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SEP 03 2026

SC Court of Appeals

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND

IN THE COURT OF APPEALS
APPEAL FROM RICHLAND COUNTY
COURT OF COMMON PLEAS
C/A NO.: 2025-CP-40-01229

NewRez LLC d/b/a Shellpoint Mortgage
Servicing,

Plaintiff,

vs.

Keiven K. Minter; Palmetto Citizens Federal
Credit Union; and Hidden Pines
Homeowners' Association,

Defendants.

**APPELLANT'S EMERGENCY
PETITION FOR WRIT OF
SUPERSEDEAS AND TEMPORARY
STAY PENDING APPEAL (RULE 241,
SCACR)**

**EMERGENCY RELIEF REQUESTED:
FORECLOSURE AUCTION OF TRUST
PROPERTY SCHEDULED FOR
SEPTEMBER 8, 2026, AT 12:00 PM**

**TO THE HONORABLE CHIEF JUDGE AND ASSOCIATE JUDGES OF THE SOUTH
CAROLINA COURT OF APPEALS:**

Appellant Keiven K. Minter, appearing pro se, respectfully petitions this Court pursuant to Rule 241 of the South Carolina Appellate Court Rules (SCACR) for an Emergency Writ of Supersedeas and an immediate Temporary Stay of the Foreclosure Sale scheduled for **September 8, 2026, at 12:00 PM**, pending the final resolution of this appeal.

In support of this Petition, Appellant respectfully shows the Court:

I. JURISDICTION AND PROCEDURAL POSTURE

1. This Court has proper appellate jurisdiction over this matter under Appellate Case No. 2026-001622. Appellant filed a ripe, timely Notice of Appeal within the mandatory thirty (30) day window following the lower court's Form 4 Order denying post-judgment relief.
2. Appellant filed his Rule 207 Notice of Transcript Compliance on August 14, 2026, confirming that the entire trial record has been fully transcribed, paid in full, and is ready for immediate transmission upon this Court's order.
3. On August 14, 2026, Respondent's counsel—the law firm of Bell Carrington Price & Gregg, LLC—scheduled a foreclosure auction of the real property located at **136 Sandpine Circle, Columbia, SC 29229** (TMS No. R23112-02-11) for **September 8, 2026, at 12:00 PM**.
4. On September 1, 2026, the Richland County Master-in-Equity (MIE) proposed an expedited consolidated hearing in this matter for Friday, September 4, 2026, at 11:00 AM to address Appellant's pending jurisdictional, voidness, and stay motions.

5. Under Rule 241(b), SCACR, applying to the lower court for a stay is impracticable and incapable of affording timely protection. Although a consolidated lower court hearing is scheduled for Friday, September 4, at 11:00 AM, Respondent's counsel has actively refused to administratively withdraw, cancel, or pull the September 8 sale date.
6. Consequently, if the lower court denies relief on Friday afternoon, Appellant is left with exactly **zero (0) business hours** to seek emergency appellate protection before the Tuesday, September 8 auction due to the intervening three-day Labor Day federal holiday weekend (September 5–7). Immediate appellate intervention is procedurally required to preserve the status quo and prevent an administrative lockout of Appellant's constitutional rights.

II. THE COGNIZABLE BASIS OF APPEAL: PROOF OF WRONG-PARTY PROSECUTION AND SLANDER OF TITLE

Appellant's appeal presents a threshold, non-frivolous, and absolute jurisdictional block: **Respondent's law firm is knowingly executing an individual-capacity judgment against physical real estate owned exclusively by a separate, non-party private Trust.**

Rather than relying on bare assertions, Appellant submits into the record three (3) objective, certified, and uncontradicted "Pillars of Proof" establishing that Respondent's law firm has knowingly prosecuted the wrong party and is actively executing a void foreclosure judgment:

PILLAR I: THE CERTIFIED TITLE SEARCH AND INDEPENDENT ATTORNEY LEGAL OPINION

1. On September 1, 2026, Appellant filed with the Richland County Clerk of Court a certified, professional Title Search and independent Attorney Title Opinion from ProTitleUSA (Client File No. 1505145, effective August 23, 2026), supervised and signed by licensed South Carolina attorney Mr. Ari Alexander Carver (SC State Bar No. 102487).
2. Mr. Carver's certified legal opinion confirms that the sole record owner in fee simple of the Subject Property is **The Keiven Keon Minter Trust**, pursuant to a Trust Transfer Deed recorded on **April 7, 2025**, in Richland County Register of Deeds Book 3008 at Page 3268.
3. Under South Carolina law, a private trust is a distinct legal entity. A judgment against an individual cannot attach to, cloud, or be executed against real property held in fee simple by a separate, non-party trust.
4. Respondent's law firm, Bell Carrington Price & Gregg, LLC, has possessed actual, written notice of this recorded transfer deed since **July 30, 2025**, when Appellant served and filed his Motion to Dismiss Lis Pendens attaching the deed (Book R3008, Page 3268).

5. Despite this actual notice, the law firm failed to amend its Complaint or join the Trust as a party defendant, in direct violation of **Rules 17(a) and 19, SCRPC**.
6. In South Carolina, the record owner of the equity of redemption is an indispensable party. Foreclosing on real property without naming and serving the titleholder of record is a fatal jurisdictional defect that renders the entire foreclosure decree a complete nullity. *Standard Building & Loan Ass'n v. Young*, 124 S.C. 239, 117 S.E. 595 (1923). Because Respondent's law firm knowingly failed to join the indispensable record owner (the Trust), the trial court completely lacked subject-matter jurisdiction over the property (the *res*) to enter a foreclosure decree, making the judgment void *ab initio* under **Rule 60(b)(4), SCRPC**.

PILLAR II: THE COUNTY PROPERTY TAX RECEIPTS AND CORELOGIC SERVICE CONCEALMENT

1. Respondent's law firm obtained its service by publication through a sworn "Affidavit of Due Diligence" claiming they conducted a skip trace search and could locate no other possible address for Appellant.
2. However, Page 9 - 10 of Mr. Carver's certified Title Search contains the official county property tax receipts from the Richland County Treasurer (Tax Map No. R23112-02-11).
3. These public receipts prove that Respondent's own active tax-paying agent, **CoreLogic**, has paid the county real estate property taxes on bills mailed directly to Appellant's active mailing address at **2216 W Branch Rd, Columbia, SC 29223-6822** since 2024.
4. Consequently, Respondent possessed actual, database-level knowledge of Appellant's active mailing address prior to petitioning for service by publication. By concealing this active address from the court and withholding the physical skip trace report, the law firm committed a constructive fraud on the court to bypass personal service.
5. Under *Montgomery v. Mullins*, 325 S.C. 500, 480 S.E.2d 467 (Ct. App. 1997), service by publication is void *ab initio* if the underlying "due diligence" affidavit is falsified or fails to strictly comply with S.C. Code Ann. § 15-9-710. Personal jurisdiction never attached, making the resulting judgment void.

PILLAR III: THE REDACTED NOTE AND MISMATCHED LOAN IDENTIFIERS

1. The physical Mortgage of record in this action secures loan identifier **38119041063** (See Respondent's Affidavit of Indebtedness, Exhibit C, filed March 4, 2026; Recorded July 25, 2019 in Book R2413 at Page 2014).
2. However, the purported Assignment of Mortgage relied upon by Respondent to assert standing (recorded April 13, 2022, in Book R2734 at Page 3536) transfers loan identifier **0579082406**—a completely separate and distinct financial asset.
3. To prevent the Court and the public from spotting this fatal title gap, Respondent's law firm fully redacted the loan numbers on public summary judgment exhibits in direct

violation of **Rule 41.2(a)(3), SCRPC** (failing to file the mandatory **SCRPC Form 6** or submit unredacted originals).

4. No corporate representative or record custodian appeared at the summary judgment hearing to sponsor these redacted duplicates. Instead, Respondent's counsel stood at the podium and offered unsworn, speculative hearsay allegations regarding internal account number migrations to explain the mismatch. Because an advocate cannot serve as a witness under **Rule 3.7, SCRPC**, and because unsworn statements of counsel are not evidence (*State v. Jones*, 343 S.C. 562, 574, 541 S.E.2d 244, 250 [2001]), the record remains completely empty of any admissible evidence linking Respondent to the Subject Mortgage.

III. THE ACTIVE SLANDER OF TITLE

1. Under South Carolina law, a party is civilly liable for **Slander of Title** when they maliciously publish a false statement clouding an owner's title, causing special damages. *Huff v. Jennings*, 319 S.C. 142, 459 S.E.2d 886 (S.C. Ct. App. 1995).
2. By listing, scheduling, and advertising a public auction of property owned by a non-party Trust to satisfy a judgment against an individual—with actual, recorded knowledge of the Trust's deed and the certified title report—Respondent's law firm is actively slandering the Trust's title, rendering the title permanently clouded and completely uninsurable.
3. Because the law firm is knowingly executing a void decree against the wrong party, this Court must intervene to halt this tortious execution and preserve the integrity of the public land records.

IV. IRREPARABLE HARM

If a stay is not granted, Appellant and the non-party Trust will suffer immediate and irreversible harm. Real property is unique under South Carolina equity. If the public auction proceeds on September 8, 2026, the Trust's property will be sold to a third-party purchaser, permanently clouding the title and depriving the Trust of its estate under a void judgment, rendering this appeal entirely moot.

PRAYER FOR RELIEF

WHEREFORE, Appellant Keiven K. Minter respectfully requests that this Court:

1. **Immediately issue an Emergency Temporary Stay** of the foreclosure sale scheduled for **September 8, 2026**, pending this Court's formal consideration of this Petition;

2. **Issue a Writ of Supersedeas** staying the April 20, 2026 Order of Foreclosure and Sale and all lower court proceedings pending the final resolution of this appeal; and
3. Grant such other and further relief as this Court deems just and proper.

Respectfully submitted,



Keiven K. Minter, Appellant Pro Se

c/o 9600 Two Notch Rd.

Columbia, South Carolina 29223

Phone: (803) 814-4450

Email: admin@minteradvisorygroup.org

Dated: September 3, 2026

Columbia, South Carolina 29223

Phone: (803) 814-4450

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NewRez LLC d/b/a Shellpoint Mortgage
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CERTIFICATE OF SERVICE

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I, Keiven K. Minter, appearing pro se, hereby certify and declare under penalty of perjury under the laws of the State of South Carolina that:

1. I am the Appellant in the above-captioned matter.
2. I am over the age of eighteen (18) and am competent to make this declaration.
3. On this **3rd day of September, 2026**, I personally served a true and correct copy of the following documents:
 - o **Appellant's Emergency Petition for Writ of Supersedeas and Temporary Stay Pending Appeal (Rule 241, SCACR)**
 - o **All attached exhibits and supporting record materials**
4. I accomplished service by physically hand-delivering the aforementioned documents directly to the registered physical offices of Respondent's counsel of record, addressed as follows:

Bell Carrington Price & Gregg, LLC

Attn: J. Martin Page, Esq.; Morgan Ames, Esq.; Austin Blackwell, Esq.

339 Heyward Street, 2nd Floor
Columbia, South Carolina 29201

5. The documents were delivered to a person of suitable age and discretion at the front desk of said law office, who is authorized to accept deliveries on behalf of the firm.

Under penalties of perjury as provided by the laws of the State of South Carolina, I declare that the foregoing statements are true, accurate, and complete.

Dated this ____ day of September, 2026.

K-K:gn

Keiven K. Minter, Appellant Pro Se
c/o 9600 Two Notch Rd.
Columbia, South Carolina 29223
Phone: (803) 814-4450
Email: admin@minteradvisorygroup.org

ACKNOWLEDGEMENT OF RECEIPT

(To be completed by the person accepting delivery at the law firm)

I, the undersigned, hereby acknowledge receipt of a physical copy of the **Appellant's Emergency Petition for Writ of Supersedeas and Temporary Stay Pending Appeal** and all supporting exhibits in Appellate Case No. 2026-001622, hand-delivered by Keiven K. Minter on this 3rd day of September, 2026, at 12:50 (AM/PM).

Received By (Print Name): Asnley Boone

Signature: Asnley Boone

Title/Position: Paralegal