

IN THE APPEALS COURT OF SOUTH CAROLINA
Nationstar Mortgage, LLC d/b/a Mr. Cooper, Respondent

v.

Carolyn Brantley(2), Petitioner, Appellant
Appellate Case No. 2025-002464

RECEIVED

Sep 08 2026

The Honorable Carmen T. Mullen
Jasper County Trial Court Case No. 2022CP2700306
James A. Grimsley III, special referee

SC Court of Appeals

**Motion for Clarification and, Alternatively, Motion for Waiver of Filing Fee
or Leave to Proceed Without Prepayment**

COMES NOW Carolyn Brantley, appearing Sui Juris, in her own right and capacity, and as Grantor and General Executor of the Carolyn Brantley Estate, without waiver of any constitutional, jurisdictional, equitable, procedural, substantive, or other right, and respectfully moves this Honorable Court for clarification concerning the deficiency notice dated September 3, 2026.

In the alternative, and only if this Court determines that payment of the referenced filing fee is required, Appellant respectfully moves for waiver of the filing fee, leave to proceed without prepayment, deferral of payment, or such other relief as may be authorized by applicable law.

In support thereof, Appellant states as follows:

I. PRELIMINARY STATEMENT

1. On September 3, 2026, the South Carolina Court of Appeals issued correspondence concerning the above-captioned appellate matter.
2. The correspondence states that, upon review of Appellant's "brief and affidavit claim of service," the Court construes the filings as a motion for an extension of time.
3. The correspondence further states that a filing fee in the amount of Fifty Dollars (\$50.00) has not been submitted.
4. The correspondence directs that the deficiency be corrected within ten (10) days and states that the matter may otherwise be dismissed.
5. Appellant submits this Motion in good faith and in an effort to obtain sufficient clarification to comply with any properly applicable procedural requirement.

II. CLARIFICATION IS NECESSARY CONCERNING THE SPECIFIC BASIS OF THE FEE

6. The September 3, 2026 correspondence identifies a required filing fee of \$50.00 but does not, within the correspondence itself, identify the specific filing, procedural request, rule, statute, or fee category to which the assessment applies.
7. Appellant previously submitted more than one document.
8. The principal substantive filing was entitled:

ENTRY BY SPECIAL APPEARANCE, APPELLANT'S BRIEF IN SUPPORT OF LEAVE TO FILE OUT OF TIME, NOTICE OF FRAUD UPON THE COURT, AFFIDAVIT IN SUPPORT AND DEMAND FOR CONSTITUTIONAL REVIEW.

9. Appellant separately submitted:

AFFIDAVIT CLAIM OF SERVICE (Electronic Service and Notice of Knowledge).

10. The first document contained a substantive request for leave to file out of time.
11. The second document was prepared for the separate purpose of establishing electronic service and notice.
12. Appellant respectfully requests clarification concerning which filing or procedural request has been determined to require the referenced \$50.00 fee.

III. REQUEST FOR IDENTIFICATION OF GOVERNING AUTHORITY

13. Appellant respectfully requests that the Court identify the governing authority supporting the \$50.00 fee requirement.
14. Specifically, Appellant respectfully requests clarification concerning:
 - a. The applicable South Carolina Appellate Court Rule, if any;
 - b. The applicable statute, fee schedule, administrative provision, or other governing authority;
 - c. The specific filing or procedural request to which the fee applies;
 - d. Whether the fee applies to the request for leave to file out of time;
 - e. Whether the fee applies to the separately filed Affidavit Claim of Service;
 - f. Whether the fee is mandatory under the circumstances presented; and
 - g. What procedure is available to an individual who is unable to prepay the required amount.
15. Appellant respectfully submits that clarification is necessary to permit informed and accurate compliance.
16. Appellant does not seek to evade any lawful filing requirement.
17. Rather, Appellant seeks sufficient information concerning the basis of the assessment so that she may properly respond.

IV. ALTERNATIVELY, REQUEST FOR WAIVER OF FILING FEE

- 18.If the Court determines that the \$50.00 filing fee is required, Appellant respectfully requests waiver of the fee to the extent authorized by law.
- 19.Appellant is proceeding without retained counsel and appears Sui Juris.
- 20.Appellant respectfully represents that immediate prepayment of litigation costs may create a substantial financial burden.
- 21.The inability to immediately prepay a filing fee should not unnecessarily result in the permanent foreclosure of access to appellate review where substantial property, estate, constitutional, and procedural interests are implicated.
- 22.Appellant's appeal raises matters involving alleged deficiencies in notice, opportunity to be heard, property interests, estate interests, procedural integrity, chain-of-title concerns, and other issues identified in her previously submitted appellate materials.
- 23.Appellant respectfully requests that this Court exercise any lawful authority available to waive, reduce, defer, suspend, or otherwise excuse prepayment of the referenced fee.

V. ALTERNATIVELY, REQUEST FOR LEAVE TO PROCEED WITHOUT PREPAYMENT

- 24.In the further alternative, if complete waiver is unavailable, Appellant respectfully requests leave to proceed without prepayment.
- 25.Appellant requests that the appeal be permitted to continue while the fee issue is deferred or addressed through such lawful procedure as this Court determines appropriate.
- 26.Appellant is prepared to provide any financial affidavit, declaration, application, or other documentation lawfully required by this Court to evaluate her eligibility for relief from prepayment.
- 27.Appellant respectfully requests notification of the appropriate form or procedure should additional financial documentation be required.

VI. ALTERNATIVELY, REQUEST FOR DEFERRAL OR REASONABLE OPPORTUNITY TO COMPLY

- 28.In the further alternative, Appellant requests deferral of payment or a reasonable additional period to satisfy any properly applicable fee requirement.
- 29.Appellant respectfully requests that the Court not dismiss the appeal while this Motion for Clarification is pending.
- 30.Appellant further requests that the ten-day period referenced in the September 3, 2026 correspondence be tolled, suspended, or extended pending the Court's resolution of this Motion.
- 31.Alternatively, Appellant requests a reasonable period following the Court's clarification to comply with any identified filing requirement.

VII. ACCESS TO JUSTICE AND FUNDAMENTAL FAIRNESS

- 32.Appellant respectfully submits that procedural rules serve the administration of justice and should not unnecessarily operate to prevent consideration of substantial claims where clarification or a reasonable opportunity to comply can resolve an identified deficiency.
- 33.Appellant is making a timely good-faith effort to address the Court's correspondence.
- 34.Dismissal while a genuine question remains concerning the precise basis and application of the fee could unnecessarily deprive Appellant of appellate consideration.
- 35.Appellant respectfully seeks access to the Court upon the same fair and lawful terms available to all similarly situated litigants.
- 36.Appellant seeks no special privilege or exemption from lawful requirements.
- 37.Appellant respectfully requests only clarification, a meaningful opportunity to comply, and consideration of any lawful accommodation available where prepayment presents a financial hardship.

VIII. RESERVATION OF RIGHTS

- 38.Nothing contained in this Motion shall constitute:
 - a. A waiver of constitutional rights;
 - b. A waiver of jurisdictional objections;
 - c. A waiver of substantive claims;
 - d. A waiver of equitable remedies;
 - e. A concession concerning the validity of the underlying proceedings;
 - f. A withdrawal of allegations previously presented concerning procedural irregularities or fraud upon the court; or
 - g. Consent to any characterization of Appellant's separate Affidavit Claim of Service inconsistent with its stated purpose.
- 39.All rights, claims, objections, remedies, defenses, and causes of action are expressly reserved.

IX. GOOD-FAITH CERTIFICATION

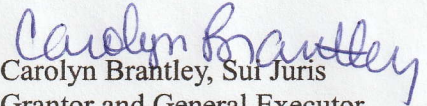
- 40.This Motion is submitted in good faith.
- 41.It is not submitted for purposes of delay, harassment, obstruction, or improper advantage.
- 42.Its purpose is to clarify the identified deficiency and preserve Appellant's opportunity to comply with any lawful procedural requirement without unnecessary forfeiture of appellate review.

WHEREFORE, PREMISES CONSIDERED, Carolyn Brantley, appearing Sui Juris, respectfully requests that this Honorable Court:

- A. Clarify the precise filing, request, or procedural action to which the referenced \$50.00 filing fee applies;
- B. Identify the applicable rule, statute, fee schedule, administrative provision, or other authority supporting the fee requirement;
- C. Clarify whether the separate Affidavit Claim of Service is subject to any filing fee;
- D. Clarify whether the fee applies solely to the request for leave to file out of time contained within Appellant's Brief;
- E. Toll, suspend, or extend the ten-day deficiency period pending disposition of this Motion;
- F. Refrain from dismissing the appeal while this Motion remains under consideration;
- G. Alternatively, waive the referenced filing fee to the extent authorized by law;
- H. Alternatively, grant Appellant leave to proceed without prepayment of the fee;
- I. Alternatively, defer, reduce, suspend, or permit later payment of the fee through any procedure authorized by applicable law;
- J. Permit Appellant to submit any required financial affidavit or documentation should the Court determine that additional information is necessary; and
- K. Grant such other and further relief as this Honorable Court deems just, equitable, and proper.

Further Appellant sayeth not.

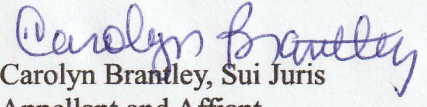
Respectfully submitted this 8th day of September, 2026.


Carolyn Brantley, Sui Juris
Grantor and General Executor
Carolyn Brantley Estate
Appellant
200 Oak Plantation Drive
Ridgeland, South Carolina 29936
Telephone: 843.812.4724
Email: cbran211@gmail.com

VERIFICATION

I, Carolyn Brantley, being competent to testify and having personal knowledge of the matters stated herein, declare that the factual statements contained in this Motion are true and correct to the best of my personal knowledge and belief.

Executed this 8th day of September, 2026.


Carolyn Brantley, Sui Juris
Appellant and Affiant

CERTIFICATE OF SERVICE

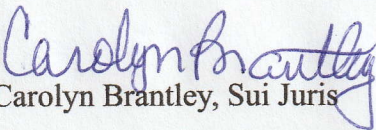
I hereby certify that on the 8th day of September, 2026, a true and correct copy of the foregoing Motion for Clarification and, Alternatively, Motion for Waiver of Filing Fee or Leave to Proceed Without Prepayment was served upon the appropriate parties and counsel of record by electronic mail and/or other authorized means.

Service was directed to:

Thomas A. Shook, Esquire
ashook@cobbhammett.com
ashook@finkellaw.com

Judge Carmen T. Mullen
Jasper County

James A. Grimsley III
Special Referee


Carolyn Brantley, Sui Juris