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IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SUMTER COUNTY

Richard L. Booth, Master In Equity

Case No.: 2014-001016

RECEIVED

JUL 29 2014

SC Court of Appeals

Wells Fargo Bank, N.A.....Respondent,

v.

Henrietta Rouse; Park West Homeowners Association, Inc.....Defendants,

Of Whom Henrietta Rouse is the..... Appellant

RESPONDENT’S MOTION TO DISMISS

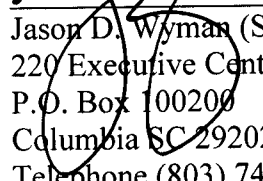
Respondent Wells Fargo Bank, N.A. (“Wells Fargo”) hereby moves to dismiss the appeal of Appellant Henrietta Rouse (“Rouse”) on the grounds that the initial brief and designation of matter appear to have been filed by Ronald Wright, who is not a lawyer, in violation of S.C. Code Ann. §40-5-310 (2001).

On July 8, 2014, Ronald Wright, who is not a party to this case, filed a “Notice of Power of Attorney.” It states that Mr. Wright has “been giving Special Power of Attorney over the affairs of the Appellant, Henrietta Rouse” and requested that he be copied on all future correspondence. On or about July 11, 2014, an initial brief was filed and was purportedly “signed” by Appellant Henrietta Rouse. A cursory review of Ms. Rouse’s previous filings leads to the conclusion that Mr. Wright prepared and filed these two documents on her behalf. First,

the Notice of Appeal (attached as Exhibit "A") contains Ms. Rouse's signature. The initial brief and designation contain a printed signature (attached as Exhibit "B"). Couple this with the recent filing of the "Special Power of Attorney", it is clear that Mr. Wright prepared the initial brief under Appellant's name and is now effectively attempting to represent Ms. Rouse in this appeal.

In *Brown v. Coe*, the South Carolina Supreme Court held that a non-lawyer executor of an estate could not represent the estate in an appeal. 365 S.C. 137, 616 S.E.2d 705 (2005). *Brown's* holding applies with equal force to those holding a power of attorney. "[A] power of attorney may not be used to circumvent state law prohibitions on the unauthorized practice of law." *Jacox v. Dep't of Defense*, No. 5:06-cv-182, 2007 WL 118102 (M.D. Ga. 2007). In the case at hand, the preparation of the initial brief and record on appeal clearly constitutes the practice of law as defined by the South Carolina Supreme Court. Accordingly, Respondent respectfully requests that the appeal be dismissed due to Mr. Wright's unauthorized practice of law.

ROGERS TOWNSEND & THOMAS PC



Jason D. Wyman (SC Bar # 100271)
220 Executive Center Drive – Suite 109 (29210)
P.O. Box 100200
Columbia SC 29202-3200
Telephone (803) 744-5303

Attorneys for Respondent Wells Fargo Bank, N.A.

Dated: July 25, 2014

IN THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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SC Court of Appeals

APPEAL FROM SUMTER COUNTY

Richard L. Booth, Master In Equity

Case No.: 2014-001016

Wells Fargo Bank, N.A.....Respondent,

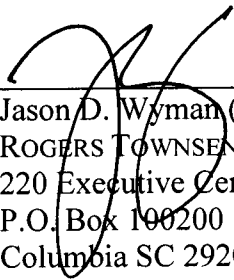
v.

Henrietta Rouse; Park West Homeowners Association, Inc.....Defendants,

Of Whom Henrietta Rouse is the..... Appellant

PROOF OF SERVICE

I certify that I have served the *Respondent's Motion To Dismiss* on Appellant by depositing a copy in the United States Mail, postage prepaid, on July 25, 2014, addressed to Appellant Henrietta Rouse at 235 Keels Road, Sumter, South Carolina 29154.



Jason D. Wyman (SC Bar # 100271)
ROGERS TOWNSEND & THOMAS PC
220 Executive Center Drive – Suite 109 (29210)
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Columbia SC 29202-3200
Telephone (803) 744-1305
Attorneys for Respondent Wells Fargo Bank, N.A.

July 25, 2014

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SUMTER COUNTY
Richard L. Booth, Master in Equity

Case No. 12-CP-43-1060
Appellate Case No. _____

72119

~~Wells Fargo Bank, N.A.,~~

Respondent

V.

Rouse, Henrietta

Appellate

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SC Court of Appeals

NOTICE OF APPEAL

PLEASE TAKE NOTICE, that I, Rouse, Henrietta, the above-named Appellate, appeals the following Orders

1. Order Denying Defendant Motions, signed by Master in Equity for Sumter County, Richard L. Booth, April 17, 2014, and Entry into the file was April 17, 2014, and I received the order by US Postal Mail, on April 19, 2014, involving Case #12-CP-43-1060.
2. Order for Writ Of Assistance, signed by Master in Equity for Sumter County, Richard L. Booth, April 17, 2014, and Entry into the file was April 17, 2014, and was served by Sumter County Sheriff Department on May 1, 2014.

Henrietta Rouse

Rouse, Henrietta
235 Keels Road
Sumter, South Carolina 29154
(803)607-9338
All Rights Reserved, Without Recourse

Rogers Townsend & Thomas, PC
Samuel C Waters, Esq. (SC Bar # 5958)
220 Executive Center Drive
Columbia, SC 29210
(803) 744-4444 – Telephone
(803) 343-7013 – Facsimile

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MAY 07 2014

SC Court of Appeals

EXHIBIT

tabular

A

STATE OF SOUTH CAROLINA }
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COUNTY OF SUMTER }
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CERTIFICATE OF MAILING
Proof of Service
Notice Of Appeal

I, Rouse, Henrietta, hereby certify that I forwarded by
Certified Mail Return Receipt Requested the attached Notice of Appeal to the
following addressees on this 6 day of MAY, 2014:

Samuel C Waters, Esq. – Bar No.: 5958
Rogers Townsend & Thomas, PC
220 Executive Center Drive
Columbia, SC 29210
(803) 744-4444 – Telephone
(803) 343-7013 – Facsimile
[ATTORNEY FOR THE RESPONDENT]

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MAY 07 2014
SC Court of Appeals

Wells Fargo Bank, N.A.
Executive Offices
Attn: Mr. Stumpf
P. O. Box 637110
San Francisco, California 94163

Henrietta Rouse
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All Rights Reserved, Without Recourse

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM SUMTER COUNTY
Richard L. Booth, Master in Equity

Case No. 2012-CP-43-1060
Appellate Case No. 2014-001016

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JUL 11 2014

Wells Fargo Bank, N.A., Respondent,

SC Court of Appeals

v.

Henrietta Rouse; Park West Homeowners Association, Inc.; Defendants,

Of Whom Henrietta Rouse is the Appellant.

BRIEF

Jason D. Wyman (SC Bar # 100271)
Rogers Townsend & Thomas, PC
220 Executive Center Drive – Suite 109 (29210)
P.O. Box 100200
Columbia, SC 29202-3200
(803) 744-5303 – Telephone
Attorney for Respondent

Rouse, Henrietta
235 Keels Road
Sumter, South Carolina 29154
(803)607-9338
Appellant

For the claim is I am appealing the Orders denying my Motions. For with this knowledge my Motion was denied because I failed to appear, for the claim is I did contact the Court via Fax on April 2, 2014, giving - -notice - - that I would not be able to attend the hearing. As a homeowner it is my right to be able to defend for my property by allowing me to have my Motions heard, especially when I did inform the Clerk of Court that I was not going to be able to come on April 3, 2014. I am also appealing the Order for WRIT OF POSSESSION (which was signed February 5, 2014, but was not schedule to be heard until April 3, 2014 and it was not filed into the Court until April 3, 2014) because it was suppose to have been heard on the same date of my Motions.

EXHIBIT

B

1. Motion for Acceptance (which included Claims Reduce to Summary Judgment, Notice of Settlement)
2. Motion for Objection of Sale

For the claim is in my Motion for Acceptance there was a section that dealt with my Perfected Security Interest which I believe to be the most important section for the Motion for Acceptance. Under the – Uniform – Commercial – Code – Revised Article 9 section 203(b) indicates that my Perfected Security Interest trumps any creditor lien or judgment of a court. For the claim is I have been the caretaker (maintenance, upkeep, guardian) of 235 Keels Road, Sumter SC 29154, for over six years. For the claim is my Interest arised as soon as I took possession of the collateral (property). For under the law is a claim of the minimum of \$8 an hour, 24 hours per day, 365 days a year, which is a minumum of \$87,000 per year times the number of years that I have been living at this location, in which I have been living more than six years (522,000.00). For the claim is my Perfected Security Interest outweighs the Interest of Wells Fargo Bank and the investor who is benefiting from my transaction, and it can not be denied under any law. For the claim is my Perfect Sercuity Interest takes presedent over the judgment that has been granted to Wells Fargo Bank by the lower court.

Henrietta Rouse
Autograph
Every Right Preserved
c/o 235 Keels Road
Sumter, South Carolina 29154
(803)607-9338

7/11/14
Date

Wells Fargo Bank, N.A.
Executive Offices
Attn: Mr. Stumpf
P. O. Box 637110
San Francisco, California 94163

Henrietta Ross
Autograph
Every Right Preserved
c/o 235 Keels Road
Sumter, South Carolina 29154
(803)607-9338

7/11/14
Date

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEALS FROM SUMTER COUNTY
Court of Common Pleas

Richard L. Booth, Master in Equity

Case No. 2012-CP-43-1060

Wells Fargo Bank, N.A.,

Respondent,

v.

Henrietta Rouse; Park West Homeowners Association, Inc.;

Defendants,

Of Whom Henrietta Rouse is the Appellant.

Appellate Case No. 2014-001016

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DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD ON APPEAL

Appellant proposes the following be included in the Record on Appeal:

1. Order Dated February 5, 2014
2. Order Dated April 17, 2014
3. Motion for Acceptance (which included Claims Reduce to Summary Judgment, Notice of Settlement)
4. Motion for Objection of Sale
5. Defendant's Exhibit 1 (UCC Filing for Perfected Security Interest)

I certify that this designation contains no matter which is irrelevant to this appeal.

July 11, 2014

Henrietta Rouse
Autograph
Every Right Preserved
c/o 235 Keels Road
Sumter, SC 29154
(803) 607-9338

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEALS FROM SUMTER COUNTY
Court of Common Pleas

Richard L. Booth, Master in Equity

Case No. 2012-CP-43-1060

Wells Fargo Bank, N.A.,

Respondent,

v.

Henrietta Rouse; Park West Homeowners Association, Inc.;

Defendants,

Of Whom Henrietta Rouse is the Appellant.

Appellate Case No. 2014-001016

PROOF OF SERVICE

I hereby certify that I forwarded by Certified Mail the attached Designation of Matter to the following location(s) on this 14 day of JULY, 2014:

Jason D. Wyman (SC Bar # 100271)
Rogers Townsend & Thomas, PC
220 Executive Center Drive – Suite 109 (29210)
P.O. Box 100200
Columbia, SC 29202-3200
(803) 744-5303 – Telephone
[ATTORNEY FOR THE RESPONDENT]

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SC Court of Appeals

Wells Fargo Bank, N.A.
Executive Offices
Attn: Mr. Stumpf
P. O. Box 637110
San Francisco, California 94163

July 11, 2014

Henrietta Rouse
Autograph
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c/o 235 Keels Road
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W RTT-LAW.COM

JASON D. WYMAN
ASSOCIATE
JASON.WYMAN@RTT-LAW.COM
P 803.744.5303
F 803.343.7017

LICENSED IN SOUTH CAROLINA



July 25, 2014

The Honorable Jenny Abbott Kitchings
Court of Appeals Clerk of Court
PO Box 11629
Columbia, SC 29211

RE: Wells Fargo Bank, N.A. v. Henrietta Rouse
Appeals Case Number: 2014-001016
RTT File No.: 513263.02287

Dear Madam Clerk:

Please find enclosed the original and seven copies of the *Respondent's Motion to Dismiss* in the above referenced matter. Please file the original and six copies and return the additional clocked copy to me in the envelope provided for your convenience.

By copy of this letter, I am hereby serving the Appellant with copy of same.

Sincerely,

A handwritten signature in black ink, appearing to be "Jason D. Wyman", written over a printed name.

Jason D. Wyman

JDW:rd

Enclosure

cc:

Henrietta Rouse
235 Keels Road
Sumter, South Carolina 29154

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SC Court of Appeals