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May 14 2026

SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

Appellate Case No. 2026-001103

The Bank of New York Mellon, f/k/a The Bank of New York as successor in interest to JP Morgan Chase Bank, N.A. as Trustee for NovaStar Mortgage Funding Trust, Series 2004-1, NovaStar Home Equity Loan Asset-Backed Certificates, Series 2004-1,
Respondent,

v.

Timothy Allen Nunally, as Personal Representative for the Estate of Carl Alvin Nunally, Sr., deceased; Timothy Allen Nunally, as Trustee for the CAN Irrevocable Trust; Carl Alvin Nunally, Jr.; Mark Anthony Nunally; and Timothy Allen Nunally,
Defendants,

of which Timothy Allen Nunally and Mark Anthony Nunnally are the Appellants.

APPELLANTS' NOTICE REGARDING TRANSCRIPT PREVIOUSLY ORDERED AND RECEIVED

Appellants Timothy Allen Nunally and Mark Anthony Nunnally, appearing pro se, respectfully submit this Notice Regarding Transcript Previously Ordered and Received and state as follows:

1. This appeal arises from proceedings in the Lexington County Court of Common Pleas/Master-in-Equity matter below, involving the final order and judgment entered in the underlying foreclosure action.
2. The South Carolina Court of Appeals has received Appellants' Notice of Appeal and assigned this matter Appellate Case No. 2026-001103.

3. Appellants respectfully notify this Court, the Clerk of the South Carolina Court of Appeals, and all parties that the transcript of the February 10, 2026 trial proceedings before the Honorable James O. Spence has already been requested, prepared, paid for, and delivered to Appellants.
4. Appellants do not seek to order a duplicate copy of the same transcript or incur duplicate transcript costs for a transcript that has already been prepared and received.
5. Appellants intend to rely upon the previously prepared and delivered transcript for purposes of this appeal, including but not limited to preparation of the Initial Brief, statement of issues, citations to the record, and the designation of matter to be included in the Record on Appeal.
6. In support of this Notice, Appellants attach the following proof:

Exhibit A: Receipt, invoice, or payment confirmation for the transcript;

Exhibit B: Court reporter email or correspondence delivering the transcript; and

Exhibit C: Transcript cover page.

7. Appellants respectfully request that the Court and all parties recognize that the transcript has already been ordered, paid for, prepared, and received, and that Appellants may proceed using the existing transcript in connection with this appeal.
8. Appellants further reserve all rights to designate the February 10, 2026 trial transcript, in whole or in relevant part, as part of the Record on Appeal pursuant to the South Carolina Appellate Court Rules.

WHEREFORE, Appellants respectfully submit this Notice Regarding Transcript Previously Ordered and Received and request that it be accepted for filing and made part of the appellate record in this matter.

Respectfully submitted,

Date: May 14th, 2026


Timothy Allen Nunnally, Appellant, Pro Se
5681 Grande River Rd.
College Park, GA 30349
Telephone: 404-980-4488
Email: markannally@gmail.com


Mark Anthony Nunnally, Appellant, Pro Se
5681 Grande River Rd.
College Park, GA 30349
Telephone: 404-980-4488
Email: markannally@gmail.com

CERTIFICATE OF SERVICE

I certify that I served the foregoing by electronic mail upon counsel listed on the South Carolina Court of Appeals' May 8, 2026 correspondence. If any listed counsel is not counsel of record or if another service address should be used, Appellants respectfully request immediate notice so the service list may be corrected.

I also hereby certify that on this 14th day of May, 2026, I served a true and correct copy of the foregoing **Appellants' Notice Regarding Transcript Previously Ordered and Received**, together with attached exhibits, upon counsel listed on the South Carolina Court of Appeals' May 8, 2026 correspondence, by electronic mail and/or U.S. Mail as follows:

Chad Wilson Burgess, Esquire
Brock & Scott, PLLC
3800 Fernandina Road, Suite 110
Columbia, SC 29210
Email: Chad.Burgess@brockandscott.com

Clark Dawson, Esquire
Brock & Scott, PLLC
3800 Fernandina Road, Suite 110
Columbia, SC 29210
Email: Clark.Dawson@brockandscott.com

Brook Dangerfield, Esquire
Brock & Scott, PLLC
3800 Fernandina Road, Suite 110
Columbia, SC 29210
Email: Brook.Dangerfield@brockandscott.com

Kevin Ted Brown, Esquire
Brock & Scott, PLLC
3800 Fernandina Road, Suite 110
Columbia, SC 29210
Email: Kevin.Brown@brockandscott.com

South Carolina Court of Appeals
ctappfilings@sccourts.org

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SC Court of Appeals

Respectfully submitted,

Date: MAY 14th, 2026

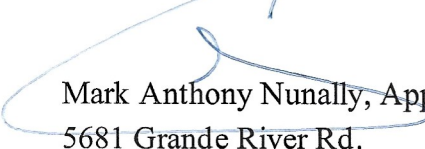

Mark Anthony Nunally, Appellant, Pro Se
5681 Grande River Rd.
College Park, GA 30349
Telephone: 404-980-4488
Email: markanunnally@gmail.com

EXHIBIT LIST

Exhibit A

Receipt / Invoice / Payment Confirmation for Trial Transcript

Exhibit B

Court Reporter Email or Correspondence Delivering Trial Transcript

Exhibit C

Transcript Cover Page

Exhibit A

Receipt / Invoice / Payment Confirmation for Trial Transcript

Garber Reporting

3200 Devine Street Suite 103
Columbia, SC 29205
Phone: 803-256-4500



Mark A. Nunnally
Mark A. Nunnally
Atlanta, GA

Invoice #41006

Date	Terms
03/31/2026	Due on receipt

Job #17573 on 02/10/2026

Case: The Bank of New York Mellon vs. Timothy Allen
Nunally

Resource: Kathryn B. Bostrom

Court Docket#: 2024-CP-32-01094

Description	Amount
Copy Transcript of Trial Proceedings Digital Transcript	\$ 815.50

Amount Due: \$ 815.50
Paid: \$ 0.00

Balance Due:	\$ 815.50
Payment Due:	Upon Receipt

Exhibit B

Court Reporter Email or Correspondence Delivering Trial Transcript



Mark Nunnally <markannally@gmail.com>

Transcript: Trial Proceedings - Tuesday, February 10, 2026

Paul Greathouse <pgreathouse@garberreporting.com>
To: "markannally@gmail.com" <markannally@gmail.com>

Wed, Apr 1, 2026 at 12:38 PM

Garber Job #: 17573
In Re: *The Bank of New York Mellon vs. Timothy Allen Nunally*
Hearing of: *Trial Proceedings*
Taken on: *Tuesday, February 10, 2026*

Mr. Nunnally,

Attached is the transcript file from the Tuesday, February 10, 2026, Trial Proceedings. Please let us know if you have any questions or need anything further.

Thanks!

Paul W. Greathouse

Garber Reporting Service

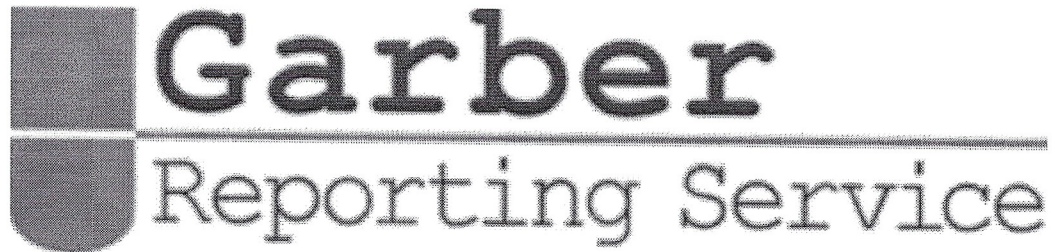
pgreathouse@garberreporting.com

803-256-4500 (office)

336-250-3326 (cell)

 **260210KBB.HRG_17573_full.pdf**
728K

Exhibit C
Transcript Cover Page



3200 Devine Street, Suite 103
Columbia, South Carolina 29205
info@garberreporting.com
Telephone: (803) 256-4500

TRIAL PROCEEDINGS

February 10, 2026

The Bank of New York Mellon

VS

Timothy Allen Nunally

2024-CP-32-01094

REPORTER: Kathryn Bostrom