

Sep 30 2026

SC Court of Appeals

The South Carolina Court of Appeals

Lakeview Loan Servicing, LLC, Respondent,

v.

Wendell Don Cooper; Shellbrook Plantation HOA of SC,
Inc.; Regions Bank, Defendants,

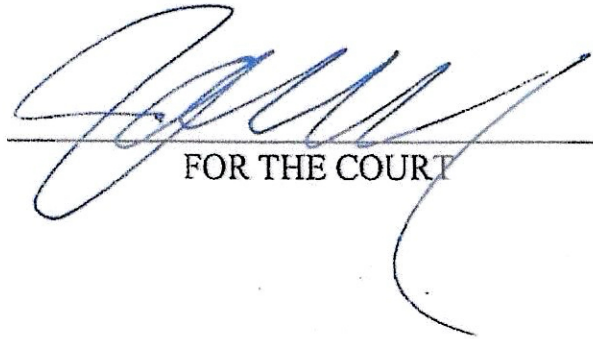
of which Wendell Don Cooper is the Appellant.

Appellate Case No. 2026-001649

ORDER

Appellant appeals from an order denying his motion for summary judgment and an order deeming Appellant's "approximately ten additional motions," that he declined to argue at the hearing on his motion for summary judgment and after receiving express written notice that the lower court was going to address these motions at said hearing, were "abandoned and/or denied." Upon receiving the notice of appeal, this court requested memoranda from the parties regarding the appealability of the orders. After carefully considering both parties' memoranda, we dismiss the appeal as interlocutory.¹ See S.C. Code Ann. § 14-3-330(2) (2017) (providing South Carolina appellate courts have jurisdiction to review on appeal "[a]n order affecting a substantial right made in an action when such order (a) in effect determines the action and prevents a judgment from which an appeal might be taken or discontinues the action, (b) grants or refuses a new trial or (c) strikes out an answer or any part thereof or any pleading in any action"); *Thornton v. S.C. Elec. & Gas Corp.*, 391 S.C. 297, 300, 705 S.E.2d 475, 477 (Ct. App. 2011) ("An interlocutory order not governed by a specialized appealability statute is not immediately appealable unless it fits into one of the categories listed in section 14-3-330 of the South Carolina Code . . ."). Remittitur will issue in accordance with Rule 221(b) of the South Carolina Appellate Court Rules.

¹ In light of our decision to dismiss this appeal, we take no action on Appellant's other motions.


FOR THE COURT J.

Columbia, South Carolina

cc:

Wendell Don Cooper
Merry Celeste Bowers, Esquire
Sarah Oliver Leonard, Esquire
Alan Martin Stewart, Esquire
Jay Gresham
The Honorable Charles B. Simmons, Jr.

FILED
Sep 25 2026

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

IN THE COURT OF COMMON PLEAS
CASE NO.: 2025-CP-23-08229

Lakeview Loan Servicing, LLC,
PLAINTIFF,

vs.

Wendell Don Cooper; Shellbrook Plantation
HOA of SC, Inc.; Regions Bank,
DEFENDANTS.

**ORDER DENYING DEFENDANT
WENDELL DON COOPER'S MOTION
FOR SUMMARY JUDGMENT**

THIS MATTER came before me on June 24, 2026, on a hearing on the Motion for Summary Judgment of Defendant Wendell Don Cooper. Present and appearing on behalf of the Plaintiff was attorney Alan M. Stewart. Defendant Wendell Don Cooper was also in attendance at the hearing.

After careful review of the pleadings and subsequent filings made in this action, any memoranda and arguments presented by the parties, the applicable rules of civil procedure and case law concerning those rules, the Defendant's Motion for Summary Judgment is denied. The parties have not yet concluded discovery in this case, and under established South Carolina case law summary judgment is therefore not appropriate at this time.

NOW, THEREFORE, IT IS HEREBY ORDERED that the Defendant's Motion for Summary Judgment is denied.

IT IS FURTHER ORDERED that counsel for the Plaintiff shall provide to Defendant a new loss mitigation package for completion, and Defendant is to complete and return the package to the Plaintiff within 60 days of the date of entry of this Order, and if Defendant fails to complete and return this package for loss mitigation consideration his remaining claims and defenses shall be denied.

PRESIDING JUDGE CHARLES B. SIMMONS, JR.'S SIGNATURE PAGE TO
FOLLOW

FORM 4

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE
CASE NUMBER 2025-CP-23-08229

Lakeview Loan Servicing LLC

Wendell Don Cooper
Regions BankShellbrook Plantation
HOA Of SC Inc

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for: ☐ Plaintiff ☐ Defendant☐ Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☐ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. ☐ See Page 2 for additional information.
- ☐ **ACTION DISMISSED (CHECK REASON):** ☐ Rule 12(b), SCRCP; ☐ Rule 41(a), SCRCP (Vol. Nonsuit);
☐ Rule 43(k), SCRCP (Settled); ☐ Other: _____
- ☐ **ACTION STRICKEN (CHECK REASON):** ☐ Rule 40(j) SCRCP; ☐ Bankruptcy;
☐ Binding arbitration, subject to right to restore to confirm, vacate or
modify arbitration award; ☐ Other: _____
- ☐ **STAYED DUE TO BANKRUPTCY**
- ☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other: _____

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE
CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☐ See attached order; (formal order to follow) ☐ Statement of Judgment by the Court:

ORDER INFORMATION

Mr. Copper has filed an additional motion(s), now approximately a total of ten, asking that the Court rule on all of his outstanding motions. This includes a Rule 59 motion filed July 9, 2026. At the hearing held June 24, 2026, Mr. Copper was given express written notice in advance that the Court was going to address all of his motions and gave Mr. Cooper the opportunity to fully argue all of his motions on the record. He declined to do so. Only his motion for summary judgement was argued, which was then denied by Order filed July 7, 2026.

The Court deems the other motions as abandoned and/or denied. Further, the Plaintiff shall promptly and fully comply with all laws, regulations etc that are applicable to the within loan and assist Mr. Cooper in a possible resolution of the same. Otherwise, all issues will be resolved at a final hearing.

It is so Ordered

This order ☐ ends ☒ does not end the case.

Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

CATHERINE S. HARRISON
CHIEF DEPUTY CLERK

POST OFFICE BOX 11629
COLUMBIA, SOUTH CAROLINA 29211
1220 SENATE STREET
COLUMBIA, SOUTH CAROLINA 29201
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July 30, 2026

Wendell Don Cooper
117 Palm Springs Way
Simpsonville SC 29681

Ms. Merry Celeste Bowers, Esquire
240 Stoneridge Drive
Suite 400
Columbia SC 29210

Mrs. Sarah Oliver Leonard, Esquire
240 Stoneridge Drive
Suite 400
Columbia SC 29210

Mr. Alan Martin Stewart, Esquire
PO Box 8237
Columbia SC 29202-8237

Re: Lakeview Loan Servicing, LLC v. Wendell Don Cooper
Appellate Case No. 2026-001649

Dear Mr. Cooper and Counsel:

We reviewed the order(s) challenged on appeal and determined that it might not be appealable. Accordingly, you must serve and file memoranda addressing the issue of appealability within ten (10) days of the date of this letter. The time limits for perfecting the appeal are held in abeyance pending the Court's consideration of the memoranda.

Very truly yours,
Catherine J. Fanning, deputy
CLERK

1 that's unfair to me, because I have repeatedly asked
2 for clarification.

3 So you're asking me questions that I could
4 properly answer if the motions were taken in
5 sequence.

6 THE COURT: I will take them in
7 sequence. You've got 30 minutes, so start with
8 number one, and let's go. Your first motion that I
9 see was filed March 9, 2026.

10 MR. COOPER: Sir, I'm not prepared
11 to go through ---

12 THE COURT: Sir, they're your
13 motions. You've been asking. You have written court
14 administration. You've written the Supreme Court.
15 You have been saying the court won't address my
16 motions.

MR. COOPER: Sir.

17 THE COURT: We're here today on
18 your motions.

19 MR. COOPER: Sir, what I am saying
20 to you, okay, it is -- I think that is beyond the
21 pale for me to address seven motions in one, in one
22 sitting.

23 THE COURT: You have never raised
24 that. You have always said; get me in court, get me
25 in court, get me in court. Now you're in court, and

1 you're telling me I don't want to proceed.

2 MR. COOPER: No, that's not what I'm
3 saying, right? What I'm saying is, and what I
4 requested, I think that's what I did, Your Honor.
5 I'm not trying to be combative. Is that I was
6 wanting my motions to be taken one at a time, not in,
7 not in a situation where I have to do all of that in
8 one ---

9 THE COURT: Show me where you have
10 requested, first, that your motions be heard, and
11 second, where you have requested that they be heard
12 separately on different dates. Show me where you
13 have filed a request with my docket coordinator for
14 that to happen.

15 MR. COOPER: Your Honor, it's in a
16 docket. You're asking me go through a bunch of -- a
17 bunch of documents, Your Honor, and I think that
18 that's unfair. And I see where you're getting upset
19 with me.

20 THE COURT: No, sir, I am
21 frustrated, yeah. Absolutely. Because these are
22 here today on your motions.

23 MR. COOPER: Okay. And what I am
24 simply saying, Your Honor, is that, Your Honor, is
25 that I asked for clarification which motions will be

1 record, almost five minutes has elapsed since you've
2 been looking through your materials.

3 MR. COOPER: Your Honor, I can't
4 present that information to you right now.

5 THE COURT: All right.

6 MR. COOPER: But it's in the
7 docket. I can't present it.

8 THE COURT: Are you in a position
9 then to address any of the eight or nine motions,
10 maybe more than that, that you have filed in this
11 case?

12 MR. COOPER: Your Honor, not
13 cumulative.

14 THE COURT: Are you in a position
15 to proceed individually?

16 MR. COOPER: Not all, not all ---

17 THE COURT: Tell me which motions
18 you're asking that the court hear, right now.

19 Pursuant to a notice that was sent to you that all
20 outstanding motions would be dealt with today, and
21 that notice was given to you over a month ago.

22 MR. COOPER: Okay. Let's do this
23 here. Your Honor, let me try to -- I think counsel
24 have kind of alluded to that. Let me start with the
25 summary judgment motion, if that's possible.

1 this case is not that old. It was just filed in late
2 December. But the case law is clear that when
3 discovery is still pending between the parties,
4 summary judgment is not appropriate.

5 There is also case law providing that, as in
6 this case, I think very clearly, when further inquiry
7 into the facts of the case is desirable, to clarify
8 the application ---

9 THE COURT: Yeah, and I apologize
10 for interrupting. I'm going to deny the motion for
11 summary judgment. There are just too many unanswered
12 questions, and I can't say as a matter of law that
13 the guidelines are tantamount to an absolute
14 obligation to modify. I just don't believe that to

16

NOTICE OF APPEAL IN A CIVIL CASE

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM GREENVILLE COUNTY
Court of Common Pleas

Hon. Charles B. Simmons, Jr, Circuit Court Judge

Case No. 2025-CP-23-08229

Lakeview Loan Servicing, LLC

Respondent,

v.

Wendell Don Cooper,

Appellant.

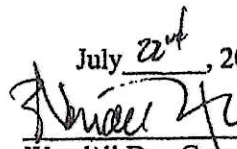
Shellbrook Plantation HOA of SC, Inc.;
and Regions Bank,

Defendants

NOTICE OF APPEAL

Wendell Don Cooper appeals the Order Denying Defendant Wendell Don Cooper's Motion for Summary Judgment entered July 7, 2026, and the Form 4 Order entered July 9, 2026, including the portions of those orders deeming Defendant's other pending motions abandoned and/or denied, requiring Defendant to complete and return a new loss-mitigation package, and providing that Defendant's remaining claims and defenses shall be denied for failure to complete and return that package. Appellant received written notice of entry of the orders on July 16, 2026.

July 22nd, 2026



Wendell Don Cooper, Pro Se
117 Palm Springs Way
Simpsonville, South Carolina 29681
Telephone: 864-230-7049
Appellant, Pro Se

ENTERED

CERTIFICATE OF SERVICE

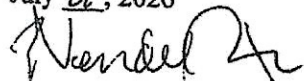
I certify that on July 22nd, 2026, I served a true and correct copy of the foregoing Notice of Appeal by depositing copies in the United States Mail, first-class postage prepaid, addressed as follows:

Alan M. Stewart
Hutchens Law Firm LLP
Post Office Box 8237
Columbia, South Carolina 29202-8237
Attorney for Respondent Lakeview Loan Servicing, LLC

Regions Bank
c/o Corporation Service Company, Registered Agent
100 Coastal Drive, Suite 210
Charleston, South Carolina 29492

Shellbrook Plantation HOA of SC, Inc.
c/o P.O. Box 26389
Greenville, SC 29614

July 22nd, 2026



Wendell Don Cooper, Pro Se
117 Palm Springs Way
Simpsonville, South Carolina 29681
Telephone: 864-230-7049
Email: wendelldoncooper@yahoo.com

ORDER

On July 24, 2026, Appellant filed a notice of appeal related to a foreclosure action.¹ On July 26, 2026, Appellant filed a "verified emergency petition and motion to enforce the automatic appellate stay, determine that the August 6, 2026, summary-judgment hearing is a matter affected by the appeal, and cancel or continue the hearing; alternatively, for supersedeas and other protective relief pending appeal" in the circuit court. This motion is still pending. On August 5, 2026, Appellant filed a "verified emergency petition for temporary stay, supersedeas, preservation of the status quo, and determination that the August 6, 2026, summary-judgment proceeding is a matter affected by the pending appeal" in this court.

After careful consideration, we remand this case to the circuit court for an expedited hearing on Appellant's July 26, 2026 petition. *See* Rule 241(d), SCACR (explaining an application for supersedeas must first be made to the lower court which entered the order on appeal). If the circuit court determines a stay is not appropriate, the circuit court may immediately proceed with any other matters before it.

¹ The court requested and is awaiting appealability memorandums as of the date of this order.

On Sep 21, 2026, at 3:25 PM, Herrmann, Karen
<KHerrmann@greenvillecounty.org> wrote:

This will confirm that I have added the Motion hearing in the above case to Judge Simmons docket for a 30 minute hearing on October 12th at 9:30.

Please have any necessary documents efiled at least 48 hours prior to the hearing.

Danette will provide the zoom instructions.

Thank you.

Karen K. Herrmann
Administrative Docketing Coordinator
Judge Charles B. Simmons, Jr.
Greenville County Courthouse, Suite 313
305 East North Street, Greenville SC 29601
Direct Dial [864-467-8258](tel:864-467-8258)/ Fax [864-467-8401](tel:864-467-8401)

From: Alan M. Stewart
<alan.stewart@thefoundationlegalgroup.com>
Sent: Monday, September 21, 2026 3:21 PM
To: Herrmann, Karen <KHerrmann@greenvillecounty.org>;
Wendell Cooper <wendellcooper@yahoo.com>
Subject: RE: Lakeview Loan v. Wendell D. Cooper
([2025-232-08229](tel:2025-232-08229))

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Yes that works for me. Thank you