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May 19 2026

AFFIDAVIT OF SERVICE

SC Court of Appeals

FILE NUMBER: 24-40723

ELECTRONICALLY FILED - 2024 Feb 19 1:48 PM - DORCHESTER - COMMON PLEAS - CASE#2024CP1900207

DOCKET NUMBER: 2024CP1800207

COURT OF COMMON PLEAS FOR DORCHESTER COUNTY, SC
PLAINTIFF RELIANCE FIRST CAPITAL, LLC

vs.
DEFENDANT NIKIA RENEE NOISETTE, et al.

SERVICE OF PROCESS ON: NIKIA RENEE NOISETTE

METHOD OF SERVICE: A true and correct copy of the above-described papers were served on the below-named party in the following manner:

(X) (SUBSTITUTE) By leaving a copy at dwelling house or usual place of abode with some person of suitable age and discretion then residing therein.

ADDRESS: 402 ARBOR OAKS DRIVE
SUMMERVILLE, SC 29485

Is the place of service the dwelling house or usual place of abode for the party being served? (X) YES () NO

DATE: 2/16/2024 TIME: 8:06 PM

TYPE OF DOCUMENTS: Summons and Notice, Complaint, Lis Pendens, Notice to Appoint Guardian Ad Litem for Incarcerated Defendant

DESCRIPTION OF PARTY RECEIVING DOCUMENTS: The person receiving the documents is described as follows:
NAME: RONALD NOISETTE; RELATIONSHIP/TITLE: SON
Gender: MALE; Age: 26-30; Ethnicity: Black; Hair: Black
Height: 5ft 8in - 5ft 11in; Weight: 231 lbs - 250 lbs

MARITAL STATUS: (X) Single () Married () Separated () Unknown

MILITARY STATUS: PER MY INVESTIGATION, SAID PERSON
() WAS (X) WAS NOT ENGAGED IN THE U.S. MILITARY AT THE TIME OF SERVICE
() UNKNOWN MILITARY BRANCH IF APPLICABLE:

IS THE SUBJECT PROPERTY A MOBILE HOME? () YES (X) NO

COMMENTS: 02/16/2024 08:06:00 PM - SERVED HER SON WITHOUT INCIDENT NAME RONALD NOISETTE

Signature of Process Server: The undersigned declares, under penalty of perjury, that the foregoing is true and correct and that the deponent is over the age of 18 and is not party to nor interested in this action.

NAME: JAMES SMALLS

James Smalls
Signature of Process Server / ProVest Case ID: 7049639

2/19/24
Date

STATE OF South Carolina
COUNTY OF Charleston

Sworn to and subscribed before me this 19th day of February, in the year of 2024

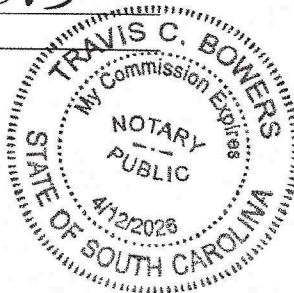
Personally known by me, or identified by the following document:

Type: Handwritten Number/Reference: _____
Travis C Bowers Notary Public for SOUTH CAROLINA

Notary Public (Legal Signature)

Printed Name: Travis C Bowers

Commission Expiration: 4/12/2026





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FILE NUMBER: 24-40723

AFFIDAVIT OF NON-SERVICE

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COURT OF COMMON PLEAS FOR DORCHESTER COUNTY, SC
PLAINTIFF RELIANCE FIRST CAPITAL, LLC

vs.
DEFENDANT NIKIA RENEE NOISETTE, et al.

SERVICE OF PROCESS ON: NIKIA RENEE NOISETTE

METHOD OF SERVICE: A true and correct copy of the above-described papers were served on the below-named party in the following manner:

(X) (NON-SERVICE - PROOF OF DILIGENCE) After due and diligent efforts, undersigned was unable to effect service.

ADDRESS: 1107 BARRETT ROAD
CHARLESTON, SC 29407

Is the place of service the dwelling house or usual place of abode for the party being served? () YES (X) NO

DATE: 2/10/2024 TIME: 10:05 AM

TYPE OF DOCUMENTS: Summons and Notice, Complaint, Lis Pendens

IS THE SUBJECT PROPERTY A MOBILE HOME? () YES (X) NO

COMMENTS: 02/10/2024 10:05:00 AM - PER RESIDENT, DEFENDANT DOES NOT RESIDE, WHEREABOUTS UNKNOWN: RESIDENT STATED SUBJECT IS HER STEPDAUGHTER BUT HAS NEVER LIVED HERE. SHE SAID SHE BELIEVES SHE LIVES IN SUMMERVILLE.

Signature of Process Server: The undersigned declares, under penalty of perjury, that the foregoing is true and correct and that the deponent is over the age of 18 and is not party to nor interested in this action.

NAME: TRAVIS BOWERS

Handwritten signature of Travis Bowers and date 2/12/24

Signature of Process Server / ProVest Case ID: 7049639

Date

STATE OF South Carolina
COUNTY OF Charleston

Sworn to and subscribed before me this 12th day of February, in the year of 2024

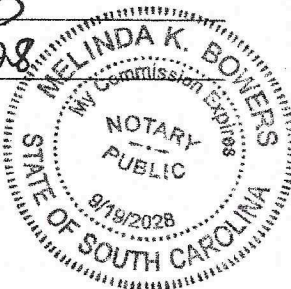
Personally, known by me, or identified by the following document:

Type: Number/Reference:

Handwritten signature of Melinda K Bowers, Notary Public for South Carolina

Printed Name: Melinda K Bowers

Commission Expiration: 9/19/2028



ELECTRONICALLY FILED - 2024 Feb 21 1:48 PM - DORCHESTER - COMMON PLEAS - CASE#2024CP1800207

Exhibit
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FILED-RECORDED

2026 APR -1, PM 5:08

STATE OF SOUTH CAROLINA)
DORCHESTER COUNTY)
CHERYL GRAHAM)
CLERK OF COURT)
DORCHESTER COUNTY)

IN THE COURT OF COMMON PLEAS
2nd JUDICIAL CIRCUIT
CASE NUMBER: 2024CP1800207

Reliance First Capital LLC)

Plaintiff,)

vs.)

Nikia Renee Noisette)

Defendant.)

JUDGE JAMES E CHELLIS

EXHIBIT B: & 60 B4

VOID ORDER/JUDGMENT

EMERGENCY HEARING WITH NO
UNDUE DELAY

October 30, 2024

CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

2026 APR -1 PM 5:16

CERTIFIED COPY

SUBJECT: Void Order/Judgment

1. The facts of this case are that the opposing party Reliance First Capital Llc Affidavit is contested for a lack of Procedural due process James E. Chellis; By a Breach of Trust caused me great injury as well through a wrongful foreclosure and abuse of discretion. *James E. Chellis*, James Martin Page representative of Reliance First Capital Llc Reliance First Capital Llc in error, Negligence, Breach of Trust, unprofessional Conduct and unfair practices deprived me of my constitutional secured rights to DUE PROCESS OF LAW, THE 14th amendment equal protection AND South Carolina Constitution Articles 1 Sections 1, 3, 4, 5, 22, 23; This court lacked Jurisdiction they knew it and still went forward with defective evidence filed in the case there were not proper service to gain personal jurisdiction. There was no such right to foreclose without Jurisdiction See *In re Foreclosure of Real Prop. for \$143,600.00*, 156 N.C.App. 477,577 S.E.2d 398, 406 (2003) ("In a foreclosure proceeding, the lender bears the burden of proving that there was a valid debt, default, right to foreclose under power of sale, and notice."); 55 Am. Jur. 2d *Mortgages* § 604 ("[T]he burden of proof of any particular issue rests upon the party asserting the affirmative of that issue under the pleadings."); cf. *Paramount Fund, Inc. v. Cusaac*, 282 S.C. 497, 499, 319 S.E.2d 354, 355 (Ct.App. 1984) (holding the mortgagee has the burden of proving a disputed mortgage by the preponderance of the evidence). Material evidences the Affidavit and a factual witness was not provided to the Defendant and my right to a Fair and impartial Trail because lack of service, to which I have been repeatedly denied,
2. Affidavits submitted by a party must be made on personal knowledge and must set forth facts that would be admissible in evidence. Rule 56(e)(1), FRCP. Just as the requirements for the form of a statement should not be relaxed, evidentiary requirements also should be strictly enforced. Failure to analyze the substance of an affidavit, in light of the requirements of the Rules of Evidence, can undermine the integrity of the process.

3. I was not personally served the alleged service does not identify me or anyone from my home. I was not told about the Mediation process. James E. Chellis has ordered the fraudulent sale of my property violating my Civil Liberties without a proper investigation of the evidence therefore any rulings, orders and judgements are void Ab Initio. And that inevitably leads to questions of who owes what? Who is the true holder is in due course? Merely having paperwork doesn't mean you have a legitimate claim or the right to foreclose 3. Reliance First Capital Llc *and its representatives* never proved this after I Nikia Renee Noisette Contest the Jurisdiction and the Affidavit to obtain the material facts and other supportive evidence showing where the Court Jurisdiction came from without serving me did, Reliance First Capital Llc actually have personal Jurisdiction without serving the Summons and complaint personally to I Nikia Renee Noisette?

4. Notice South Carolina a void judgment is one that, from its inception, is a complete nullity and is without legal effect." Thomas & Howard Co. v. T.W. Graham and Co., 318 S.C. 286, 291, 457 S.E.2d 340, 343 (1995). The definition of void under the rule only encompasses judgments from courts which failed to provide proper due process, or judgments from courts which lacked subject matter jurisdiction or personal jurisdiction." McDaniel v. U.S. Fid. & Guar. Co., 324 S.C. 639, 644, 478 S.E.2d 868, 871 (Ct. App. 1996). It is fundamental that no judgment or order affecting the rights of a party to the cause shall be made or rendered without notice to the party whose rights are to be affected." Tyron Fed. Sav. & Loan Ass'n v. Phelps, 307 S.C. 361, 362, 415 S.E.2d 397, 398 (1992). Generally, a person against whom a judgment or order is taken without notice may rightly ignore it and may assume that no court will enforce it against his person or property. The requirements of due process not only include notice, but also include an opportunity to be heard in a meaningful way, and judicial review. Grannis v. Ordean, 234 U.S. 385, 394 (1914) ("The fundamental requisite of due process of law is the opportunity to be heard."); S.C. Dep't of Soc. Servs. v. Holden, 319 S.C. 72, 78, 459 S.E.2d 846, 849 (1995).

Proper Service requires personal service. See State v. Sullivan 127 S.C. BB&T v. Taylor An act is willful if done voluntary and intentionally with the specific intent to fail to do something the law requires to be done; with bad purpose either to disobey or disregard the law Wilson v. Walker furthermore, the person providing the service, upon information and belief, is not the sheriff or his deputy or any other duly constituted law enforcement officer, My action are out of necessity and not disregard. This is not only an injury to me and my family but to the public.

5. Notice: I Nikia Renee Noisette the real party in Interest gives Notice to STATE OF SOUTH CAROLINA, DORCHESTER, County, Clerk of Court, The Trier of Fact,

And the Trier of the Case. That no valid Order was made on 5-23-24 the actions are Void. I Nikia Renee Noisette the real party in Interest makes this Motion and demand of Rule 60 (B) (4) Void order to restore me by following the established law I Nikia Renee Noisette the real party in Interest have a right to make an Special Appearance/Restricted Appearance and Challenges the Original jurisdictions of the Court at DORCHESTER COUNTY Master-IN-Equity Division also I Demand the Real party in interest who brought the claims and object to any Third party representatives therefore I demand the real party in interest be present to testify under penalty of perjury. I was not Properly given full due process of law the James E. Chellis Master-IN-Equity, Court Officers, and plaintiff caused me multiple injuries engaging in a error of law to violate my Personal Liberty to property protected and secured Under Article 1 sections 3 and 13 to SC constitution, Article 4 the 5th and 14th amendment of the federal constitution Prove by what constitutional authority did the plaintiffs, Officers and this court acted upon to force upon I Nikia Renee Noisette a wrongful non-judicial foreclosure and to deprive me of my home, possessions and civil liberty on.

6. According to the rule of law A defect in service of process by publication is jurisdictional, rendering any judgment or order obtained thereby void. Jones v. Wallis, 211 NC App. 353, 712 S.E.2d 180 (2011).

I Nikia Renee Noisette Am Contesting the Affidavit by authority of Rule 56(e)(1), FRCP Constitutional requirements of due process apply to garnishment and prejudgment attachment procedures whenever state officers act jointly with a private creditor in securing the property in dispute. Sniadach v. Family Finance corp.

7. The U.S. Supreme Court has apparently never retreated, from the precedent and merits set in federal rules of civil procedure 4 D this means that this issue was decided years ago, it is the law of the land and it overrides any state court that would rule otherwise.
8. Rule 55 (4) Judgments after Service by Publication; Affidavit; Undertaking. In actions for the recovery of money only, when the summons has been served by publication and the defendant is a non-resident of the State, no default judgment shall be rendered unless the plaintiff or his agent at or before the time of making the application for judgment shall have been examined on oath respecting any payments that have been made to the plaintiff or any one for his use on account of the demand mentioned in the complaint, and shall show by affidavit that an attachment has been issued in the action and levied upon property belonging to the defendant, which affidavit shall contain a specific description of such property, and a statement of its value and shall be filed with proof of publication. Before judgment is rendered the plaintiff shall, unless the court in its discretion dispenses with the same, cause to be filed an undertaking in such amount as shall be ordered by the court with security to be approved by the court or the clerk thereof, that the plaintiff will abide the order of the court

touching the restitution of any estate or effects which may be directed by such judgment to be transferred or delivered, or the restitution of any money that may be collected under, or by virtue of, such judgment, in event the defendant or his representatives shall apply and be admitted to defend the action and shall succeed in such defense.

9. In order to establish standing, three elements must be established. First, the party must have suffered an injury in fact—an invasion of a legally protected interest which is (a) concrete and particularized and (b) actual or imminent, not conjectural or hypothetical. Second, there must be a causal connection between the injury and the conduct complained of—the injury has to be fairly traceable to the challenged action of the adverse party and not the result of independent action of some third party not before the court. Third, it must be likely as opposed to merely speculative, that the injury will be redressed by a favorable decision. See *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 112 S.Ct. 2130, 2136, 119 L.Ed.2d 351 (1992); *Chambers Medical Technologies of*
10. An abuse of process and malicious prosecution by Reliance First Capital Llc, its representatives and Judge James E. Chellis Dorchester County Clerk of Court, The Trier of Fact, And the Trier of the Case willfully filed an alleged civil action in conspiracy with an agent for alleged “Plaintiff”, with no valid Affidavit or evidence to support the claim is clear “Fraud by the Court” and its officials which is unlawful and void. The Plaintiff cannot meet the requirements to establish Standing, and did not take an oath according to Rule 603 of the federal civil procedure and South Carolina Civil procedure Rule 30. Therefore the Affiant has not entered any valid testimony or factual injury. Judge is charged to know without Full Due process of law, evidence or factual testimony in connection to the alleged claim the court order is void. And is a violation of I Nikia Renee Noisette Civil and personal Liberties.
11. SC Con Article 1 Section 3 the privileges and immunities of citizens of this State and of the United States under this Constitution shall not be abridged, nor shall any person be deprived of life, liberty, or property without due process of law, nor shall any person be denied the equal protection of the laws. (1970 (56) 2684; 1971 (57) 315.)
12. Where a party submits an affidavit to the court that contains information inconsistent with the party’s prior deposition testimony or other sworn submission, courts hold that these contradictory affidavits should be disregarded as “shams” or “competing affidavits.” See *Margo v. Weiss*, 213 F.3d 55, 63 (2nd Cir. 2000); *Rohrbough v. Wyeth Labs. Inc.*, 916 F.2d 970, 976 (4th Cir.

1990); *Martin v. Merrell Dow Pharms., Inc.*, 851 F.2d 703, 705 (3rd Cir. 1988).
C Further A federal and State agency cannot in manner through administrative
convenience adopts a regulation or through nonfeasance permits under the color
of State and federal law inferior authorities to deny my secured Constitutional
rights or ignores Congress' intent.

13. Without Standing, an agreement/contractor, Relevant Evidence rule 401 there is
no duty to comply with Void Order, sham legal proceedings and Fraudulent
Claims not based in Facts from a constitutional court judge competent in the
nature of Law. I Nikia Renee Noisette the real party in Interest is the party
immensely injured by the Defendants actions. The courts provide pro se parties
wide latitude when construing their pleadings and papers. When interpreting
pro se papers, the Court should use common sense to determine what relief the
party desires. *S.E.C. v. Elliott*, 953 F.2d 1560, 1582 (11th Cir. 1992). See also,
United States v. Miller, 197 F.3d 644, 648 (3rd Cir. 1999) (Court has special
obligation to construe pro se litigants' pleadings liberally); *Poling v.*
K.Hovnanian Enterprises, 99 F.Supp.2d 502, 506-07 (D.N.J. 2000).

14. The state and federal government has a Duty to their assent to the Constitutions
to uphold the Law of the land and its rules by not suppressing liberty or
converting rights secured by the constitution into privileges without factual
authority. Without possessing and having a factual injury rule 17 not a
conjectural or moral victim the pleadings are false. Nikia Renee Noisette for the
Record has made several objections to testimony of plaintiff and practices of the
Master IN Equity.

15. According to the rule of law A defect in service of process by publication is
jurisdictional, rendering any judgment or order obtained thereby void. *Jones v.*
Wallis, 211 NC App. 353, 712 S.E.2d 180 (2011).

Affidavits that fail to comply with the Rules of Procedure "should be stricken and
disregarded." 35B C.J.S. Federal Civil Procedure § 1214 (2008). The proper avenue by
which counsel should seek such exclusion on pending motion for summary judgment is
by motion to strike pursuant to Rule 56(e) of the Rules of Civil Procedure or,
alternatively, by raising a more general objection to the admissibility of the contents of
the submission. *Saucier v. Coldwell Banker JME Realty*, 2007 WL 2475943 *3 (S.D.
Miss. 2007) (citing *Auto Drive-Away Co. of Hialeah, Inc. v. Interstate Commerce*
Comm'n, 360 F.2d 446, 448-49 (5th Cir. 1966)); *Larouche v. Webster*, 175 F.R.D. 452,
454 (S.D.N.Y. 1996).

Article 1 SECTION 23. Provisions of Constitution mandatory. The provisions of the
Constitution shall be taken, deemed, and construed to be mandatory and prohibitory, and

not merely directory, except where expressly made directory or promissory by its own terms. (1970 (56) 2684; 1971 (57) 315.),

16. ***"The court is to protect against any encroachment of constitutionally secured liberties." Due Process must be invoked before removing rights secured under the constitutions.***

17. The Law was made to protect and not to compel. Allegations have been made without a proper investigation that are fraudulent in nature and has caused me and my family great injury. I Nikia Renee Noisette was never served with a valid Summons and Complaint. Rule 4 (d) of the South Carolina Rules of Civil Procedure to be the equivalent of a statute, strict compliance with both that rule and section 15-9-740 would be required since service by publication is in derogation of the common law, therefore requiring strict compliance with the authorizing statute or rule. See, Wayne County, ex rel. Williams v. Whitley, 72 NC App. 155, 323 S.E.2d 458 (1984); see also, Caldwell v. Wiquist, 402 SC 565, 741 S.E.2d 583 (Ct. App. 2013) (to avoid resolving litigation by default, strict compliance with publication statutes is required).

18. Further When the Rules of Civil Procedure were promulgated by the Supreme Court and not rejected by the General Assembly, the latter also passed a bill which attempted to repeal those statutes previously enacted which were in conflict with the Rules of Civil Procedure. See 1985 Act 100 (effective 7/1/85). The legislature further provided that in the event of conflict between any provision of the South Carolina Rules of Civil Procedure and any other statutory provisions as to practice and procedure not otherwise repealed by the Act, the provisions of the rule would prevail. Since procedure concerns the machinery for carrying on a legal action, including pleadings, process, evidence and practice, it appears clear that service by publication concerns a matter of procedure. Based upon this Act, the dictates of Rule 4 would prevail

19. I Nikia Renee Noisette am the Victim of the improper use of the courts and a Void Order is required to clean up the damages to me from a lack of due process evidenced by the attachments proof that there was no true diligent search by Service agents stating my son was served at my home when that was never the case the court is in error by using that as proof of diligent service to invoke service by publication. Since the service of a summons, which gives a court the power to render a judgment over a party within its jurisdiction, must be accomplished with service of the complaint, there is no personal jurisdiction over a party without the service of both summons and complaint together. Without personal jurisdiction, any judgment rendered by a court is void.

Universal Benefits, Inc. v. McKinney, 349 S.C. 179, 561 S.E.2d 659 (Ct. App. 2002) (A judgment is void when a court lacks personal jurisdiction over a party). Because a void judgment is a nullity, it may be attacked at any time within "reason" without a showing of excusable neglect or meritorious defense. See *Flanagan, James F.*, South Carolina Civil Procedure (2d Ed.). Under Rule 60(b) (4), relief where a judgment is void is non-discretionary and a matter of right. *Richardson Construction Co. v. Meck Engineering & Construction Co.*, 274 S.C. 307, 262 S.E.2d 913 (1980). As a result, if the above analysis proves true, any service by publication upon a defendant which is undertaken in conformance with section 15-9-740 may have been improper and cause the judgment rendered upon a default to be void and subject to relief pursuant to Rule 60(b)(4) of the South Carolina Rules of Civil Procedure.

20. In conclusion the mere signing of a statement in the presence of a notary, or a notary's placement of an "acknowledgment" on a statement, does not constitute a sworn statement or affidavit. In *Orsi v. Kirkwood*, 999 F.2d 86, 91 (4th Cir. 1993) I Nikia Renee Noisette the real party in Interest demand the court Grant my Relief because the void order is made by an abuse of discretion by an error of law being without constitutional Authority and the State Court acted without Jurisdiction failing to personally serve I Nikia Renee Noisette the real party in interest and not giving me my day in court South Carolina is a Judicial Foreclosure State. Without Standing, an Oder agreement/contract is void there is no duty to comply with sham legal proceedings and Fraudulent Claims not based in Facts.
21. I Nikia Renee Noisette the real party in Interest is immensely injured by Void Order and the Unlawful Practices Of *James E. Chellis C/A# 2024CP1800207* and Demand the court Grant me my right to relief for the violation of my constitutional secured rights I further request an injunction to stop any further proceedings against my home promptly, additional cost for Stress of me and my Family due to abuse of Process the courts, false Claims, No Due Process, and wrongful Foreclosure. I also demand court Cost. The alleged Claims of Service and Debt Must be proven by Fact that I Nikia Renee Noisette am tremendously injured by the plaintiff and the Officers of the court they have a duty under the rules of professional & Judicial Conduct to report fraud and abuse of process upon the court by any of its officers.
22. WHEREFORE, I Nikia Renee Noisette the real party in Interest would like to resolve this Matter Peacefully if Possible. And request, Demand and pray that the representation or plaintiff fulfill the Law and Rules associated and Nol Process/dismiss their claim Civil Rule 60 B4, 12 (b) 6 and this court void all Claims so that my primary rights will not continue to be infringed and grant me damages for relief based on the multiple injuries caused by the plaintiff

employee's officers in their official capacity and in color enforcing a void Order state codes that deprived me and my Family of our home and Constitutional right to a fair and impartial Trial.


23. **Injury:** Due to the above mentioned facts the failure of the court to recognize that they must apply the rules of service and laws that apply resulted not only in no personal Jurisdiction, the wrongful foreclosure of my property, but the foreclosure of my ability to negotiate a settlement with an undisclosed equitable creditor, or with the alleged legal owner of the loan in the property records. We have suffered extreme mental anguish further including but not limited to doctor visits and extreme migraines caused by other health issues do to the stress on the alleged day of Service. We have also suffered from Slander James E. Chellis has caused my home to be listed for sale, by color of law. And my family and I have undergone tremendous stress and tension as a result of the Plaintiffs Actions.

Relief

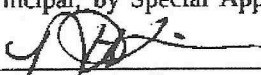
WHEREFORE, I would like the Affidavit to be Stricken and disregarded by the court granting a new fair and impartial trial to cause the plaintiff to prove their burden of proof, also void and vacate the court order(s) based on the established precedents of the stare decisis voiding the sale of my home and resolve this Matter Peacefully if Possible And I request/Pray judgment against defendant(s) Reliance First Capital Llc, its representatives, for economic Civil Tort, 270,000.00 and psychological damages 2500.00 as well as compensatory damages 150,000.00 plus costs and fees in the Amount of 5000.00 and respectfully ask this Court for leave to move for punitive damages. I was violated by fraud, negligence unprofessional Conduct, lack of proper service and never properly noticed or contacted about the mediation process or given the proper notices that would have allowed me the ability to properly negotiate. Reliance First Capital Llc caused a deprivation of my civil liberties; and constitutional secured rights to Due process and a fair and impartial trial.

The use of notary below is for identification only, and such use does NOT grant any jurisdiction to anyone.

Subscribed and sworn, without prejudice, and with all rights reserved.



Principal, by Special Appearance, in Propria Persona, proceeding Sui Juris.



Signature of Affiant

ACKNOWLEDGMENT

state of SOUTH CAROLINA

county of dorchester

Exhibit
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On this 30th day of October, 2024, before me

personally appeared Nikia Renee Noisette, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he executed the same as his free act and deed, for the purposes therein set forth.

Shal'a Dixon
(Notary Public)

My Commission Expires 8-23-32, 2032

ucc 1-207 1-308 1-103, 3-306 3-306

Nikia Renee Noisette
Dorchester South Carolina
Via United States Republic, North America
Non-Domestic, Non-Resident
Zip Exempt [29485]
843 377-9103



Exhibit
6
(9)

FILED-RECORDED

STATE OF SOUTH CAROLINA
DORCHESTER COUNTY

2025 APR -1 PM 5:08

IN THE COURT OF COMMON PLEAS
JUDICIAL CIRCUIT

CASE NUMBER: 2024CP1800207

CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

JUDGE JAMES E CHELLIS

Reliance First Capital LLC

Plaintiff,

vs.

Nikia Renee Noisette

Defendant.

& 60 B4

VOID ORDER/JUDGMENT
EMERGENCY HEARING WITH NO
UNDUE DELAY

June 4, 2025

Clarification of Prior Filing – Motion to Void Judgment

COMES NOW, the Defendant, Nikia Renee Noisette, in propria persona, and respectfully submits this Clarification for the record concerning the previously filed Motion to Void Order/Judgment dated October 30, 2024.

This Clarification is offered to assist the Court in accurately interpreting the notation "Exhibit B: & 60 B4" as stated in the caption of that motion.

The Defendant hereby clarifies the following:

- The reference to "Exhibit B" pertains to a supporting document properly attached and filed with the original motion.
- The term "60 B4" was intended to invoke Rule 60(b)(4) of the South Carolina Rules of Civil Procedure, which provides relief from a void judgment—specifically where the issuing court lacked jurisdiction or where due process violations occurred.

At the time of filing my Motion to Void Judgment, I was actively engaged in a bankruptcy proceeding before the United States Bankruptcy Court. Although the foreclosure had already taken place, the motion was filed while my bankruptcy case was pending. This is relevant because my bankruptcy estate, established under IRS Publication 908, holds a claim to the property and related equity under 11 U.S.C. § 541.

Additionally, the Defendant asserts that the plaintiff's counsel, James M. Page, lacks legal standing to pursue further action in this matter. It is known and evidenced that his client, Reliance First Capital LLC, has been indemnified through an FHA insurance claim. Despite this indemnification, Mr. Page has continued efforts to facilitate the sale of the Defendant's home, an act which raises serious concerns of double recovery, unjust enrichment, and

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2025 JUN -5 PM 4:32 CERTIFIED COPY
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CLERK OF COURT
DORCHESTER COUNTY
2025 APR -1 PM 5:08
CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

Exhibit
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equitable abuse. This assertion of indemnification is material to the issue of standing and further supports the request to void the judgment for lack of lawful authority and jurisdiction.

This Clarification is submitted in good faith and without intent to delay proceedings. It is provided solely to ensure the record reflects the accurate intent and legal basis of the original filing. The Defendant respectfully requests that this Clarification be accepted as part of the ongoing review of the matter based on its constitutional and equitable significance.

Respectfully submitted,



Nikia Renee Noisette

Executor and Fiduciary for the NIKIA R. NOISETTE BANKRUPTCY ESTATE 24-03822

Trustee, Migdel-El Magdalena Ecclesiastical Trust

Attachment 1

Exhibit
K

FILED-RECORDED

2026 APR -1 PM 5: 08

Case #: 2024CP1800207

CHERYL GRAHAM
Notice of Interest COURT
DORCHESTER COUNTY

IRS NOTICE SECTION 6511
NOTICE OF TAXPAYER PRESERVATION AND OF CLAIM OF RIGHT
AND ASSIGNMENT OF PROCEEDS

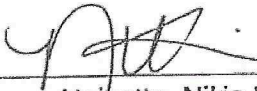
CERTIFIED COPY
2024 SEP 16 PM 2: 33
Clerk of Court
DORCHESTER COUNTY
CERTIFIED COPY
2026 APR -1 PM 5: 17
Clerk of Court
DORCHESTER COUNTY

NOTICE. All Men by these Present the undersigned Executrix of the NIKIA RENEE NOISETTE ESTATE, gives NOTICE for Federal Tax purposes that any Net Loss is expressly reserved by the NIKIA RENEE NOISETTE ESTATE evidenced by the final decision and Order of this Court.

NOTICE. All Equitable loss interest is due and owing to the Estate of NIKIA RENEE NOISETTE, and is now expressly reserved.

The undersigned Executrix of the NIKIA RENEE NOISETTE ESTATE, now Irrevocably assigns the Net operating Loss claim of Right under Treasury Regulations 26 CFR 301.6511(d)-2 (b)(1), for Case number 2024CP1800207 to the United States Of America under the assignment of claims act. Without prejudice.

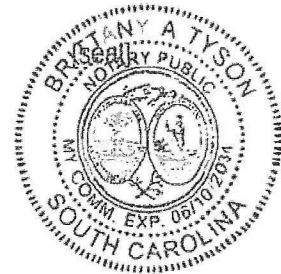
28 U.S. Code § 1746: I verify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on September 16, 2024



Noisette, Nikia Renee Executrix

Date: 09-16-24

Notary Acknowledgement: Brittany Frym
Exp: 09/10/2034



STATE OF SOUTH CAROLINA

COUNTY OF DORCHESTER

Reliance First Capital, LLC,

Plaintiff,

vs.

Nikia Renee Noisette; Arbor Oaks Homeowners Association,

Defendant(s).

IN THE COURT OF COMMON PLEAS

C/A No.: 2024-CP-18-00207

ORDER OF FORECLOSURE AND SALE

(Deficiency Judgment Waived)

BCP No.: 24-40723

Pursuant to Rule 53 of the South Carolina Rules of Civil Procedure (hereinafter "SCRCP"), the above-entitled matter was referred to the undersigned to make appropriate findings of fact and conclusions of law, with authority to enter a final Judgment in the cause. Any appeal from the decision shall be directly to the South Carolina Court of Appeals. Pursuant to the said reference, a hearing was held on May 23, 2024, a record was made, which is reported herewith, and from the testimony and evidence, I find and conclude as follows:

FINDINGS OF FACT

1. The Lis Pendens was filed on or about February 7, 2024.
2. The Summons and Complaint were filed on or about February 7, 2024.
3. Service was made upon the Defendants named in this Report as is shown by the proofs of service filed herein.
4. According to an Affidavit filed herein, no Defendant in default is in the military service of the United States of America, as contemplated under the Servicemembers' Civil Relief Act fka Soldiers' and Sailors' Civil Relief Act of 1940, and any amendments thereto.
5. Heretofore, Nikia Renee Noisette (hereinafter, "Borrower(s)") made, executed, and delivered to Reliance First Capital, LLC (hereinafter, "Payee") a certain Promissory Note dated November 19, 2021, in writing (hereinafter, "Note"), wherein and whereby Borrower(s) promised to pay to Reliance First Capital, LLC, the principal sum of \$280,328.00 together with interest at the initial

rate of 3.5% per annum on the unpaid balance; said principal and interest being payable in monthly installments thereafter until the said Note is fully paid.

6. In order to secure the payment of said Note, Nikia Renee Noisette (hereinafter, "Mortgagor(s)"), did make, execute, and deliver to Mortgage Electronic Registration Systems, Inc. as nominee for Reliance First Capital, LLC, its successors and assigns, a certain mortgage dated November 19, 2021 (hereinafter, "Subject Mortgage") securing the below described real property, including any and all improvements to the property, located in the County and State aforesaid (hereinafter, "Subject Property"):

ALL that piece, parcel or lot of land, lying, situate and being in the Town of Summerville, County of Dorchester, State of South Carolina, shown and designated as "LOT 94" and being more specifically shown on a plat prepared by Trico Engineering Consultants, Inc., entitled "PLAT SHOWING ARBOR OAKS, PHASE 2B, 13.466 ACRES, A PORTION OF TMS 152-00-00-052, PROPERTY OF GRAMLING BROTHERS REAL ESTATE AND DEVELOPMENT COMPANY, LOCATED IN THE TOWN OF SUMMERVILLE, DORCHESTER COUNTY, SOUTH CAROLINA", dated August 8, 2003, and recorded January 22, 2004 in the ROD Office for Dorchester County in Plat Book K at Page 87.

THIS BEING the same property conveyed to Nikia Renee Noisette by deed of David W. Moore and Allyson M. Moore dated November 4, 2021 and recorded November 22, 2021 in the Dorchester County ROD Office in Book 13817 at Page 98.

Parcel No. 152-04-14-006
Property Address: 402 Arbor Oaks Drive
Summerville, SC 29485

7. Said Mortgage was recorded on November 22, 2021 in Book RB 13817 at Page 103, in the Dorchester County Office of the Register of Deeds.
8. Thereafter, the Subject Mortgage was assigned to Reliance First Capital, LLC by assignment recorded September 16, 2022 in Book RB 14384 at Page 203.
9. The Subject Mortgage evidences and secures the repayment of money advanced by the Payee to, or on behalf of, the Mortgagor(s) and constitutes a valid First lien on the Subject Property.
10. This loan is not subject to the Home Affordable Modification Program (hereinafter, "the HAMP") because, according to testimony, this loan is not owned or guaranteed by Fannie Mae, nor is it

DORCHESTER COUNTY CLERK OF COURT

Cheryl Graham, Clerk of Court

5200 East Jim Bilton Blvd.
St. George, SC 29477

EXHIBIT D
FILED-RECORDED

2026 APR -1 PM 5: 08

CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY



November 7, 2024

Nikia Renee Noisette
402 Arbor Oaks Drive
Summerville, SC 29485

Re: Presentment Under Notary Seal Documents (8 pages)

Dear Mrs. Noisette:

Enclosed please find the documents that were received in our office on November 5th, 2024. Under SC Code Section 30-9-30(B)(1), I am refusing to file these documents as I believe some of these documents are materially false or fraudulent or is a sham legal process.

Please note that Persons knowingly presenting documents in connection with a sham legal process may be subject to criminal prosecution, not only under the Federal Mail Fraud Statute, but also under S.C Sham Legal Documents Statute (Section 16-17-735), and such action may amount to obstruction of justice if you purport to prevent a South Carolina Court from exercising its jurisdiction.

Lastly, Exhibit B:& 60 B4 Void Order/Judgment Emergency Hearing with no Undue Delay has been filed. I have enclosed two certified copies. One copy is for your records and the other copy is for you to serve on the plaintiff's attorney. Also, you need to contact Judge Chellis Assistant, Meagan, to set up a hearing within 30 days. Her email is address is mkizer@dorchestercountysc.gov.

CERTIFIED COPY
2026 APR -1 PM 5: 17
Cheryl Graham
CLERK OF COURT
DORCHESTER COUNTY

Sincerely yours,

Cheryl Graham
Clerk of Court for Dorchester County
Enclosures: stated

Exhibit
M

FILED-RECORDED

2026 APR -1 PM 5:08

RELiance FIRST CAPITAL LLC VS NIKIA RENEE NOISETTE

CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

CASE NUMBER: 2024CP1800207

September 12, 2024

COMPLAINT:

On Monday, August 26, 2024, I Nikia Renee Noisette went to Dorchester County Court of Common Pleas to file a notice into my case number 2024CP1800207 and I told the clerk assisting me, Ms. Rosalee Baldwin that I also wanted to get an exemplified copy of this filing. She took the copy and went to the back of the office and I waited for over 30 minutes until she finally came back and said that only attorneys can request exemplified copies. I responded to her that I don't have an attorney and that exemplified copies is a service that the court provides to the public for anything filed in the court, and that I had read this on the Dorchester County courts website, and that I was requesting an exemplified copy of this filing.

She left and came back in between 5-10 minutes and said her supervisor is saying the same thing that I cannot get an exemplified copy because I'm not an attorney and because there is a judgment in the case, but that I can get a certified copy of this filing, but I cannot get an exemplified copy for those reasons. She also mentioned that I had the IRS in the document, and that I could not get a copy because of that also. I called someone to assist me who has gotten several exemplified copies of different filings in the past. I put him on the phone with Rosalee, and he asked Rosalee to speak to the Clerk. Rosalee put the Deputy Clerk on the phone with him, and after he and the deputy clerk spoke the deputy clerk agreed that I can get an exemplified copy and that they would send it to the judge, but when the deputy clerk got off the phone with him, she added another condition she told Rosalee to tell me that I can only do so if I have a cover letter requesting an exemplified copy from the judge. I wrote the cover letter and Rosalee took my phone number and said that someone would contact me when they get a response from the judge.

After about a week passed I called and left several messages within a 2 week span. My messages were never returned, but one day someone answered and transferred me to Rosalee who answered the phone, and told me that my request was sitting in the judge's office and that they were still waiting for a response from the judge. On the 3rd week of no response I along with the person that initially spoke to the deputy clerk called the South Carolina Court Administration in Columbia, asked the operator to transfer me to the lady that is over the

FILED-RECORDED
2024 SEP 16 PM 2:33
CLERK OF COURT
DORCHESTER COUNTY
2026 APR -1 PM 5:17
CERTIFIED COPY

FILED-RECORDED

Exhibit I

2025 JUN -5 PM 4: 32

STATE OF SOUTH CAROLINA)
DORCHESTER COUNTY)

IN THE COURT OF COMMON PLEAS

CHERYL GRAHAM)
CLERK OF COURT)
DORCHESTER COUNTY)

JUDICIAL CIRCUIT

CASE NUMBER: 2024CP1800207

Reliance First Capital LLC

Plaintiff,

JUDGE JAMES E. CHELLIS

Declaration of Equity Loss and Double Recovery

vs.

Nikia Renee Noisette

Defendant.

June 4, 2025

FILED-RECORDED
2026 APR -1 PM 5: 08
CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

Declaration of Equity Loss and Double Recovery

I, Nikia Renee: Noisette, declare under penalty of perjury and in accordance with the laws of the State of South Carolina, that the following facts are true and correct to the best of my knowledge:

1. My home, located at 402 Arbor Oaks Drive, Summerville, SC 29485 (Parcel No. 152-04-14-006.000), was sold at foreclosure for approximately \$100,000.
2. The most recent fair market value of the property is \$355,855.00, based on published real estate data and comparative market analysis.
3. The foreclosing lender, Reliance First Capital LLC, was indemnified through a Federal Housing Administration (FHA) insurance claim.
4. The resulting loss of \$255,855.00 in home equity, combined with indemnification of the lender, constitutes a double recovery and unjust enrichment.
5. This loss occurred while I was seeking federal bankruptcy relief and while asserting trust and estate-based claims over the property.

CERTIFIED COPY
2026 APR 1 PM 5: 16
CHERYL GRAHAM
CLERK OF COURT
DORCHESTER COUNTY

I respectfully submit this Declaration in support of my Motion to Set Aside or Vacate Foreclosure Sale and ask the Court to consider these facts as part of its equitable review.

Executed on this date: June 4, 2025

Signature: 

Nikia Renee: Noisette
Executor and Fiduciary for the NIKIA R. NOISETTE BANKRUPTCY ESTATE 24-03822
Trustee, Migdel-El Magdalena Ecclesiastical Trust

Exhibit
I

FILED-RECORDED

STATE OF SOUTH CAROLINA)
DORCHESTER COUNTY) 2025 MAY 23 PM 8:42 IN THE COURT OF COMMON PLEAS
2nd JUDICIAL CIRCUIT

CHERYL GRAHAM)
CLERK OF COURT) CASE NUMBER: 2024CP1800207
DORCHESTER COUNTY)
JUDGE JAMES E CHELLIS

Reliance First Capital LLC)

Plaintiff,)

vs.)

Notice of Lawful Claim to Surplus
Equity from Foreclosure

Nikia Renee Noisette)

Defendant.)

May 22, 2025

Cheryl Graham
CLERK OF COURT
DORCHESTER COUNTY

2026 APR -1 PM 5:17

CERTIFIED COPY

SUBJECT: Notice of Lawful Claim to Surplus Equity from Foreclosure

I am writing as the homeowner holding title to the real property located at 402 Arbor Oaks Drive, Summerville, SC 29485. This letter serves as formal notice of my lawful claim to any surplus funds or equity resulting from a foreclosure or sale of this property.

In the recent U.S. Supreme Court decision, *Tyler v. Hennepin County*, 598 U.S. ___ (2023), the Court unanimously held that when a government body or entity seizes property to satisfy a debt and retains more than what was owed, such action constitutes a violation of the Takings Clause of the Fifth Amendment. Although the Tyler case involved property tax foreclosure, the constitutional principle applies more broadly: no entity may retain surplus proceeds beyond the amount necessary to satisfy a lawful debt. Any such surplus rightfully belongs to the former property owner.

This principle holds equal weight in mortgage foreclosure contexts. Upon satisfaction of the mortgage debt and associated costs, any remaining equity must be returned to the former homeowner. As such, I respectfully request confirmation of:

1. The final sale amount and detailed expenses applied;
2. The remaining balance or surplus proceeds on file;
3. Procedures required to initiate disbursement of these funds.

I maintain my lawful interest in any equity or overage resulting from the sale of the property. Failure to acknowledge and return these funds may constitute an unlawful taking and breach of both equity and constitutional law.