

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM LEXINGTON COUNTY
Court of Common Pleas
James Spence, Master in Equity
Appellate Case No. 2026-001103

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SC Court of Appeals

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 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,

Defendants,

Of which, Timothy Nunally and Mark Nunally are the Appellants.

CERTIFICATE OF SERVICE

The undersigned certifies that, on 4th day of September, 2026, Respondent's Initial Brief and Designation of Matter to be Included in the Record on Appeal were served on Appellants by depositing a copy thereof in the United States Mail, first Class, postage prepaid, addressed to:

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