

January 3, 2014

Columbia  
Direct Dial: (803) 576-3718  
sbias@RichardsonPlowden.com

The Honorable Jenny A. Kitchings  
Clerk, South Carolina Court of Appeals  
1015 Sumter Street  
Columbia, South Carolina 29201

**Re: Roger L. Whaley v. South Carolina Federal Credit Union**  
**C/A No.: 2012-CP-1800539**  
**Appellate Case # 2012-213208**  
**Our File No. 7130-36**

Dear Ms. Kitchings:

Respondent South Carolina Federal Credit Union ("SCFCU") is in receipt of Mr. Whaley's "Motion to Relieve as Counsel – Respondent BOA's Attorneys and/or Law Firm Nelson Mullins . . ." ("Motion"). It appears this Motion is directed at another party. However, out of an abundance of caution and based on statements made in the Motion, please accept this letter (and the copies required by Rule 240(e)) as our brief Return to the Motion. If the Court requires a more formal return, please advise and we will provide same.

In his Motion, Mr. Whaley contends that the removal of Bank of America's ("BOA") counsel should also include the removal of all claims and added parties brought by BOTH Respondents. (See Appellant's Motion p. 2). Appellant further argues SCFCU's claims must also be "relieved." Id. To the extent that Appellant's Motion seeks to vitiate SCFCU's claims and/or defenses at trial level and on appeal, same should be denied. The relief requested by Appellant is improper, inappropriate, without merit, and should be rejected by this Court. Even if Mr. Whaley's motion to relieve counsel were properly made, such a motion cannot serve as a vehicle to remove the claims, defenses, and/or arguments of another party to the action. Accordingly, any relief requested by Mr. Whaley as it applies to SCFCU must be denied.

By copy of this letter we are serving *pro se* Appellant with this response.

Thank you for taking the time to review this letter and with kind regards, I am

Sincerely,

Sheila M. Bias

Sheila M. Bias  
SC Bar # 100005

**RECEIVED**

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**SC Court of Appeals**

SMB/dfb

cc: Roger Whaley, Pro se  
Jody Alan Bedenbaugh, Esquire  
Erik Tison Norton, Esquire  
Drew Hamilton Butler, Esquire