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Jul 31 2026

SC Court of Appeals

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM LEXINGTON COUNTY

Court of Common Pleas

The Honorable Walton J. McLeod, Circuit Court Judge

Appellate Case No. 2026-000671

U.S. Bank Trust National Association as Trustee for BKPL-EG Holding Trust,
.....Respondent.
v.

Linda Hartley,
.....Appellant.

RESPONDENT'S MOTION TO DISMISS APPEAL

John W. Farrell
McMichael Taylor Gray, LLC
3550 Engineering Drive, Suite 260
Peachtree Corners, GA 30092
Phone: (470) 905-2156
jfarrell@mtglaw.com
Attorney for Respondent

Linda Hartley
141 Eisleben Road
Leesville, SC 29070
Phone: (803) 317-1762
lhartley1953@gmail.com
Pro Se Appellant

This is an action in which Appellant, Linda Hartley (“Hartley”), has appealed the Honorable Walton J. McLeod’s Order Granting Motion to Dismiss entered on February 17, 2026. Hartley filed her Notice of Appeal on March 11, 2026. On the same date, Hartley also filed her Motion to Dismiss the Defendant’s Order and her Motion to Proceed *In Forma Pauperis* or Waive Costs. On March 31, 2026, Hartley filed another motion, claiming Appellant “forged two mortgages deed’s [sic]”. A copy of Hartley’s Motions are attached as Exhibit A.

On June 17, 2026, this Court denied all of Hartley’s motions, and ordered Hartley to pay the filing fee within fifteen days of the date of the order. Hartley did not pay the fees within fifteen days, and this Court dismissed this matter on July 13, 2026. On July 22, 2026, Hartley paid the filing fee and filed another motion titled “Motion for Attorney”. A copy of Hartley’s most recent motion is attached as Exhibit B.

MOTION TO DISMISS APPEAL

Appellant’s motions are nothing more than restatements of previous motions she filed, which were denied on June 17, 2026, except for the pending motion. It appears that Hartley is attempting to seek a ruling on the merits without following the South Carolina Appellate Court Rules. Specifically, Hartley has failed to timely pay the filing fee, failed to order a transcript of the proceeding, and failed to submit her initial brief. Rule 207 provides the following:

Where a transcript of the proceeding must be prepared by the court reporter, appellant shall, within the time provided for ordering the transcript, make satisfactory arrangements (including agreement regarding payment for the transcript), in writing with the court reporter for furnishing the transcript. In appeals from the court of common pleas, masters-in-equity, special referees or the family court in domestic actions, *the transcript must be ordered within ten (10) days after the date of service of the notice of appeal.*

Rule 207(a)(1), SCACR, (emphasis added). Hartley has not provided any indication that she has ordered a transcript of the proceeding.

Further, Rule 208 provides the following time for serving and filing briefs:

Within thirty (30) days after receiving the transcript or, if no transcript is ordered, *within thirty (30) days after serving the notice of appeal*, appellant shall serve one copy of his brief on all parties to the appeal, and file with the clerk of the appellate court one copy of the brief with proof of service.

Rule 208(a)(1), SCACR, (emphasis added). Instead of filing her initial brief, Hartley has filed at least three separate motions, all alleging fraud, forgery, and embezzlement. Hartley's motions do not comply with the requirements of Rule 208 and contain allegations with virtually no information regarding the underlying case or the issues in which she is appealing.

Hartley filed her Notice of Appeal on March 11, 2026, and what appears to be an amended notice of appeal on March 31, 2026. It has been well over thirty (30) days since Hartley filed her notice of appeal, in violation of Rule 207 and Rule 208, SCACR. By order of this Court on June 17, 2026, Hartley was ordered to pay the filing fee within fifteen days. Per the Court's order, the filing fee was due no later than July 2, 2026. However, Hartley waited twenty (20) days from the date in which the payment was due to pay the filing fee.

In that Hartley has not filed an initial brief, it can only be assumed that she is relying on the outstanding motion as her initial brief. "South Carolina Appellate Court Rules specify what is required in the arguments section for an appellant's brief: 'The brief shall be divided into as many parts as there are issues to be argued. At the head of each part, the particular issue to be addressed shall be set forth in distinctive type, followed by discussion and citation of authority.'" *Ellie, Inc. v. Miccichi*, 358 S.C. 78, 99, 594 S.E.2d 485, 496 (Ct. App. 2004) (citing Rule 208(b)(1)(D), SCACR). "Numerous cases have held that where an issue is not argued within the body of the brief but is only a short conclusory statement, it is abandoned on appeal." *Id.* (citing *Glasscock, Inc. v. United States Fid. & Guar. Co.*, 348 S.C. 76, 81, 557 S.E. 2d 689, 691 (Ct. App. 2001); *R & G Constr., Inc. v. Lowcountry Reg'l Transp. Auth.*, 343 S.C. 424, 437, 540 S.E.2d 113, 120 (Ct. App.

2000); *Welch v. Epstein*, 342 S.C. 279, 288 n.1, 536 S.E.2d 408, 412 n.1 (Ct. App. 2000)). See also *Broom v Jennifer*, 403 S.C. 96,115, 742 S.E.2d 382, 391 (2013) (“Issues raised in a brief but not supported by authority may be deemed abandoned and not considered on appeal.”). Although Respondent contends that Hartley has failed to timely file her initial brief, Hartley’s motions contain no arguments, much less any supporting authority to support those arguments.

In *Henning v. Kay*, 307 S.C. 436, 415 S.E.2d 794 (1992), the Supreme Court stated “the South Carolina Appellate Court Rules are not mere technicalities but provide the parties with an orderly mechanism through which to guide the appeals in this State,” and that it was incumbent upon the appellant “to provide material that complies with the Rules and facilitates appellate review.” *Id.* The Court continued, stating it “would be completely justified in dismissing this appeal based on appellant’s numerous violations of the Rules.” *Id.*

A review of Hartley’s motions and other filings in this matter, along with Hartley’s failure to timely submit payment, reveal that she has not complied with the South Carolina Appellate Rules on multiple occasions. For these reasons, Hartley’s appeal should be dismissed.

Respectfully submitted,

/s/ John W. Farrell
McMichael Taylor Gray, LLC
3550 Engineering Drive, Suite 260
Peachtree Corners, GA 30092
Phone: (470) 905-2156
Email: jfarrell@mtglaw.com
Attorney for Respondent

July 31, 2026

EXHIBIT A

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM Lexington COUNTY
Court of Common Pleas

Walter S. McLeod Circuit Court Judge

Case No. 2025 - CP - 32 - 000616

RECEIVED
MAR 11 2026
SC Court of Appeals

Linda Hartley
Plaintiff

Appellant/Respondent,

v.

US Bank Trust National Association
Defendants,

Appellant/Respondent.

MOTION

Please, ~~Dismiss~~ Dismiss the Defendants, ORDER Grant.

On February 08, 2025, learn information, from a family member,
US Bank Trust National Association, enter the Lexington County
Court, with nothing of written up documents to a fraud foreclosure
filed a Complaint, and Summons, and put it in the paper for three weeks
received a Order's, to sale my home real estate, at a Auction Sale.

Date: March 11, 2026 they forged two mortgage deed and sole the
plaintiff mortgage to 5 investors

The plaintiff, wasn't server
to this Action, Lexington Judge
Dismiss, my case, and the plaintiff
Has all evidences, that I do not know
the Defendants, they are house stealing and
want all of my property.

Other Counsel of Record:

Name: _____

Address: _____

Phone: (____) ____ - ____

Respondent/Attorney for Respondent

s/ Linda Hartley

Name: Linda Hartley

Address: 141 Kesteven Rd.

Lexingville, S.C. 29070

Phone: (803) 317 - 1762

Email: LHARTLEY1953@gmail.com

Appellant

it was paid ~~mail~~ mail 01, 2022
National City
mortgage
plaintiff mortgage contract, with

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APPEAL FROM Lexington County COUNTY
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Walton J. McLeod, Circuit Court Judge

Case No. 2025 - CP - 32 000616

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MAR 11 2026
SC Court of Appeals

US Bank Trust National
Associations Trust for
BRPL-EC Holding Trust
Defendant

Appellant/Respondent,

Linda Hartley
Plaintiff

Appellant/Respondent.

PROOF OF SERVICE

I certify that I have served the Motion on McMichael Taylor Gray, LLC
(Document) (Name) by depositing
a copy of it in the United States Mail, postage prepaid, on March 11-2026, addressed to,
(Date)
3550 Engineering Drive, Suite 260 Peachtree Corners, GA 30092

Date: March 11, 2026

s/ Linda Hartley
Address: 141 Eisleben Rd
Leesville, S.C. 29070
LHARTLEY1953@gmail.com

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APPEAL FROM Lexington COUNTY
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Walton J. McLeod, Circuit Court Judge

Case No. 2025 CP - 32 - 000616

Linda Hartley
Plaintiff

Appellant/Respondent,

v.

US Bank Trust National Association
Defendants

Appellant/Respondent.

MOTION

I am 72 year old, that received Medicare only (1,000.03).
this matter, that I can't pay. the Defendant's fraud
my Mortgage Deeds (2) and sold my Mortgage that is paid
for, but they sold it to S investors, they are fraud's
Lexington County investigator, Report, FBI, Elder ABUSE FRAUD.
Date: March 11, 2026

s/ Linda Hartley
Name: Linda Hartley
Address: 141 Eiskoben Rd.
Leesville, S.C. 29070

Phone: (803) 317 - 1762

Email: LHARTLEY1953@gmail.com

Appellant

Other Counsel of Record:

Name: _____

Address: _____

Phone: (____) ____ - _____

Respondent/Attorney for Respondent

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APPEAL FROM Lexington COUNTY
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Walton J. McLead, Circuit Court Judge

Case No. 2025 - CP - 32-000616

Linda Hartley
Plaintiff

Appellant/Respondent.

v.

US Bank Trust National Association
Defendants

Appellant/Respondent.

PROOF OF SERVICE

I certify that I have served the Motion on Dr. Michael by depositing
(Document) (Name) Taylor & Gray, LLC
a copy of it in the United States Mail, postage prepaid, on March 11-2026, addressed to,
(Date)
3550 ~~Engineering~~ Engineering Drive/Suite 260, Peachtree
Corners, GA 30092 -

Date: March 11, 2026

s/ Linda Hartley
Address: 141 Eisleben Bl.
Keesville, S.C. 29070
Email: LHARTLE@YI95365mail.com
803-317-1762

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Walton J. McLeod Circuit Court Judge

SC Court of Appeals

Case No. 2025 CP 32-000616

Linda Hartley
Plaintiff

Appellant/Respondent,

v.

US Bank Trust National
Association as Trust
for BKPL-EC
Defendant

Appellant/Respondent.

MOTION

US Bank Trust National Association, Forged two mortgage
deeds, September 10, 2021, and November 08, 2021, on
Linda Hartley, Mortgage with National City Mortgage co. bba
paid off May 1, 2022, a Contract April 09, 2002, (Enclose)
informatic

Date: March 31, 2026

s/ Linda Hartley
Name: Linda Hartley
Address: 141 Eisleben Rd.
Leesville, S.C. 29020

Phone: (803) 317 - 1762

Email: LHARTLEY1953@gmail.com

Appellant

Other Counsel of Record:

Name: _____

Address: _____

Phone: () - _____

Respondent/Attorney for Respondent

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM Lexington COUNTY
Court of Common Pleas

Walton J. McLeod, Circuit Court Judge

Case No. 2025-CP-32006616

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Linda Hartley
Plaintiff

Appellant/Respondent,

v.

US Bank Trust National
Association as Trust
for BR PL-EG
Defendant

Appellant/Respondent.

PROOF OF SERVICE

I certify that I have served the Motion on McMichael Taylor Gray, LLC
(Document) (Name) by depositing

a copy of it in the United States Mail, postage prepaid, on March 31, 2026 addressed to,
(Date)

3550 Engineering Drive/Suite 260 Peachtree
Corners GA 30092 -

Date: March 31, 2026

s/ Linda Hartley
Address: 141 E.isleboro Rd.
Leesville, S.C. 29020
E-mail: LHARTLEY1953@gmail.com

EXHIBIT B

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM Lexington COUNTY
Court of Common Pleas

Walton S. McLeod Circuit Court Judge

Case No. 2025 CP - 32 01

John Farrell

RECEIVED
JUL 22 2026
SC Court of Appeals

Linda Hartley
Plaintiff

App

v.

US Bank Trust National
Association Trust for
BRPL-EG Holding Trust

Appellant/Respondent.

Defendant

MOTION

for Attorney

Motion Granting for Court Hearing and Order
Dismiss Defendant on Fraud Forge Mortgage
Deeds and ~~Bad~~ Embezzlement Mortgage Loan
Account Payments, Order Granted of Awards Reimbursement
Fraud Damage's, Fees Court, Mortgage Loan Payment's,
Date: July 23, 2026 ATTORNEY Fees Reimbursement.

Other Counsel of Record:

Name: _____

Address: _____

Phone: (____) ____ - ____

Respondent/Attorney for Respondent

s/ Linda Hartley

Name: Linda Hartley

Address: 141 Kislernen Rd.
Leesville, S.C. 29070

Phone: (803) 317 - 1762

Email: LHARTLEY1953@gmail.com

Appellant

THE STATE OF SOUTH CAROLINA
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SC Court of Appeals

APPEAL FROM Lexington COUNTY
Court of Common Pleas

Walton J McLeod, Circuit Court Judge

Case No 2025-CP-32-000616

Linda Hartley
Plaintiff

Appellant/Respondent,

v.

US Bank Trust National
Association Trust of BKPL-EG
Holding Trust

Appellant/Respondent.

PROOF OF SERVICE

I certify that I have served the MOTION on John Farrell by depositing
(Document) (Name)
a copy of it in the United States Mail, postage prepaid, on July 22, 2026, addressed to,
(Date)
3550 Engineering Drive Suite 260
Peachtree Corners, GA 30092

Date: July 22, 2026

s/ Linda Hartley
Address: 141 Eisleben Rd.
Leesville, S.C. 29070

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.....Respondent.
v.

Linda Hartley,
.....Appellant.

PROOF OF SERVICE

I certify that I have, on July 31, 2026, served a copy of the motion to dismiss of the Respondent, U.S. Bank Trust National Association as Trustee for BKPL-EG Holding Trust, by mailing it to the *pro se* Appellant at the address below:

Linda Hartley, 141 Eisleben Road, Leesville, SC 29070



John W. Farrell, SC Bar #72477
Attorney for Respondent U.S. Bank Trust
National Association as Trustee for BKPL-
EG Holding Trust