

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)
)
 NATIONSTR MORTGAGE, LLC,)
)
 Appellee,)
)
 vs.)
)
 BARBARA A. GIBBS, MELVIN E.)
 GIBBS, And WESTBROOK PHASE IV)
 HOMEOWNERS'S ASSOCIATION)
)
 Appellants.)
)

IN THE COURT OF APPEALS
 OF SOUTH CAROLINA

RECEIVED
 MAR 31 2014
 SC Court of Appeals

APPELLATE CASE NO. 2014-000596

MOTION FOR REHEARING and/or
 REHEARING EN BANC

Appellants do not appeal the transfer of the case to a Referee! *Appellants appeal being forced into a situation of criminal extortion.* WHAT IF: Appellants paid the demanded sum of \$295,000 to avoid a heart attack or deadly stroke, or we negotiate a loan modification under HAMP? Then Appellee flee to Russia with \$10 billion; including Appellants \$295,000 or HAMP agreement. AND, next week Bank of America files suit and presents a promissory NOTE (Mortgage) and demands Appellants pay the same \$295,000, and declare the HAMP agreement null and void. WHAT WOULD BE THE RESULTS – Appellants would be forced to pay a “second” \$295,000 or a total of \$590,000, or have an invalid HAMP agreement.

Appellee does not have a NOTE – therefore Appellee does not have standing to sue Appellant. Rather than using a gun & mask, Appellee uses this court to *criminally extort* Appellants.

Appellants by clear and convincing evidence: documents and pleadings – all uncontroverted, proved Appellee committed three acts of fraud on the trial court. Criminal extortion and fraud on the court are not issues for a Referee. The law does not require Appellants to place their lives at risk to

appease a process "gone wrong." The gravamen of an injunction is to prevent irreparable harm. The harm and violence being perpetrated on Appellants must cease. The law does not *actually* require Appellants death or failed health and/or ruin to their reputation and finances for an injunction to issue.

Two Corrupt Organizations have found their combined genesis in the trial court in violation of RICO. My career was dedicated to the practice of law, but criminals using South Carolina's court system destroyed me, my law practice and now seek my total destruction.

VI. CONCLUSION

Appellee filed the foreclosure suit in an attempt to steal \$295,000, and to defeat the RICO suit filed in federal court. The conduct in this case calls into question the integrity of the courts and must not be tolerated.

WHEREFORE, Appellants pray this Honorable Court grant the motion for rehearing, issue the restraining order, and any further and additional relief this Honorable Court may deem just and proper.

Respectfully Submitted,



M. Eugene Gibbs
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March 26, 2014
Florence, SC

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CERTIFICATE OF SERVICE

I, Melvin E. Gibbs, hereby certify that a copy of Appellants' motion for rehearing and/or rehearing en banc was placed with USPS, postage prepaid, this 26th day of March 2014, addressed to:

Dean Hayes, Esq.
KORN LAW FIRM, P.A.
P.O. Box 11264
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