

THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

RECEIVED

JUN 30 2014

SC Court of Appeals

APPEAL FROM THE CHARLESTON COUNTY

MASTER IN EQUITY COURT

HONORABLE JUDGE MIKELL R. SCARBOROUGH

Case No 2006-CP-10-2859

Appellate Case No 2012-212524

Deutsche Bank National Trust Company, as Trustee of
Ameriquest Mortgages Securities, Inc Asset Backed Passed
Through Certificates, Series 2005-R4CGM under the Pooling
And Serving Agreement dated as May 01, 2005, without recourse,

Respondent,

v.

Vandora M. Huggins-Edwards a/k/a Vandora H Edwards; Sylvia Anne Lawrence
a/k/a Sylviatte Anne Lawrence, Glenn Huggins; Micheal Huggins, Donnell Huggins;
Samuel Huggins; Ira S Huggins, Derwin Huggins, Andrean Huggins Cotton a/k/a
Adrienne Huggins Cotton; Sharon H Smack, Dewayne Dixon, Kimberly Nelms,
Timothy Nelms, Jennifer Nelms, Michael A. Brown; Demetrius Huggins Nelms; a
minor, Darius Simmons, a minor, Dondre Simmons, a minor, Reginald Huggins,
Joseph Huggins, Heather Huggins, Barbara Huggins; any other Heirs-at-Law or
Devises of Rickey Henry Huggins, Deceased their heirs, Personal
Representatives, Administrators, Successors and Assigns, and all other persons
entitled to claim through them, any other Heirs-at-Law or Devises of Henry Buster
Huggins, Jr., Deceased, their heirs, Personal Representatives, Administrators,
Successors and Assigns, and all other persons entitled to claim through them, any
other Heirs-at- Law or Devises of Michelle Huggins; Deceased, theirs heirs,
Personal Representatives, Administrators, Successors and Assigns, and all other
persons entitled to claim through them, any other Heirs-at-Law or Devises of
Buster Huggins Sr , Deceased, theirs heirs, Personal Representative,
Administrators, Successors and assigns, and all other persons entitled to claim
through them, all unknown persons with any right, title or interest in the real estate
described herein; who may be in the military service of the United States of
America, being a class designated as John Doe, and any unknown minors or
persons disability being a class designated as Richard Roe, South Carolina
Department of Revenue, Safeway Finance, Ford Motor Credit Company, General

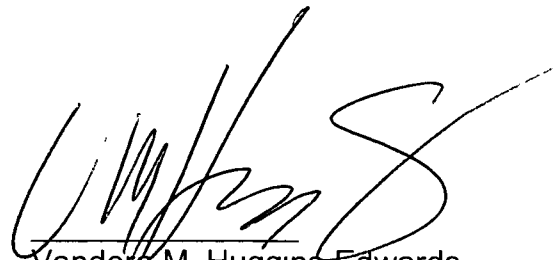
Motors Acceptance Corporation; White Directory Holding Carolina, Inc d/b/a The Talking Phone Book, Monogram Credit Card Bank of Georgia; Michael Twitty; Deborah Twitty, The United States of America, by and through its agency, The Internal Revenue Service; and John C Bigler.. Defendants,

Of Whom Vandora M. Huggins-Edwards a/k/a Vandora H Edwards _____ Appellant.

The Appellant Response for
Motion to Dismiss

Sean M Foerster
Rogers & Townsend & Thomas PC
P O. Box 100200 (29202)
220 Executive Center Drive
Columbia, South Carolina, 29210
(803) 771-7900

Attorneys for Respondent Deutsche Bank
National Trust Company, As Trustee of
Ameriquest Mortgage Securities, Inc.
Asset Backed Pass Through Certificates,
Series 2005-R4CGM under pooling
And Servicing Agreement dated May 1, 2005,
Without recourse



Vandora M Huggins-Edwards
1218 Gunn Avenue
Charleston, South Carolina
(843) 801-7392

The Appellant-PRO SE

June 26 2014

I the Appellant Vandora M. Huggins-Edwards respectfully submit its final response to the Respondent Deutsche Bank National Trust Company, as Trustee of Ameriquest Mortgage Securities, Inc Asset Backed Through Certificates, Series 2005-R4CGM under Pooling and Servicing Agreement dated May 01, 2005,without recourse, "Motion To Dismiss "

FACTS

The fact is I the Appellant Vandora M Huggins-Edwards is not an Attorney. I the Appellant cannot afford an Attorney. The Appellant is respectfully requesting to This Court that I the Appellant acknowledge a major error on my behalf requesting in a response to this Court for a Motion to Dismiss Deutsche Bank Appeal This proves to this Court my lack understanding to the Law. With the knowledge that I have now of the law, I realize that I was asking this Court to dismiss my own Appeal Instead my Motion should have read Revere The Lower Court Decision or The Appellant Response to The Respondent Motion to Dismiss The Respondent Attorney is fully aware of the fact that I am not attorney, sometime common sense helps when you lack legal knowledge. With all due respect I have no more argument on this matter

The fact is that the Appellant Vandora M Huggins-Edwards was ordered by the Master-In-Equity Court in its Final Order to pay the Respondent Attorney Rogers Townsend & Thomas PC and Deutsche Bank National Trust Company Attorney Fees, by way of the Affidavit of Attorney Fee's that was presented on the day of the trail As described in the trail hearing transcript. Charleston County Clerk of Court the Honorable Julie A Armstrong has no record that Deutsche Bank filed an instrument such as Affidavit of Attorney Fee's The Appellant in the Matter of Designation grounds to Reserve the Lower Court Decisions is base on the Affidavit of Attorney Fee's to show cause of action in the matter of Foreclosure Action 2006-CP-10-2859 the Respondent Attorney never in FACT CLOCK or FILED this instrument Affidavit of Attorney in the Court of Clerk of the Honorable

Julie J Armstrong in Charleston County, 100 Broad Street Charleston South Carolina, 29401

The Appellant plea fraud as defense, due to the underlying fact that the Appellant was not served a copy of the Affidavit of Attorney Fee's prior to the trail date.

Please take notice to fact that Deutsche Bank in its Designation of Matter shows no Proof of delivery. This is the last page that Respondent Attorney want me to discover for this Court the Proof of Services do not exist. Again the Respondent Attorney is grasping for straws. In the Second Amended Record on Appeal the Appellant admitted to omitting page 8 as the last page. The Respondent Attorney keep admitting to missing pages, page 8 clearly states CONCLUSION The way I see it no one at Rogers & Townsend wanted to sign their Bar Code number and signature on a fraudulent document known as the Affidavit of Attorney Fee's in the amount of \$83,000.00 dollars. Why? Does the Respondent Attorney keep giving the Appellant and the Court a hard time about reviewing the Affidavit of Attorney Fee's that Rogers & Townsend and Deutsche Bank were awarded in the Final Order by the Lower Court?

The Appellant plea fraud as defense due to the underlying fact the Affidavit of Attorney fee's clearly describes a "Fee Simple" between Deutsche Bank and Rogers & Townsend for attorney fee.

All sixteen copies of the Appellant Third Amended Record on Appeal will clearly demonstrate a page eight that states CONCLUSION NO SIGNITURE. NO PROOF OF SERVICE that why the Appellant cannot find it the Final Order in its Designation of Matter that was omitted

With all due respect this is where the Appellant is respectfully request to rule as they see in the eyes of the Law. The Military Regulations is Specific and Standard with no variations of its Laws. SCACR, Rule 210 (C) clearly states no variation to my understanding as to how to number consecutively Volume I and Volume II The Appellant in its Second Amended Record on Appeal respectfully submitted Volume I and Volume II numbered consecutively numbered as requested by the Respondent Attorney and the Order of the Court

The Appellant in its Third Amended Record on Appeal again respectfully submitted to this Court 16 copies Volume I with an Index pages number consecutively In accordance to SCACR, Rule 210 (c) .

The Appellant in its Third Amended Record on Appeal again respectfully submitted to this Court 16 copies of Volume II with an index pages number Consecutively accordance to SCACR, Rule 210 (c).

I Appellant Vandora M. Huggins-Edwards have served this country with twenty-two years services in the United States Army, I understand and follow rules and regulations I am not an attorney and I am complying with this Court Order.

With all due respect to this Court the way I see it this Court Ordered the Appellant to produce a First Amended Lis Pended dated September 10,2008 Now the Respondent Attorney is claiming that The First Amended Lis Pendens Summons & Complaint was clocked in on September 02,2008 this document do not exist.

The Appellant will prove by the preponderance of evidences that Deutsche Bank Never filed a First Amended Summons & Complaint and Lis Pendens on September 02, 2008, To show of action the Lower Court on September 10, 2008. The Honorable Judge Scarborough clearly states in this Order the Lis Pendens filed in foreclosure action, 2006-CP-10-2859, is and was valid continuously since It was originally filed on the correct date of July 24, 2006, The Lower Court Ordered Deutsche Bank until September 12, 2008 to file an Amended Complaint. In addition this order by the Lower Court is filed under two Docket Numbers This show cause of action as to how the Respondent Attorney brought John C. Bigler on September 10, 2008 both foreclosure action 2006-CP-10-2859 And civil action 2007-CP-10-2596 was combined as one after John C Bigler Delinquent tax purchase. This is the Delinquent tax fraud is demonstrated The Lower Court Order on September 10, 2008 make on mention as to John C. Bigler as a Defendant The Appellant has no more arguments in this matter.

The Appellant submitted in all sixteen copies to this a complete copy of the Plaintiff Notice of Motion and Partial Summary Judgment filed on

February 15, 2012 in Volume I pg. 44.

The Appellant explanation to the Letters on pages 39,61, 123 that was attached to the Respondent Attorney Motions filed in the Lower Court The Respondent Attorney really want to take this Court Focus off the letter on page 61 is introducing the request for the Supplement Order In this letter the Respondent Attorney is already claiming victory to the Lower Courts stating that this Court will dismiss the Appeal They threw rock now they want to hide there statements in The Letter they wrote on filed on July 16, 2012 in the Court of Clerk, the Honorable Julie J. Armstrong, Charleston County, and Charleston, South Carolina

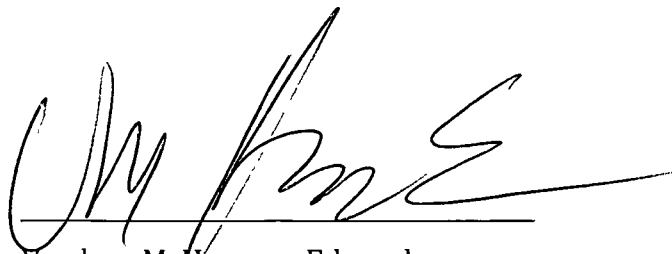
With all due respect to this Court the Appellant has no more argument on this Matter. The Appellant will leave it up to this Court determine the relevant of each letters in the Record on Appeal

Conclusion

The Appellant respectfully requests that this Court move forward and Order That the Respondent Attorney files its Final Brief to explain its action The Appellant respectfully request the this Court Reverse the Lower Court decision Base the action of Fraud in the matter of foreclosure action 06/2859 The Appellant is not Attorney I doing everything that this has Ordered the Appellant to do. I will continue as this Court request.

Respectfully Submitted,

June 26, 2014



Vandora M. Huggins-Edward
1218 Gunn Avenue
Charleston, South Carolina 29407
The Appellant, Pro SE
(843) 801-7392
Vandorahuggins@gmail.Com

COUNTY OF CHARLESTON

DEUTSCHE BANK

Plaintiff(s),

-vs-

VANDORA HUGGINS ETAL
Defendant(s),

IN THE COURT OF COMMON PLEAS

CASE NO: 2006-CP-10-2859

SCHEDULING ORDER

ORIGINAL

FILED
2008 SEP 10 AM 11:04
JULIE J. ARMS, IRONG
CLERK OF COURT

Pursuant to Rule 16 of the South Carolina Rules of Civil Procedure, the following schedule is established in this case based upon an in court and/or telephone conference.

1. All motions to amend the pleadings and to join additional parties shall be filed on or before September 12, 2008
2. The plaintiff(s) must identify any experts on or before December 1, 2008
3. The defendant(s) must identify any experts on or before January 2, 2009
4. Discovery shall be completed on or before March 2, 2009
No date certain trials will be scheduled prior to this time and all discovery requests must be served in time for the response thereto to be served within this deadline.
5. All dispositive motions shall be filed on or before March 6, 2009
 - a. otherwise the parties agree any untimely motions shall be waived.
6. This case is set for date certain trial on Monday March 16, 2009 at 10 AM
7. Other: Status Conference set for Tuesday Dec 16, 2008 at 10 AM
 - a. Parties to bring current survey showing boundaries structures and applicable set back lines to status conference.
8. This order may not be amended except by order of the Honorable Mikell R. Scarborough, Master In Equity for Charleston County.

IT IS SO ORDERED.

9/9/08
Charleston, South Carolina

Mikell R. Scarborough
Mikell R. Scarborough
Master In Equity

Mikell R. Scarborough

06-CP-10-2859

ORIGINAL

STATE OF SOUTH CAROLINA
COUNTY OF CHARLESTON

IN THE COURT OF COMMON PLEAS

DOCKET NOS.: 2007-CP-10-2596
2006-CP-10-2859

FILED
2008 SEP 10 AM 9:38
JULIE HIGGINS-EDWARDS
CLERK OF COURT

Deutsche Bank National Trust Company, as
Trustee of Amerquest Mortgage Securities,
Inc., Asset Backed Pass Through Certificates,
Series 2005-R4CGM under the Pooling and
Servicing Agreement dated as of May 1, 2005,
without recourse,

Plaintiff,

**ORDER GRANTING DEUTSCHE BANK'S
MOTION TO AMEND COMPLAINT,
MOTION TO VACATE, AND MOTION TO
AMEND SCHEDULING ORDER**

v

Vandora M. Huggins-Edwards a/k/a Vandora
H. Edwards;

Defendant.

(010378-00062 JJH)

A telephone hearing on Deutsche Bank's pending motions was held before me on August 11, 2008, at 2:30 p.m. John J. Hearn, Esq. appeared as counsel for the Plaintiff Deutsche Bank. Pro se defendant Vandora M. Huggins-Edwards a/k/a Vandora H Edwards ("Edwards") appeared on her own behalf.

After careful consideration, I hereby make the following combined findings of fact and conclusions of law.

This is an action for the foreclosure of a mortgage upon certain real estate located in Charleston County, South Carolina. Plaintiff Deutsche Bank National Trust Company, as Trustee of Amerquest Mortgage Securities, Inc., Asset Backed Pass Through Certificates, Series 2005-R4CGM under the Pooling and Servicing Agreement dated as of May 1, 2005, without recourse (Deutsche Bank) is a company doing business in the State of South Carolina and is the

owner and holder of the Note and Mortgage that are the subject of this litigation On or about April 6, 2005, Edwards made, executed and delivered to Deutsche Bank's predecessor in interest a certain Adjustable Rate Note ("Note") in the principal sum of \$120,800.00, payable in monthly installments of principal and interest of \$954.66, commencing on June 1, 2005.

Contemporaneously with the execution of the Note, Edwards made, executed and delivered to the lender a certain real estate mortgage ("Mortgage"), which constitutes a first lien on the real property. The account with Deutsche Bank was in default since January 1, 2006, and Deutsche Bank, after proper notice, elected to accelerate the loan and to file the Lis Pendens, Summons and Complaint in this action on or about July 24, 2006.

Thereafter, copies of the Lis Pendens, Civil Cover Sheet, Summons and Complaint were personally served upon Edwards on July 25, 2006.

Edwards did not file or serve a response to the Complaint, so Deutsche Bank filed an Affidavit of Default and Non-Military Service as to Edwards on September 6, 2006

On October 9, 2006, Edwards, through her attorney, Charles E. Houston, Jr (Houston) served a Notice of Motion and Motion to Set Aside Entry of Default, and an Affidavit of Huggins-Edwards.

On June 4, 2007, an Order Relieving Defendant's Counsel was filed, so Edwards is again pro se.

DEUTSCHE BANK'S MOTION TO AMEND COMPLAINT

Since the filing and service of the original Complaint in this matter, Deutsche Bank has discovered that Edwards does not own a 100% interest in the subject property. Therefore, Deutsche Bank needs to amend its complaint to name as defendants those others who do have an interest in the subject property. To that end, on June 18, 2008, Deutsche Bank served its Motion



to Amend Complaint, which was filed on June 26, 2008. In this motion, Deutsche Bank moved the court for an Order permitting Deutsche Bank to serve and file an Amended Complaint alleging new causes of action for quiet title, equitable subrogation, and (in the alternative) partition, in addition to the existing foreclosure cause of action. Deutsche Bank also asked the court to hold an additional status conference and, if necessary, issue an appropriate amended scheduling order.

Edwards was the sole defendant in civil action 2006-CP-10-2859 prior to the consolidation of these matters in the court's scheduling order of May 13, 2008. Deutsche Bank's counsel consulted with Sherry B. Crummey, Esquire ("Crummey"), who has appeared as counsel for Edwards in civil action 2007-CP-10-2596, for Edwards's consent to this proposed amended complaint in civil action 2006-CP-10-2859. (Crummey has not yet made an official appearance in civil action 2006-CP-10-2859.) Crummey consulted with Edwards at the May 13, 2008 status conference for this matter and reported that Edwards would consent to the proposed amended complaint in ~~civil action~~ ^{MS} in civil action 2006-CP-10-2859. In addition, Edwards consented to Deutsche Bank's Motion to Amend during this hearing.

The South Carolina Rules of Civil Procedure allows that leave to amend pleadings shall be liberally and freely given when justice requires and does not prejudice any other party. Rule 15, SCRPC The party opposing the amendment has the burden of establishing prejudice, and the decision will be left to the judge's discretion. Tanner v. Florence County Treasurer, 336 S.C 552 (1999).

The court notes Edwards's consent to the motion to amend and finds that that the defendant would not be prejudiced by allowing the Deutsche Bank leave to amend its Complaint at this point in the proceedings.

**DEUTSCHE BANK'S MOTION TO VACATE
AND TO AMEND SCHEDULING ORDER**

On August 1, 2008, Deutsche Bank filed a Motion to Vacate and to Amend Scheduling Order. Pursuant to a Scheduling Order dated May 15, 2008, and filed on May 20, 2008, in both the foreclosure action (2006-CP-10-2859) and the related partition action (2007-CP-10-2596), the actions were consolidated, and an Order of Voluntary Non-Suit was filed in the foreclosure action (2006-CP-10-2859) on May 15, 2008. However, due to Deutsche Bank's concerns about the affect of that Order on the validity of its lis pendens in the foreclosure action, Deutsche Bank asked the court to vacate that Order of Voluntary Non-Suit. Thereafter, a Form 4 Order Vacating the Order of Voluntary Non-Suit was filed on June 18, 2008. The June 18 Form 4 Order, however, was inadvertently filed in the partition action, not the foreclosure action from which the original May 15 non-suit order was entered.

As a result, Deutsche Bank moved for a formal order vacating the Order entered on June 18, 2008, in the partition action 2007-CP-10-2596, vacating the Order of Voluntary Non-Suit in foreclosure action 2006-CP-10-2859. Deutsche Bank also seeks a ruling that the lis pendens filed in the foreclosure action, 2006-CP-10-2859, is and was valid continuously since the time it was originally filed on June 24, 2006.

In addition, as Deutsche Bank's Motion to Amend its foreclosure complaint was still pending, Deutsche Bank moved that the court issue an Amended Scheduling Order in the partition action (2007-CP-10-2596). The current Scheduling Order filed on May 20, 2008, indicates that this "case is set for date certain trial on Thursday, September 4, 2008, at 9.30 a.m. on issue of quiet title and to determine the property line." Deutsche Bank's motion for a new scheduling order noted that the bank must still file and serve its Amended Complaint on all

parties who may claim an interest in the real property which is the subject of the foreclosure action.

The court has reviewed its files on the foreclosure action (2006-CP-10-2859) and the partition action (2007-CP-10-2596) and finds that that the defendant would not be prejudiced by granting Deutsche Bank's motion to vacate the Order filed on June 18, 2008, in the partition action 2007-CP-10-2596, to vacate the Order of Voluntary Non-Suit in the foreclosure action 2006-CP-10-2859, ^{Ret. May 15, 2008} and to rule that the lis pendens filed in the foreclosure action, 2006-CP-10-2859, is and was valid continuously since it was originally filed on June 24, 2006 ^{as it affects the Vandora Higgins - Edwards}

In addition, the court finds there is just cause to amend the scheduling order in the partition action 2007-CP-10-2596 since the amended foreclosure pleadings must be filed and served on additional parties identified by Deutsche Bank. A new scheduling order has been prepared by the court and will be forwarded to Deutsche Bank, which shall serve it on all parties of record in both the foreclosure and partition actions. ^{MSB}

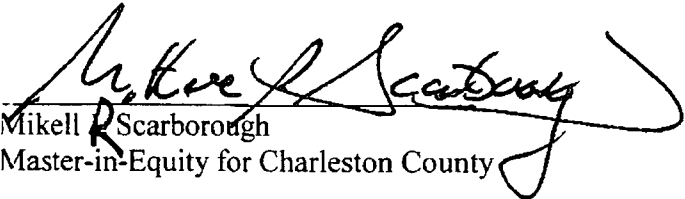
THEREFORE, IT IS ORDERED that

1. Deutsche Bank's Motion to Amend Complaint is hereby granted, and that Deutsche Bank has until ^{Sept. 12} August 29, 2008, to file an Amended Complaint;
2. Deutsche Bank's Motion to Vacate is hereby granted; therefore, the Order filed on June 18, 2008, in the partition action 2007-CP-10-2596 is vacated, and the Order of Voluntary Non-Suit in the foreclosure action 2006-CP-10-2859 is also vacated, and the lis pendens filed in the foreclosure action, 2006-CP-10-2859, is and was valid continuously since it was originally ^{MSB} filed on June 24, 2006 ^{as it affects the Vandora Higgins - Edwards.}
3. Deutsche Bank's Motion to Amend the Scheduling Order is hereby granted, and the new deadlines will be included in a separate order from the court, which Deutsche Bank will

then serve via regular mail on all parties of record in both the foreclosure and partition actions;
and

4. This Order shall be filed in both the foreclosure action (2006-CP-10-2859) and in the partition action (2007-CP-10-2596.)

And it is so ordered /


Mikell R. Scarborough
Master-in-Equity for Charleston County

Charleston, South Carolina

9/9, 2008

5. These cases shall be deconsolidated by the Clerk of Court with each captioned case retaining its original civil action number.



THE STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

APPEAL FROM THE CHARLESTON COUNTY

MASTER IN EQUITY COURT

HONORABLE JUDGE MIKELL R. SCARBOROUGH

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described herein; who may be in the military service of the United States of America, being a class designated as John Doe, and any unknown minors or persons disability being a class designated as Richard Roe, South Carolina Department of Revenue, Safeway Finance, Ford Motor Credit Company; General Motors Acceptance Corporation, White Directory Holding Carolina, Inc. d/b/a The Talking Phone Book; Monogram Credit Card Bank of Georgia; Michael Twitty, Deborah Twitty, The United States of America, by and through its agency, The Internal Revenue Service, and John C Bigler.. Defendants,
Of Whom Vandora M. Huggins-Edwards a/k/a Vandora H Edwards _____ Appellant.

PROOF OF SERVICE

I HEREBY CERTIFY that I have served to Respondent Attorney Response
For Motion to Dismiss on June 26, 2014 by deposing in the U S Mail
on following on record;

Sean M. Foerster
Rogers & Townsend & Thomas PC
220 Executive Center Drive
Columbia, South Carolina, 29210
(803) 771-7900

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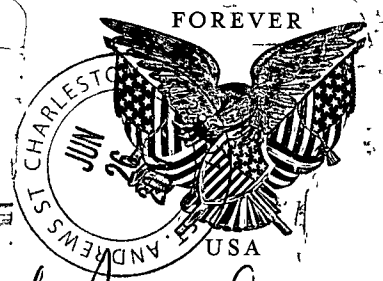
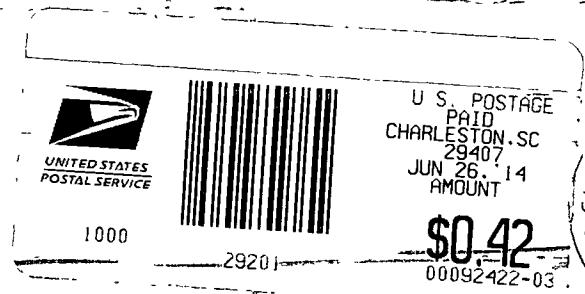
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