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SC Court of Appeals

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

Appellate Case No. 2026-001649

Lakeview Loan Servicing, LLC,
Respondent,

v.

Wendell Don Cooper,
Appellant,

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

**APPELLANT'S SUPPLEMENTAL NOTICE OF IMMINENT OCTOBER 12, 2026,
LOWER-COURT HEARING IN SUPPORT OF PENDING EMERGENCY STAY
REQUEST**

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

COMES NOW Appellant Wendell Don Cooper, appearing pro se, and respectfully submits this Supplemental Notice to advise the Court that the lower-court Zoom hearing that is the subject of Appellant's pending emergency stay request is now imminent and is scheduled for Monday, October 12, 2026, at 9:30 a.m.

Appellant Wendell Don Cooper, appearing pro se, respectfully submits this Supplemental Notice to advise the Court that the lower-court Zoom hearing that is the subject of Appellant's pending emergency stay request is now imminent and is scheduled for Monday, October 12, 2026, at 9:30 a.m.

Appellant does not file a new motion or petition and does not seek new or additional relief. This Supplemental Notice is submitted solely to advise the Court of the imminent scheduled proceeding, to request disposition of the emergency stay relief already pending before that proceeding occurs, and to ensure that the appellate record accurately reflects Appellant's effort to obtain relief before the scheduled event takes place.

I. THE OCTOBER 12 HEARING WAS PLACED ON THE LOWER-COURT DOCKET BY EMAIL

On September 17, 2026, the Administrative Docketing Coordinator advised the parties by email that Judge Charles B. Simmons, Jr. sought a thirty-minute Zoom hearing concerning whether a stay should be granted pursuant to this Court's August 5, 2026, Order.

On September 21, 2026, the Administrative Docketing Coordinator transmitted an email to the parties stating:

"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 filed at least 48 hours prior to the hearing.

Danette will provide the zoom instructions.

Thank you.”

The September 21, 2026, email is the scheduling communication provided to Appellant concerning the October 12 proceeding. The communication states that the “Motion hearing” had been added to Judge Simmons’s docket for thirty minutes at 9:30 a.m. on October 12, 2026, and directs the parties concerning e-filing and Zoom instructions.

Importantly, the September 21 communication is an email from the Administrative Docketing Coordinator. It is not a written order signed by Judge Simmons, and no written scheduling order accompanied the communication.

The earlier September 17, 2026, email from the Administrative Docketing Coordinator identified the subject of the proposed thirty-minute Zoom hearing as “whether a Stay shall be granted as noted in the Court of Appeals Order dated August 5, 2026.” Thus, the September 17 communication identifies the subject of the proceeding, while the September 21 communication confirms that the hearing was placed on Judge Simmons’s docket for October 12, 2026, at 9:30 a.m.

A copy of the September 21, 2026, scheduling email is attached as Exhibit A.

II. APPELLANT’S EMERGENCY REQUEST TO STAY THE OCTOBER 12 HEARING IS ALREADY PENDING BEFORE THIS COURT

On September 25, 2026, Appellant filed his Petition for Rehearing and Request for Three-JudgePanel Review, together with an emergency request that this Court stay the scheduled lower-court

Zoom hearing and all further proceedings pending review.

Appellant also filed his Verified Emergency Petition for Stay and Supersedeas Under Rule 241, SCACR, Pending Rehearing and Three-Judge-Panel Review.

The emergency petition specifically advised this Court that, without immediate relief, the scheduled lower-court hearing could occur, and the foreclosure proceeding could materially advance before this Court completed its review, potentially altering the status quo and impairing this Court's ability to provide meaningful appellate relief.

Accordingly, the October 12 hearing is not a newly developed matter that Appellant raises for the first time in this Supplemental Notice. The scheduled hearing is the very proceeding that Appellant previously asked this Court to stay.

III. THE OCTOBER 12 DATE IS NOW IMMINENT

The scheduled hearing will occur on Monday, October 12, 2026, only a few days from the filing of this Notice.

Rule 241(c)(2), SCACR, provides:

“In determining whether an order should issue pursuant to this Rule, the lower court, administrative tribunal, appellate court, or judge or justice of the appellate court should consider whether such an order is necessary to preserve jurisdiction of the appeal or to prevent a contested issue from becoming moot.”

Appellant respectfully submits that this consideration is particularly important here because the passage of October 12 without disposition of the pending emergency request would permit the very proceeding Appellant asked this Court to stay to occur before this Court rules upon that request.

Appellant is not asking this Court through this Supplemental Notice to reconsider matters not already presented. Nor is Appellant attempting to enlarge his pending request. Appellant seeks only a timely disposition of the emergency stay relief that is already before the Court.

IV. THIS NOTICE IS FILED TO PRESERVE A CLEAR PROCEDURAL RECORD BEFORE THE SCHEDULED HEARING OCCURS

Appellant respectfully files this Notice before October 12 so that the appellate record will clearly establish that:

1. Appellant previously requested emergency relief staying the scheduled lower-court Zoom hearing;
2. the Court was advised that the hearing is scheduled for October 12, 2026, at 9:30 a.m.;
3. the October 12 hearing was placed on Judge Simmons's docket through a September 21, 2026, email from the Administrative Docketing Coordinator, and no written scheduling order accompanied that communication;
4. Appellant specifically advised this Court before October 12 that the hearing was imminent;
5. Appellant requested disposition of the already-pending emergency stay request before the scheduled proceeding occurred; and
6. Appellant sought to preserve the status quo and this Court's ability to provide meaningful relief before, rather than after, the event that the requested stay was intended to prevent.

Appellant respectfully submits that a ruling after the scheduled hearing has already occurred would not provide the same relief as a ruling rendered before the hearing and therefore respectfully requests that the pending emergency stay request be addressed before October 12,

2026.

CONCLUSION

WHEREFORE, Appellant respectfully provides notice that the lower-court Zoom hearing that is the subject of his pending emergency stay request is scheduled for Monday, October 12, 2026, at 9:30 a.m.

Appellant respectfully requests that the Court rule upon the emergency stay relief already pending before the Court before the October 12 proceeding occurs, so that the requested relief is not rendered ineffective by the occurrence of the very proceeding Appellant has asked this Court to stay.

Appellant reiterates that this Supplemental Notice does not constitute a new motion or petition and seeks no new or additional substantive relief. It is submitted to provide the Court with immediate notice of the approaching hearing date and to preserve a clear procedural record that Appellant sought timely disposition of the pending emergency relief before that hearing occurred.

Respectfully submitted,

s/ Wendell Don Cooper

Wendell Don Cooper

Appellant, Pro Se

117 Palm Springs Way

Simpsonville, South Carolina 29681

Telephone: 864-230-7049

Email: wendelldoncooper@yahoo.com

October 7, 2026

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CERTIFICATE OF SERVICE

I hereby certify that on October 7, 2026, I served a true and correct copy of the foregoing

APPELLANT’S SUPPLEMENTAL NOTICE OF IMMINENT OCTOBER 12, 2026,
LOWERCOURT HEARING IN SUPPORT OF PENDING EMERGENCY STAY REQUEST
upon
counsel for Respondent by depositing the same in the United States Mail, first-class postage
prepaid, addressed as follows:

Alan Martin Stewart, Esquire
P.O. Box 8237
Columbia, South Carolina 29202-8237

s/ Wendell Don Cooper Wendell
Don Cooper

EXHIBIT A

SEPTEMBER 21, 2026

LOWER-COURT ZOOM HEARING SCHEDULING EMAIL

From: Herrmann, Karen KHerrmann@greenvillecounty.org
Subject: RE: Lakeview Loan v. Wendell D. Cooper (2025-232-08229)(Oct. 12th at 9:30)
Date: Sep 21, 2026 at 3:25:30 PM
To: Alan M. Stewart alan.stewart@thefoundationlegalgroup.com, Wendell Cooper wendelldoncooper@yahoo.com
Cc: Hanks, Danette DAhanks@greenvillecounty.org

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/ Fax 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 <wendelldoncooper@yahoo.com>
Subject: RE: Lakeview Loan v. Wendell D. Cooper ([2025-232-08229](#))

CAUTION: This email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Yes that works for me. Thank you

From: Herrmann, Karen <KHerrmann@greenvillecounty.org>
Sent: Monday, September 21, 2026 3:08 PM
To: Wendell Cooper <wendelldoncooper@yahoo.com>
Cc: Alan M. Stewart <alan.stewart@thefoundationlegalgroup.com>
Subject: Lakeview Loan v. Wendell D. Cooper ([2025-232-08229](#))
Importance: High

Mr. Stewart, please confirm October 12th at 9:30 and then I will have the court reporter send the zoom information.

Karen K. Herrmann