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To: [Court Of Appeals Filings](#); [Mark Nappier](#); hcg.masterinequity@horrycountysc.gov; [Cedric Browne](#)
Subject: To SC Court of Appeals, Cedric Javus Browne v. Shaftesbury Green Property Owners Association, Inc., Case No. 2026-001570
Date: Monday, September 28, 2026 12:15:20 PM
Attachments: [void_JudgementToCourt.pdf](#)

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Dear Honorable Court:

I am filing a Verified Petition to Vacate the Master's Report and Order of Foreclosure (filed April 22, 2026, by Master-in-Equity Alan D. Clemmons, Case No. 2025-CP-26-00500, Horry County) on the grounds that said judgment is **void on the face of the record** due to the April 22, 2026 order, finding of fact 4 of that order provides in full: "The defendant Browne did not file a timely Answer and was originally found in default. However, upon motion of Brown, I set aside his default based upon lack of actual service. Browne was permitted to participate in the hearing and offer any defenses he chose to raise." On June 29, 2026, the Master entered an order (SCRCP Form 4CE) denying Appellant's Motion to Alter, Amend and Set Aside Judgement (filed May 1, 2026) and Appellant's Motion to Stay (filed June 11, 2026). The Master denied my motions relying on the actual Default that he set aside. So for lack personal jurisdiction. And the fact that the June 29, 2026 Order does not cite, distinguish, reconcile or even acknowledge Finding of Fact 4. I am simultaneously requesting an **ancillary ex parte stay** under SCACR Rule 241(d)(6) pending this Court's consideration of the petition.

VERBATIM RULE 241(d)(6):

"A supersedeas or order lifting the automatic stay may be issued ex parte only where exigent circumstances require that action be taken before there is time for a hearing. An ex parte order shall issue only if:

(A) it clearly appears from specific facts shown by affidavits or included in the verified petition that immediate and irreparable injury, loss or damage will result before the opposing party can respond; and

(B) the moving party's attorney certifies in writing, as an officer of the court, the efforts which have been made to give notice, or the reasons supporting the claim that notice should not be required."

EXIGENT CIRCUMSTANCES AND IRREPARABLE HARM:

The foreclosure sale is scheduled for **November 2, 2026** — 35 days hence. The judgment upon which the sale rests is void *ab initio* for lack of jurisdiction. Below are the facts supporting this petition, drawn from the trial court's docket and verified by affidavit:

1. **Lack of Actual Service.** The service affidavit filed by Respondent's process server claims four attempts to serve the Appellant with no specific dates, times, locations, or details of each attempt — merely conclusory recitation of "every effort" to locate Appellant. South Carolina law requires **actual, personal service** conferring jurisdiction.

The affidavit's facial insufficiency means the trial court never acquired jurisdiction to enter the foreclosure judgment.

2. **Pro Se Status & Rule 241(d)(6)(B) Certification.** As a pro se litigant, I cannot satisfy Rule 241(d)(6)(B)'s requirement that "the moving party's attorney certifies in writing, as an officer of the court." I respectfully request that this Court either: (a) waive the attorney-certification requirement given my pro se status and the exigent timeline, or (b) consider my verified affidavit and petition as the functional equivalent of such certification, attesting to good-faith efforts to give notice prior to this ex parte request.
3. **Irreparable Harm.** If the sale proceeds, the following harms are both imminent and irreparable:
 - Loss of primary residence and co-plaintiff Michelle Renee Eblen's home of residence during her ongoing medical recovery (she underwent spinal replacement surgery and remains in active recovery, unable to relocate);
 - Forced loss of equity without opportunity to contest the void judgment;
 - Cascading financial ruin (forced sale of additional property, loss of business operating space, and loss of other assets to satisfy a judgment entered without jurisdiction).
4. **Notice.** Respondent was served with the pending appeal (Court of Appeals notice filed September 21, 2026) and is currently monitoring this matter. This ex parte application is made only because the 35-day timeline to foreclosure sale makes traditional noticed motion practice impracticable.

CONTROLLING AUTHORITY — VOID JUDGMENT ON FACE OF RECORD:

A judgment entered without personal jurisdiction is void *ab initio* and may be attacked outside Rule 60(b)'s normal time windows. See [insert controlling SC/15th Circuit case law establishing that lack of service = void judgment; cite alphabetically per SCACR].

REQUEST:

Issue an ex parte **Writ of Supersedeas or Order Staying the Foreclosure Sale** pending this Court's decision on the Verified Petition to Vacate, effective immediately upon entry, conditioned upon posting of such security as the Court deems appropriate. I will mail the check to cover filing in the mail today September 29, 2026, check # 2004 \$50.00.

Respectfully submitted,

Cedric Javus Browne

Pro Se, Appellant

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