

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM ANDERSON COUNTY
Court of Common Pleas

Ellis B. Drew, Jr., Master in Equity

RECEIVED

APR 18 2012

SC Court of Appeals

Case No. 2010-CP-04-03548

Green Tree Servicing, LLC,..... Respondent,
v.
Corrie Ann Martin,.....Appellant.

Amended Notice of Appeal

Corrie Ann Martin appeals the order of the Honorable Ellis B. Drew, Jr.,
Master in Equity, dated March 8, 2012. Appellant received written notice of the
entry of judgment on March 29, 2012.

April 16, 2012

Herbert L. Ervin
HERBERT L. ERVIN

Corrie Ann Martin

Corrie Ann Martin
Post Office Box 14042
Anderson, SC 29624
(864) 716-9926

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Ellis B. Drew, Jr., Master in Equity

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Green Tree Servicing, LLC,..... Respondent,
v.
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PROOF OF SERVICE

I certify that I have served the Notice of Appeal on Green Tree Servicing, LLC by depositing a copy of it in the United States Mail, postage prepaid, on April 16, 2012, addressed to Theodore von Keller, Esquire P.O. Box 4216 Columbia, SC 29240.

April 16, 2012

Corrie Ann Martin

Corrie Ann Martin
Post Office Box 14042
Anderson, South Carolina 29624
(864) 716-9926

Herbert L. Ervin
HERBERT L. ERVIN

My Commission Expires 8-21-2019

April 16, 2012

The Honorable Tanya A. Gee,
Clerk, South Carolina Court of Appeals
1015 Sumter St.
Columbia, S.C. 29201
(803) 734-1890
Fax: (83) 734-1839
Website: ww.sccourt.org

RECEIVED

APR 18 2012

SC Court of Appeals

RE: Corrie Ann Martin, Appellant, v. Respondent, Green Tree Servicing, LLC,
Formerly known as Green Tree Financial Servicing Corporation, a Limited Liability
Company Under the Laws of the State of Delaware, Case No. 2010-CP-04-03548

Dear Ms. Gee:

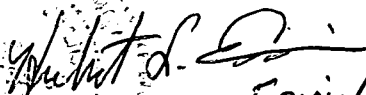
Enclosed for filing is a notice of appeal in the above case. Also enclosed are
the following:

- (1) An Amended Notice of Appeal, including my original signature.
- (2) An original Proof of Service showing the date I served the other parties to
the appeal including the names of their counsel and their mailing
addresses.
- (3) Order of Ellis B. Drew, Jr., Master in Equity dated March 8, 2012.
- (4) The \$100 filing fee, see Rule 203, SCACR.

Sincerely,

Corrie Ann Martin

Corrie Ann Martin
Post Office Box 14042
Anderson, South Carolina 29624
(864) 716-9926


HERBERT L. ERVIN

My Commission Expires 8-21-2019

RCB

STATE OF SOUTH CAROLINA)
COUNTY OF ANDERSON)

IN THE COURT OF COMMON PLEAS

Green Tree Servicing, LLC, formerly)
known as Green Tree Financial)
Servicing Corporation, a Limited)
Liability Company under the laws of)
the State of Delaware,)

C/A NO.: 2010-CP-04-03548

RECEIVED
APR 18 2012

SC Court of Appeals

Plaintiff,

SUPPLEMENTAL ORDER

vs.

Corrie A. Martin, the South Carolina)
Department of Revenue, the United)
States of America by and through its)
agency the Internal Revenue Service)
and Anderson Area Medical Center, Inc.)
n/k/a Anmed Health,)

Defendant.

COMM. PLEAS AND)
GENERAL SESSIONS)
A TRUE COPY)
MAR 29 2012)
Richard A. Harty)
CLERK OF COURT)

2012 MAR 13 A 8:19

FILED-CLERK'S OFFICE
ANDERSON SC

This matter came before me on January 23, 2012, pursuant to Defendant Corrie A. Martin's Motion for Relief from Judgment Pursuant to Rule 60(b), SCRCP. Present were Theodore von Keller, Esquire, representing the Plaintiff, Shannon Tucker, the Regional Manager of the Plaintiff, D. Andrew Gaines, representing the Defendant Corrie A. Martin and the Defendant Corrie A. Martin.

This an action to foreclose a mortgage given to the Plaintiff by Corrie A. Martin. The Summons and Complaint for foreclosure was filed on October 4, 2010, and the Defendants were personally served thereafter. No answer or notice of appearance was filed by the Defendant Corrie A. Martin. On December 2, 2010, an Order of Reference and Affidavit of Default were filed with the Court. Subsequently, a hearing was scheduled and the Plaintiff forwarded a Notice of Hearing to the Defendants on December 17, 2010. The Notice of Hearing and Certificate of Service were filed with the Court. On January 24, 2011, the foreclosure hearing was held, the Defendant Corrie A. Martin was provided with notice same and this Court granted a judgment to the Plaintiff, ordered foreclosure and

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scheduled the foreclosure sale for March 1, 2011. Plaintiff demanded a deficiency with the final sale on March 31, 2011. The Plaintiff was the successful bidder at the sale and a Master in Equity's Deed by Foreclosure was recorded in the Office of the Anderson County Register of Deeds on April 20, 2011, in Book 10000 at Page 107. Subsequently, due to the subject property still being occupied, a Writ of Assistance was issued by this Court on June 2, 2011. The Anderson County Sheriff's Office served the Writ of Assistance on June 13, 2011. On or about June 27, 2011, the Plaintiff's attorney received a letter from Robert P. Lusk, Esquire, that there were outstanding issues that needed to be addressed and the Plaintiff cancelled the lock-out that had been scheduled with the Anderson County Sheriff's Office.

On or about January 6, 2012, the Defendant, by and through her present counsel, Andrew Gaines, filed a Motion for Relief from Judgment. After review of the file and arguments of counsel, Defendant's Motion is denied and the Court makes the following findings of fact and conclusions of law.

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Court finds that, after foreclosure hearing and sale, title to the subject property was conveyed to the Plaintiff on April 20, 2011, thus terminating Defendant's interest in the subject property. Further, Rule 60(b), SCRPC, requires a movant to not only establish numerous elements to obtain relief from a judgment, but also to move within a reasonable time. This Court finds as a matter of fact that the Defendant has failed to make this motion within a reasonable time as the hearing in this matter, of which the Defendant was provided notice, was on January 24, 2011. The Defendant waited almost a year to file this motion. Defendant offered no explanation for this delay.

Accordingly,


LCB

IT IS ORDERED that based on the above Findings of Fact and Conclusions of Law, the Defendant Corrie A. Martin's Motion for Relief from Judgment Pursuant to Rule 60(b), SCRPC, is denied.

IT IS FURTHER ORDERED that the Defendant Corrie A. Martin has thirty (30) days from the date of this Order to vacate the property, after which time the Movant is entitled to possession of the subject property. If the subject property has not been vacated in the time allowed by this Order, this Court will issue the Plaintiff a Writ of Assistance without the necessity of another hearing.

IT IS FURTHER ORDERED that this Order shall supplement the Master in Equity's Order and Judgment of Foreclosure and Sale filed January 24, 2011.

AND IT IS SO ORDERED.

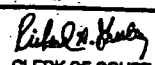


Ellis B. Drew, Jr.
Anderson County Master in Equity

Anderson, South Carolina

3-8-, 2012.

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A TRUE COPY
MAR 29 2012

CLERK OF COURT