

THE STATE OF SOUTH CAROLINA

7/2008

IN THE COUR OF APPEALS

APPEALS FROM CHARLESTON COUNTY

Mikel R. Scarborough, Master in Equity

Case no. 2013-001576

JP Morgan Chase Bank, National Association, Respondent-----Respondent

v

Clorenda Mae White, John Henry White, Andrea Denise \_\_\_\_\_ Appellant

White, as Legal Heir and Personal Representative

Of the Estate Anthony Franklin White, Melanie White

Jason White, and Mark White as Legal Heirs of the Estate

Of Anthony Franklin White, and Charleston County Clerk

Of Court, Defendant,

Of whom John Henry White is the Appellant:

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SC Court of Appeals

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Motion for Judgement by Default

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Come now the appellant, John H. White, pro se petitioning this court to enter judgement by default against the respondent J. P. Morgan Chase Bank National Association upon the grounds more particularly specified below.

1.

Appellant filed timely notice of appeal to this Honorable Court on Aug.2, 2013 from the decision of the Master in Equity of Charleston County (Honorable Mikel R. Scarborough) denying and or refusing this appellant's motion to vacate judgement pursuant to Rule 60 (b) of the SCR. Otherwise encumbered to Respondent, J. P. Morgan Chase National Association, is reliably informed that the changed description by J.P. Morgan Bank to include building and improvement subsequent to appellant mother's death constitutes a violation of the South Carolina Statute of Fraud.

Moreover appellant urges that respondent's foreclosure proceedings was then and is now a nullity. As among other things, J. P. Morgan Chase Bank National Association could succeed to nor obtain any better right than its predecessor, A&M Mortgage Corporation, as a badge of bad faith or the lack of good faith J. P. Morgan Chase Bank seeks to purge its wrong doings by overlooking or excluding appellant's motion to vacate the judgement of foreclosure when the entire composition of appellants motion is to vacate the judgment and set aside the ordered sale whereby appellant reserves his right and title to the real estate and right to sue for the egregious wrongful conduct of the respondent.

2.

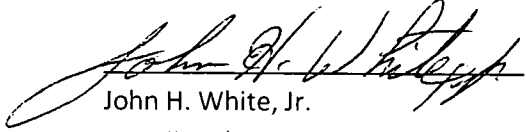
Essentially as set out in the record filed with this court:

- (a) Master in Equity refusal to hear appellant motion to vacate on due process right to be heard fully or not at all in accord with Rule 60 (b) of SCR.
- (b) Master in equity directed or prevented court stenographer assigned to transcribe the full verbatim testimony embracing and including his statement that his due process right to be heard did not matter and disregarded same.
- (c) Master in Equity, to this date has refused to allow transcription of the full record of the proceedings below without any explanation. Thus appellant is denied his right to due process. This is a mockery.
- (d) The record on appeal tends to show that real estate originally described in the mortgage given by appellants deceased mother contains no encumbrance of buildings nor improvements pledged.
- (e) Finally appellant asserts his entitlement to judgement on appeal by reason of the Respondent, J. P. Morgan Chase Bank National Association failure to file any response whatsoever to

appellant's brief on appeal or any appellate pleadings whatsoever. Therefore appellant is entitled to a judgement by default.

Wherefore appellant begs that this Honorable Court orders judgement by default against the respondent J. P. MORGAN Chase Bank Association to include an award of damages and costs as this court may determine for wrongful and fraudulent foreclosure.

Respectfully Submitted



John H. White, Jr.

Appellant/ Pro se

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