency stay of foreclosure and waiver of bond.

1. Relief Initially Requested

The Petitioner requested an emergency stay of the Foreclosure and Sale Order issued December 12, 2024, and a waiver of any bond under Section 18-9-170 of the S. C. Code in the Circuit Court, which was denied on September 15, 2025. This denial triggered the Petitioner's ability to seek review of the Circuit Court's ruling under the abuse of discretion standard, and to request the same relief from the South Carolina Court of Appeals.

2. Misapprehension of Relief Requested

a. Bond treated as Mandatory and offered Evidence Ignored

While the Petitioner's request for a waiver of the bond presupposes non compliance with Section 18-9-170 of the S. C. Code, the Court reframed the relief requested instead of analyzing the Petitioner's request for an emergency stay and bond waiver on the merits and taking into consideration irreparable harm. The Petitioner offered proof of her stated income of \$2,100.00 per month and her IRS Debt of 18,907.00. The Court focused solely on whether the Petitioner complied with Section 18-9-170. of the S. C. Code and treated the bond as mandatory instead of discretionary, as established under *Montgomery v. Montgomery*, 297 S.C. 289, 376 S.E.2d 323 (Ct. App. 1989).

b. Misapplication of Law and Due Process Concerns

This reflects a misapprehension of the relief requested and a misapplication of law of the type

addressed by Rule 221, of the South Carolina Rules of Appellate Procedure, raising due process concerns.

c. Conditional Motion and Opportunity to Respond

Further, this Court allowed the conditional motion but did not give Wells Fargo an opportunity to respond, .

3. Factual Basis Supporting Stay and Bond Waiver

a. Property Value

As this Court noted Wells Fargo claims a debt of \$213,656.01. Disinterested third-party sources provide the following estimated values of the subject property: Zillow estimates the property's value at \$330,900.00 (See Exhibit "A"), and Keller Williams reports an average sales price in the Twin Creeks subdivision of \$362,000.00 (See Exhibit "B"). These facts are relevant to the Court's consideration of an emergency stay, waiver of any bond and issues relating to potential property waste.

b. Property Ownership and Imminent Foreclosure

The subject property is held in joint tenancy with the right of survivorship. The foreclosure proceeding did not account for this ownership interest. The Final Order of the Circuit Court, issued on December 12, 2024, states that the Circuit Court reviewed the Special Warranty Deed and concluded that the subject property was not held in joint tenancy; however, the Order does state that the Special Warranty Deed was reviewed as a whole. Nor does the Order identify which of the four unities was lacking; or otherwise explain the basis for that determination.

c. Affidavit and Documentation Submitted or Referenced in support of Bond Waiver, and Stay concerning Imminent danger to the Petitioner

To assist the Court in its determination the Petitioner referenced or submitted the following

documents:

1. Exhibit "A" - Zillow estimated value of the subject property of \$330,900.00;
2. Exhibit "B" - Keller Williams average value in the Twin Creeks Subdivision of \$362,000.00;
3. Exhibit "C" - Final Order of Foreclosure and Sale, issued December 12, 2024 (included with Notice of Appeal);
4. Exhibit "D" - Circuit Court's denial of Petitioner's Emergency Stay request, issued September 15, 2025;
5. Exhibit "E" - DMV record stating Petitioner's address for over 10 years;
6. Exhibit "F" - Affidavit of Income of \$2,100.00 per month and Supporting Facts;
7. Exhibit "G" - IRS Proof of Claim stating a debt of 18,000.00;
8. Exhibit "H" - Recorded Death Certificate of Mrs. Witherspoon, the original borrower;
9. Exhibit "I" - Order of the Court of Appeals dated January 7, 2026, denying emergency stay and bond waiver,

d. Final Order Does Not establish Wells Fargo's Holding of the Note and Mortgage at the time of Complaint Filing

The Circuit Court's final Order does not reference evidence in the record, nor any witness testimony establishing that Wells Fargo held both the note and mortgage at the time the foreclosure complaint was filed. This gap of uncertainty is relevant to the Petitioner's request for a stay.

e. Enforcement Posture-Pending Appeal

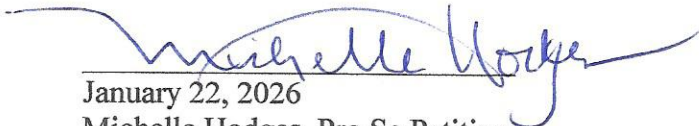
The record reflects that enforcement activity has been paused by Wells Fargo's own motion/order to remove the foreclosure from docket filed on March 24, 2025. Since the record reflects that Wells Fargo has imposed its own pause of enforcement and has not prosecuted the foreclosure for nearly a year, it does not appear that the Court's issuance of a stay would prejudice Wells

Fargo. This is provided for context and is relevant to the Court's determination regarding the relief requested.

4. Request for Relief

For the foregoing reasons, the Petitioner respectfully requests that the Court reconsider its ruling on the Stay request and bond waiver; grant a temporary stay and a stay pending appeal of the foreclosure proceedings; and grant the waiver of any bond as previously requested.

Respectfully submitted,

A handwritten signature in blue ink that reads "Michelle Hodges". The signature is written in a cursive style with a long horizontal flourish extending to the left.

January 22, 2026

Michelle Hodges, Pro Se Petitioner

michellehodges938@gmail.com

6 Young Harris Dr.

Simpsonville, SC 29681

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Jan 22 2026

SC Court of Appeals

**ONLY EXHIBITS
A,B, & D - I**

**EXHIBIT "A" (2 PAGES ONLY)
REDFIN ESTIMATED VALUE
OF SUBJECT PROPERTY**



City...



Buy ▾

Rent ▾

Sell ▾

Mortgage ▾

Real Estate Agents ▾

Feed

Join / Sign in

- ← Search
- Overview
- Sale & tax history
- Property details
- Neighborhood
- Climate
- ♥ Favorite
- ✎ Edit Facts
- ↗ Share



OFF MARKET

\$334,088 Est. refi payment \$0/mo—[Refinance my loan](#)

3 bd • 2 ba • 2,033 sq ft

6 Young Harris Dr, Simpsonville, SC 29681



Estimated sale price

\$318,000 – \$385,000

Reach more buyers when you sell with Redfin. Plus, you'll save **\$3,341** in fees.

[Schedule a selling consultation](#)

Need the cash from your home fast? Sell to [Opendoor](#).

[Get a cash offer](#)

Claim home

Claim home to manage this property



View dashboard



Edit facts



Manage photos

About this home

6 Young Harris Dr is a 2,033 square foot house on a 8,973 square foot lot with 3 bedrooms and 2 bathrooms. Based on Redfin's Simpsonville data, we estimate the home's value is \$334,088.

Single-family
Property Type

2012
Year Built

8,973 sq ft
Lot Size

\$164
Est. Price/Sq.Ft.

Source: Public Records

Redfin Estimate

\$334,088

▼ **\$10K** since December

[Recently sold homes](#)

[Estimate history](#)

[Homes for sale](#)



\$340,000

A

3 beds 2.5 baths 1,952 sq ft
107 Young Harris Dr,...



\$383,000

B

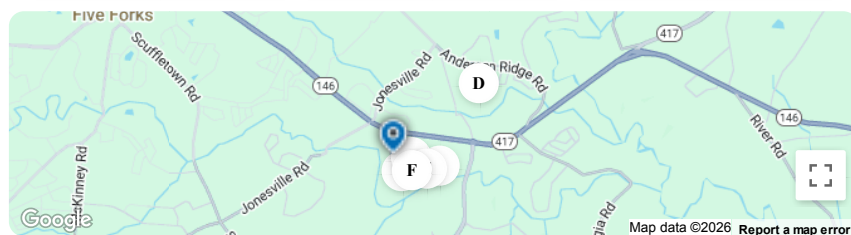
3 beds 2 baths 2,155 sq ft
3 Leeds Ct, Simpsonville, SC...



\$398,000

C

4 beds 2.5 baths 2,384 sq ft
59 Young Harris Dr,...



Claim this home to receive a free report every month with insights on the changing estimate.

I own 6 Young Harris Dr

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SC Court of Appeals

**EXHIBIT "B"
KELLER WILLIAMS
AVERAGE VALUE
FOR TWIN CREEKS SUBDIVISION**



Ruth Witherspoon
6 Young Harris Dr
Simpsonville, SC 29681

Activity in Twin Creeks – Year End 2025

Active Homes: Currently 2 Homes Available for Sale

Address	List Price	Address	List Price
114 Young Harris Dr.	\$385,000	305 Mercer Dr.	\$459,900

Under Contract: 0 Homes Under Contract

Address	List Price	Address	List Price
---------	------------	---------	------------

Closed Homes: 2 Homes Sold during 4th Quarter – 7 all year

Address	HSF	Sold Price	\$ Sq. Ft.	DOM
22 Pfeiffer Ct.	1689	\$299,000	177	44
30 Pfeiffer Ct.	1850	321,150	174	42
7 Twinings Dr.	1724	325,000	189	12
134 Mercer Dr.	1737	325,000	187	27
59 Young Harris Dr.	2384	398,000	167	1
26 Young Harris Dr.	2417	406,000	168	2
5 Twinings Dr.	2800	459,900	164	1
	Avg	\$362,000	175	18

2025 was a different year for Twin Creeks. Last year there were 19 homes that sold throughout the year. As you can see in 2025 only 7 sold. The prices were flat – the larger homes sold more quickly than the smaller ones. The average of \$175 per heated square feet is a great price for a home in Simpsonville and the age is still in its favor. 5 Forks is the place to live and still growing. Thinking of selling or moving up, please feel free to contact me.

This is an informational update and if your home is currently on the market is not an attempt to solicit you from your current Realtor.

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Jan 22 2026

SC Court of Appeals

EXHIBIT "D"
CERTIFIED COPY OF CIRCUIT COURT'S
DENIAL OF EMERGENCY STAY AND BOND
WAIVER DATED SEPTEMBER 15, 2025

FORM 4

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

JUDGMENT IN A CIVIL CASE
 CASE NUMBER 2017CP2308016

Wells Fargo Bank NA		Michelle Hodges	
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PLAINTIFF(S)	DEFENDANT(S)
Submitted by:	Attorney for: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant <input type="checkbox"/> Self-Represented Litigant

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. See Page 2 for additional information.
- 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:
ORDER INFORMATION

Michele Hodges has filed a multitude of motions since the last Order of this Court being filed February 11, 2025.

The most recent appears to have been filed September 10, 2025. She has also filed appeals and an action in Bankruptcy Court.

To the extent this Court has jurisdiction, any and all motions filed by Ms. Hodges are denied.
 And It Is So Ordered.

This order ends does not end the case.
 Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: Title abstractors and researchers should refer to the official court order for judgment details.**

E-Filing Note: In E-Filing counties, the Court will electronically sign this form using a separate electronic signature page.

1 of 3

ELECTRONICALLY FILED - 2025 Sep 15 10:35 AM - GREENVILLE - COMMON PLEAS - CASE#2017CP2308016

3023

9/15/2025

Circuit Court Judge

Judge Code

Date

For Clerk of Court Office Use Only

This judgment was entered on , and a copy mailed first class or placed in the appropriate attorney's box on , to attorneys of record or to parties (when appearing pro se) as follows:

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

Court Reporter

- Clerk of Court

Court Reporter:

E-Filing Note: In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

26f3



Greenville Common Pleas

Case Caption: Wells Fargo Bank NA vs. Michelle Hodges , defendant, et al
Case Number: 2017CP2308016
Type: Master/Order/Form 4

And It Is So Ordered!

s/ Judge Charles B. Simmons, Jr. (3023)

Electronically signed on 2025-09-15 08:48:46 page 3 of 3

A Certified Copy
J. A. Young
Clerk of Court C.P. & G.S. & Family Court
Greenville County, SC
Dated September 26, 2025

3 of 3

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Jan 22 2026

SC Court of Appeals

EXHIBIT "E"
CERTIFIED COPY OF PETITIONER'S
10-YEAR DMV RECORD

OFFICIAL 10 YEAR DRIVER RECORD

Customer No: 30912532 Driver License No: REDACTED
Name: HODGES, MICHELLE YVETTE
Address: 6 YOUNG HARRIS DR
City: SIMPSONVILLE State: SC Zip: 296818116
County: GREENVILLE
DOB: REDACTED Sex: F Driver Training: N
Status - DL: NO SUSPENSION CDL: NO DISQUALIFICATION

License Information

Type	Class	Function	Issued	Expires	First Issued	Rest.	Endor.	Document Identifier (ACN / DDN)
Current								
DL	D	Modify	11/28/2016	10/07/2025	06/24/2005	N	N	1011604200057169
Prior								
DL	D	Renewal	10/07/2015	10/07/2025	06/24/2005	N	N	1011506900001911
DL	D	Original	06/24/2005	10/07/2015	06/24/2005	N	N	N/A
DL	D	Modify	04/11/2012	10/07/2015	06/24/2005	N	N	1011131100007279

Point Summary

Total Current Points: 0
Driver Credit: -0
Adjusted Current Points: 0

VIOL: 421 - Speeding 10-mph or less
Violation: 01/29/2019 Conviction: 05/23/2019
ACD: S51 Conviction Loc Ref:
Conviction State: SC

Ticket#: 20192370769138
Recd: 05/24/2019 Post: 05/28/2019
Conviction Reference:
Court Type: MAGISTRATE COURT
Violation Points: 2 Current Points: 0

ACC: REPORTABLE
Accident: 04/20/2018
Accident Case Number: 18551467
Accident Jurisdiction: SC Acc Loc Ref: SCHDPT
Contributed: N

Posted: 04/24/2018
FR-10 Audit Number: R-366566
History: N

ACC: REPORTABLE
Accident: 11/21/2017
Accident Case Number: 17667068
Accident Jurisdiction: SC Acc Loc Ref: SCHDPT
Contributed: N

Posted: 12/20/2017
FR-10 Audit Number: RC-202994
History: N

End of Report

Certified to be a true and correct copy of the original document on file with

the South Carolina Department of Motor Vehicles


Director of Driver Services

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Jan 22 2026

SC Court of Appeals

EXHIBIT "F"
AFFIDAVIT OF PETITIONER
MICHELLE HODGES

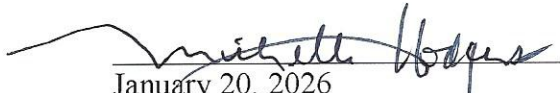
AFFIDAVIT OF MICHELLE HODGES

I, Michelle Hodges, being first duly sworn, depose and state as follows:

- The subject property has an estimated to be value of \$334,900.00 as stated by Redfin. (See Attached Exhibit "A"). The subdivision in which the subject property is located is Twin Creeks and Keller Williams has estimated that the average sales price for the subdivision is \$362,000.00. (See attached Exhibit "B")
- The Circuit Court issued a Final order and Foreclosure and Sale on December 12, 2024, which is already part of the Appellate record. I requested an emergency stay and a bond waiver in the Circuit Court, which was denied on September 15, 2025. (See Exhibit "D").
- I am the owner and occupant of the subject property located at 6 Young Harris Dr., Simpsonville, SC 29681 and I have been so since arc 29, 2012. (See Exhibit "E" - 10-year DMV Record). My monthly income is \$2,100.00 per month and the IRS filed a proof of claim with the U. S. Bankruptcy Court claiming a debt of \$18, 907.00. (See Exhibit "G")
- My Mother, Mrs. Ruth Ladson Witherspoon is the original borrower and passed away on July 5, 2015, as stated in the attached certified recorded Death Certificate. (See Exhibit "H")
- I applied in the S. C. Court of Appeals and this request was denied on January 7, 2026. (See Exhibit "I")

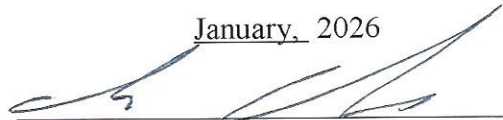
The above facts are submitted to the Court of Appeals in support of my petition for rehearing and reconsideration of the Court's denial of my emergency stay and bond waiver request.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.


January 20, 2026
Michelle Hodges, Pro Se Petitioner
michellehodges938@gmail.com
6 Young Harris Dr.
Simpsonville, SC 29681

Sworn/affirmed before me this 20th day of

January, 2026



(Notary Public)

my commission expires: 01/25/2032



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SC Court of Appeals

**EXHIBIT "G"
IRS PROOF OF CLAIM FILED IN THE
US BANKRUPTCY COURT**

Fill in this information to identify the case:

Debtor 1 MICHELLE HODGES

Debtor 2 _____
(Spouse, if filing)

United States Bankruptcy Court for the: District of SOUTH CAROLINA
(State)

Case number 25-01317-HB

Official Form 410

Proof of Claim

04/25

Read the instructions before filling out this form. This form is for making a claim for payment in a bankruptcy case. Do not use this form to make a request for payment of an administrative expense. Make such a request according to 11 U.S.C. § 503.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. Do not send original documents; they may be destroyed after scanning. If the documents are not available, explain in an attachment.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Fill in all the information about the claim as of the date the case was filed. That date is on the notice of bankruptcy (Form 309) that you received.

Part 1: Identify the Claim

1. Who is the current creditor?

Department of Treasury - Internal Revenue Service Creditor Number : 544531662
Name of the current creditor (the person or entity to be paid for this claim)

Other names the creditor used with the debtor _____

2. Has this claim been acquired from someone else?

No
 Yes. From whom? _____

3. Where should notices and payments to the creditor be sent?

Where should notices to the creditor be sent?

Where should payments to the creditor be sent? (if different)

Federal Rule of Bankruptcy Procedure (FRBP) 2002(g)

Internal Revenue Service
Name
P.O. Box 7346
Number Street
Philadelphia PA 19101-7346
City State ZIP Code
Contact phone 1-800-973-0424
Contact email _____

Internal Revenue Service
Name
P.O. Box 7317
Number Street
Philadelphia PA 19101-7317
City State ZIP Code
Contact phone 1-800-973-0424
Contact email _____

Uniform claim identifier (if you use one):

4. Does this claim amend one already filed?

No
 Yes. Claim number on court claims registry (if known) _____

Filed on _____
MM / DD / YYYY

5. Do you know if anyone else has filed a proof of claim for this claim?

No
 Yes. Who made the earlier filing? _____

Part 2: Give Information About the Claim as of the Date the Case Was Filed

6. Do you have any number you use to identify the debtor? No Yes. Last 4 digits of the debtor's account or any number you use to identify the debtor: See Attachment

7. How much is the claim? \$ 18,906.51. Does this amount include interest or other charges? No Yes. Attach statement itemizing interest, fees, expenses, or other charges required by Bankruptcy Rule 3001(c)(2)(A).

8. What is the basis of the claim? Examples: Goods sold, money loaned, lease, services performed, personal injury or wrongful death, or credit card. Attach redacted copies of any documents supporting the claim required by Bankruptcy Rule 3001(c). Limit disclosing information that is entitled to privacy, such as health care information.

Taxes

9. Is all or part of the claim secured? No Yes. The claim is secured by a lien on property.

Nature of property:

Real estate. If the claim is secured by the debtor's principal residence, file a *Mortgage Proof of Claim Attachment* (Official Form 410-A) with this *Proof of Claim*.

Motor vehicle

Other. Describe: _____

Basis for perfection: _____

Attach redacted copies of documents, if any, that show evidence of perfection of a security interest (for example, a mortgage, lien, certificate of title, financing statement, or other document that shows the lien has been filed or recorded.)

Value of property: \$ _____

Amount of the claim that is secured: \$ _____

Amount of the claim that is unsecured: \$ _____ (The sum of the secured and unsecured amounts should match the amount in line 7.)

Amount necessary to cure any default as of the date of the petition: \$ _____

Annual Interest Rate (when case was filed) _____%

Fixed

Variable

10. Is this claim based on a lease? No Yes. Amount necessary to cure any default as of the date of the petition. \$ _____

11. Is this claim subject to a right of setoff? No Yes. Identify the property: See attachment

12. Is all or part of the claim entitled to priority under 11 U.S.C. § 507(a)?

A claim may be partly priority and partly nonpriority. For example, in some categories, the law limits the amount entitled to priority.

No

Yes. Check one:

Domestic support obligations (including alimony and child support) under 11 U.S.C. § 507(a)(1)(A) or (a)(1)(B).

Up to \$3,800* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use. 11 U.S.C. § 507(a)(7).

Wages, salaries, or commissions (up to \$17,150*) earned within 180 days before the bankruptcy petition is filed or the debtor's business ends, whichever is earlier. 11 U.S.C. § 507(a)(4).

Taxes or penalties owed to governmental units. 11 U.S.C. § 507(a)(8).

Contributions to an employee benefit plan. 11 U.S.C. § 507(a)(5).

Other. Specify subsection of 11 U.S.C. § 507(a)() that applies.

Amount entitled to priority

\$ _____

\$ _____

\$ _____

\$ 12,075.95

\$ _____

\$ _____

* Amounts are subject to adjustment on 04/01/28 and every 3 years after that for cases begun on or after the date of adjustment.

Part 3: Sign Below

The person completing this proof of claim must sign and date it. FRBP 9011(b).

If you file this claim electronically, FRBP 5005(a)(3) authorizes courts to establish local rules specifying what a signature is.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571.

Check the appropriate box:

I am the creditor.

I am the creditor's attorney or authorized agent.

I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.

I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date 06/11/2025
MM / DD / YYYY

/s/ SONYA HARDIN

Signature

Print the name of the person who is completing and signing this claim:

Name SONYA HARDIN
First name Middle name Last name

Title Supervisory BK Specialist

Company Internal Revenue Service
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address 1835 Assembly St, M/S MDP 39
Number Street

Columbia SC 29201
City State ZIP Code

Contact phone 615-250-5485 Email Sonya.R.Hardin@irs.gov

Proof of Claim for Internal Revenue Taxes



Form 410
Attachment

Department of the Treasury/Internal Revenue Service

In the Matter of: MICHELLE HODGES
P O BOX 95
MAULDIN, SC 29662

Case Number	25-01317-HB
Type of Bankruptcy Case	CHAPTER 13
Date of Petition	04/06/2025

The United States has the right of setoff or counterclaim. However, this determination is based on available data and is not intended to waive any right to setoff against this claim debts owed to this debtor by this or any other federal agency. All rights of setoff are preserved and will be asserted to the extent lawful.

ESTIMATED CLAIMS CAN BE AMENDED WHEN RETURNS ARE FILED. SEND ORIGINAL

Unsecured Priority Claims		under section 507(a)(8) of the Bankruptcy Code			
<i>Taxpayer ID Number</i>	<i>Kind of Tax</i>	<i>Tax Period</i>	<i>Date Tax Assessed</i>	<i>Tax Due</i>	<i>Interest to Petition Date</i>
XXX-XX-2040	INCOME	12/31/2021	1 1-ESTIMATED-SEE NOTE	\$6,456.56	\$1,484.61
XXX-XX-2040	INCOME	12/31/2022	1 1-ESTIMATED-SEE NOTE	\$3,083.02	\$501.73
XXX-XX-2040	INCOME	12/31/2023	03/10/2025	\$243.00	\$18.99
XXX-XX-2040	INCOME	12/31/2024	06/23/2025	\$285.00	\$3.04
				\$10,067.58	\$2,008.37
Total Amount of Unsecured Priority Claims:					\$12,075.95

Unsecured General Claims					
<i>Taxpayer ID Number</i>	<i>Kind of Tax</i>	<i>Tax Period</i>	<i>Date Tax Assessed</i>	<i>Tax Due</i>	<i>Interest to Petition Date</i>
XXX-XX-2040	INCOME	12/31/2020	1 1-ESTIMATED-SEE NOTE	\$5,316.80	\$1,424.48
				\$5,316.80	\$1,424.48
Penalty to date of petition on unsecured priority claims (including interest thereon)					\$89.28
Total Amount of Unsecured General Claims:					\$6,830.56

1 LIABILITY IS ESTIMATED BASED ON AVAILABLE INFORMATION BECAUSE THE RETURN HAS NOT BEEN FILED. THIS CLAIM MAY BE AMENDED AS NECESSARY AFTER THE DEBTOR FILES THE RETURN OR PROVIDES OTHER REQUIRED INFORMATION.

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SC Court of Appeals

EXHIBIT "H"
CERTIFIED AND RECORDED DEATH
CERTIFICATE OF MRS. WITHERSPOON

DEATH CERTIFICATION

STATE FILE NUMBER : 139-15-024036 AMENDED

DECEDENT'S NAME: *RUTH LADSON WITHERSPOON*

SEX: FEMALE

AKA's: NA

SOCIAL SECURITY NUMBER: [REDACTED]

ARMED FORCES: NO

DATE OF BIRTH: [REDACTED]

AGE: 77 YEARS

TYPE OF PLACE OF DEATH: HOSPITAL- INPATIENT

COUNTY OF DEATH: GREENVILLE

NAME AND ADDRESS OF PLACE OF DEATH: ST. FRANCIS DOWNTOWN, GREENVILLE, SC 29601

PLACE OF DISPOSITION: RESTHAVEN MEMORIAL GARDENS

DISPOSITION LOCATION: PIEDMONT, SOUTH CAROLINA

METHOD OF DISPOSITION: BURIAL

DECEDENT'S RESIDENCE: 6 YOUNG HARRIS DRIVE, SIMPSONVILLE, GREENVILLE COUNTY, SC, 29681

MARITAL STATUS: DIVORCED (AND NOT REMARRIED)

PLACE OF BIRTH: SOUTH CAROLINA

SURVIVING SPOUSE'S NAME: NA

FATHER'S NAME: PAUL LADSON

MOTHER'S NAME PRIOR TO FIRST MARRIAGE: CARRIE STEWART

RELATIONSHIP: DAUGHTER

INFORMANT'S NAME: MICHELLE HODGES

MAILING ADDRESS: PO BOX 95, MAULDIN, SC, 29662

FUNERAL HOME: WATKINS, GARRETT & WOODS MORTUARY, INC., 1011 AUGUSTA STREET, GREENVILLE, SC, 29605-3998

FUNERAL DIRECTOR: FRED D. GARRETT JR.

LICENSE NUMBER: 1962

EMBALMER'S NAME: EDWARD RUFFIN

LICENSE NUMBER: 3686

ACTUAL OR PRESUMED DATE OF DEATH : JULY 05, 2015

MANNER OF DEATH : NATURAL

ACTUAL OR PRESUMED TIME OF DEATH: 1052

CAUSE OF DEATH - PART I

[REDACTED] METASTATIC UTERINE CANCER

[REDACTED] LIVER FAILURE

[REDACTED] MALIGNANT PLEURAL EFFUSION

OTHER SIGNIFICANT CONDITIONS - PART II:

[REDACTED] HYPERTENSION, PNEUMONIA

CORONER CONTACTED? NO

AUTOPSY PERFORMED? NO

AUTOPSY AVAILABLE? NA

DATE OF INJURY: NA

TIME OF INJURY: NA

INJURY AT WORK? NA

PLACE OF INJURY: NA

LOCATION OF INJURY: NA

HOW THE INJURY OCCURRED?

NA

CERTIFIER NAME AND TITLE: MD KERISEA S. MCPHERSON

LICENSE NUMBER: 25098

CERTIFIER'S ADDRESS: ONE ST. FRANCIS DRIVE, GREENVILLE, SC, 29601

DATE FILED: JULY 10, 2015

DATE OF ISSUANCE: AUGUST 14, 2015

SPECIAL INSTRUCTIONS :

DECEDENT'S FATHER LAST NAME AMENDED ON 08/10/2015, DECEDENT'S RESIDENCE TOWN AMENDED ON 08/10/2015, DECEDENT'S RESIDENCE ZIP ID AMENDED ON 08/10/2015



MISC/DEED Book: DE 2741 Page: 5321 - 5321 1 Pgs

January 23, 2025 01:19:05 PM

Rec: \$10.00

FILED IN GREENVILLE COUNTY, SC *Trinity J. Manning*

SC04463968

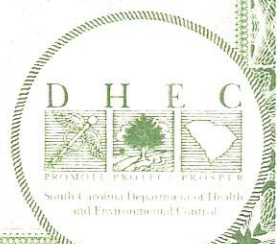
This is a true certification of the facts on file in the Division of Vital Records, SC Department of Health and Environmental Control.

Catherine Templeton
Catherine Templeton
Director and State Registrar

Barbara Derrick
Barbara E. Derrick
Assistant State Registrar

This copy is not valid unless prepared on an engraved border displaying the state seal and issuing agency logo.

Revision Date: 09/10/2014



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Jan 22 2026

SC Court of Appeals

EXHIBIT "I"
S. C. COURT OF APPEALS JAN. 7, 2026
DENIAL OF EMERGENCY MOTION OF STAY
AND BOND WAIVER

The South Carolina Court of Appeals

Wells Fargo Bank, N.A., Respondent,

v.

Michelle Hodges, Individually; Michelle Hodges as the
Personal Representative of the Estate of Ruth Ladson
Witherspoon; Stanley Witherspoon; SC Housing Corp.;
and Twin Creeks Homeowners Association, Inc.,
Defendants.

of whom Michelle Hodges, Individually, is the
Appellant.

Appellate Case No. 2024-002207

ORDER


On December 30, 2024, Appellant filed a notice of appeal of many orders from the master-in-equity, including an order of judgment of foreclosure and sale filed on December 12, 2024, which found the loan had been in default since May 1, 2017, and the total debt owed was \$213,656.01. On January 31, 2025, Appellant provided this court with a notice of bankruptcy filing. Accordingly, this court held the appeal in abeyance, requiring Appellant to provide a status update every sixty days.

On December 12, 2025, Appellant moved for a stay of the order of judgment of foreclosure and sale, seeking (1) an order prohibiting any foreclosure-related activity pending this court's ruling on the motion to stay; (2) an order staying the enforcement of the order of judgment of foreclosure and sale entered on December 12, 2024; and (3) a waiver of any bond requirement based on financial hardship. Respondent filed a return, opposing the requested relief, and providing this court with a Form 4 order dated December 27, 2024, that denied Appellant's motion to stay, finding her proposed surety—to not commit waste during the appeal period and if the judgment is affirmed to "pay what she contends could have been the fair

market rental value of the property"—"was not recognizable under South Carolina law." Appellant filed a reply.

On December 29, 2029, Appellant moved for leave to file a proposed amended emergency motion for stay, which included the proposed amended motion as an exhibit. The amended motion to stay sought the following requested relief: (1) an order prohibiting any foreclosure-related activity pending this court's ruling on the motion to stay; (2) an order staying the enforcement of the order of judgment of foreclosure and sale entered on December 12, 2024; and (3) a waiver of any bond requirement based on financial hardship, the absence of any valid lien on the subject property, the irreparable harm that would result; (4) to remand to the master to allow Appellant to file a motion to set aside and vacate the December 12, 2024 order; and (5) to continue holding this appeal in abeyance to allow the master to rule on the motion to set aside and vacate. Also on December 29, 2025, this court requested an update on the bankruptcy stay. On January 7, 2026, Appellant indicated the bankruptcy stay had terminated.

After careful consideration, we grant the motion for leave to file the amended motion to stay and accept the conditionally-filed amended motion to stay. After consideration of the amended motion to stay, we deny Appellant's request to waive the bond requirement and thus, deny the motion to stay because Appellant has failed to comply with section 18-9-170 of the South Carolina Code (2014). *See* Rule 241(b)(4), SCACR (providing a notice of appeal does not automatically stay the execution of a judgment "directing the sale or delivery of possession of real property as provided in S.C. Code Ann. § 18-9-170"); S.C. Code Ann. § 18-9-170 (providing "[i]f the judgment appealed from direct[s] the sale or delivery of possession of real property, the execution of the judgment shall not be stayed unless" the appellant executes a writing, with two sureties, guaranteeing the property will not be wasted while the appeal is pending). Further, we deny Appellant's request to remand to the master to file a motion to set aside and vacate. Finally, the appeal will no longer be held in abeyance.



FOR THE COURT J.

Columbia, South Carolina
cc:
Michelle Hodges
Jason David Wyman, Esquire

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2 of 3
MK

Shelton Sterling Laney, III, Esquire
Elizabeth Brown, Esquire
Gretchen Davis Holland, Esquire

In the Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Perry H. Gravely, Circuit Court Judge
Charles B. Simmons, Jr., Master in Equity Judge

Case No. 2024-002207

Wells Fargo Bank, N. A. Plaintiff – Respondent

v.

Michelle Hodges, Individually and as Personal Representative
of the Estate of Ruth Ladson Witherspoon; Stanley Witherspoon;
SC Housing Corp.; and Twin Creeks Homeowners Association,
Inc. Defendants,

Of Whom Michelle Hodges, in her Individual capacity,
is the Appellant.

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SC Court of Appeals

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I hereby certify that on January 22, 2026, I served the the following document:


1. Corrected Petition for Rehearing with Exhibits A,B and D-I, which includes an affidavit. The above Corrected Petition was served, via U.S. First Class Mail with the correct prepaid postage, on opposing counsel, as shown below:

WELLS FARGO'S COUNSEL OF RECORD:

Ms. Elizabeth Brown
Ms. Genevieve S. Johnson
Mr. Michael Nourie
Robertson, Anschutz, Schneid,
Crane & Partners, PLLC
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Suite 103
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Mr. S. Sterling Laney, III, Esquire
Mr. Jason D. Wyman
Womble Bond Dickinson
550 South Main ST
#400
Greenville, SC 29601

Respectfully,


January 22, 2026
Michelle Hodges, Appellant Pro Se
michellehodges938@gmail.com
6 Young Harris Dr.
Simpsonville, SC 29681
864-692-3748