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AUG 11 2014

Pages 1 of 6

SC Court of Appeals

IN THE STATE OF SOUTH CAROLINA  
In the Supreme Court  
Case no: 2014-001371

APPEALING the South Carolina's APPEAL COURT  
Appellate Case No. 2012-213208

APPEAL of Dorchester County Circuit Trial  
COURT OF COMMON PLEAS  
Master of Equity/servicing as Circuit – Judge Maite D. Murphy  
Case no: 2012-CP-18000539

Roger L. Whaley .....Petitioner

vs.

South Carolina Federal Credit Union and BANK of AMERICA.....Respond

PETITIONER/WHALEY's REPLY to - SOUTH CAROLINA FEDERAL CREDIT UNION'S Admitted REPLY: SCFCU's OWN!! filed MOTION TO DISMISS dated "JULY 8, 2014", titled - "REPLY TO RETURN TO THE MC TO DISMISS ON BEHALF OF SOUTH CAROLINA FEDERAL CREDIT UNION" --

NOW COMES, the Petitioner/Roger L. Whaley/a/k/a Petitioner/Whaley's continued recent research findings Respondent/South Carolina Federal Credit Union /a/k/a/SCFCU's Court stamp filed document titled, "REPLY TO RE TO THE MOTION TO DISMISS ON BEHALF OF SOUTH CAROLINA FEDERAL CREDIT UNION" dated "JULY 28, which Shows/Admits/and/or appears to be attempting to Embarrass!, this! SUPREME Court's CLERK's known! ERROR!and or had Bias Interest, when the CLERK INSTRUCTED, Pro Se Petitioner/ Whaley to filed "an AMENDED RETURN"- instead to file an AMENDED RESPONSE/or REPLY; as well as SCFCU's 7/28/2014 plead ALLEGED (without any produced documents) that "...the APPELLATE CASE MANAGEMENT SYSTEM indicated RETURN was RECEIVED by THIS COURT! ONI JULY18, 2014", regarding Respondent/SCFCU's UNTIMELY/and Improper filed MOTIN TO DISMISS...pursuant to Rule 240(c)1; regarding Petitioner/Whaley's ONLY! filed document this Court on 7/18/2014, is titled - "Petitioner/Whale's Response/or REPLY to Respondent, SOUTH CAROLINA FEDERAL CREDIT UNION'S Motion to Dismiss (and Memorandum in Support) or In the Alternative, Motion I Strike Appendix on Behalf of RESPONDENT SOUTH CAROLINA FEDERAL CREDIT UNION"; "(See attached Ext 1,2,3,4,5,6 & 7, shows SCFCU's intentional FRAUD. Return claims allegedly made by this said SUPREME COURT's CLERK, involving Clerk's entry on Case Management System; or SCFCU's 7/28/2014 Pleading WITNESS, this Supreme Court's CLERK placed Erred/o Case Management Entry of Petitioner/Whaley's filed RESPONSE/or REPLY to SCFCU's Motion to Dismiss filed in this Court on 7/18/

As the following is further stated:

1 Respondent/SCFCU's 7/28/2014 "Reply to RETURN..." ADMITS! to filed an REPLY! to its OWN! filed Motion to Dismiss, where SCFCU also ADMITS! that - "...OUR MOTION TO DISMISS DOES NOT SERVE!! and OUR! RETURN!! to the Petition for a Writ of Certiorari."; Regarding SCFCU's 7/28/2014 pleading (again) NEW! and ADDITIONAL CLAIMS "(First NEW ADDED Claims brought in the LOWER TRIAL COURT ADDED to Petitioner/Whaley's COMPLAINT Claims the FEDERAL Case 3-Hebrew Boys BUSINESS/and the FEDERAL Court Appointed alleged RECEIVER-who is also this! Supreme Court's BOARD MEMBER, I BEATTIE B. ASHMORE)" now! again!, SCFCU ADMITS! TO its NEW ADDED CLAIMS now! filed in this Supreme Court, involving SCFCU's UNTRUTHFUL/or allegational! that SCFCU's filed MOTION to DISMISS was filed PURSUANT with the RULE 240(b) - But! was actually FILED ONLY under SCACR Rule 240(c)-v DOES! NOT!! STAY!! - the TIME LIMITATION in which SCFCU MUST! have ALREADY! FILED! its RETURN to PETITION, pursuant with SCACR 242(f). (See SCFCU's JULY 8, 2014 filed "MOTION TO DISMISS..." ) therefore SCFCU continued to request SPECIAL FAVORS from the said PRIOR APPEALS and Lower Trial Ct next from this Supreme Court - "Upon this Court's Disposition of OUR MOTION to DISMISS, SHOULD! WE! not REQUIRE!! to FILE a RETURN!! to the Petition for Certiorari.". Whereas Respondent/SCFCU and its said LEGAL ADVISORS, appears to BELIEVE that the S.C. LAWS and Rules does not apply to RESPONDENT(s).

SCFCU'S 7/28/2014 PLEADING ADMITS This SUPREME COURT'S CLERK (always! Knew!!!  
"...this! COURT! **WELL! KNOWS!!**, a MOTION TO DISMISS is SEPARATE and APART fr  
A RETURN! to a PETITION for a WRIT OF CERTIORARI" <sup>2</sup> - Otherwise SCFCU appears to ADMIT!  
SUPREME COURT CLERK's LETTER of INSTRUCTIONS to Pro Se PETITIONER/WHALEY to file a "AMEN  
RETURN" was and intentional! Fraudulent! INSTRUCTION by this said SUPREME COURT's CLERK!! t  
MISLEAD! Pro Se PETITIONER/Whale, in the attached LETTER dated "JULY 24, 2014".<sup>3</sup> SCACR Rule 242(b)

1. SCFCU's MOTION TO DISMISS claimed that Petitioner/Whaley's FAXED DOCUMENTS were not a  
Perfected FAX! Delivery, was again! FRAUD Claims made, due to Respondent/SCFCU did not comply with the  
Supreme Court Rule 242(f)), when SCFCU ADMITS! 7/28/2014 pleading that SCFCU NEVER! filed its require  
RETURN to PETITION for Writ of Certiorari, due to SCFCU admits! it filed its MOTION TO DISMISS dated July  
2014, shows! filed pursuant with SCACR 240(c), which does! not! STAY! SCFCU's time in which to have F  
its required "RETURN TO PETITION" pursuant with SCACR 242(f), when SCFCU NEVER! filed its MOTIO  
DISMISS filed under 240(b), therefore SCFCU's time to file its RETURN TO PETITION is! not! at a STAY!, an  
therefore shows Petitioner/Whaley's Petition for Writ of Certiorari must/or can be Granted by this said Supreme

1a): Research found and provided documents shows Respondent/SCFCU, Fraudulently/attempt  
MISLEAD this said SUPREME COURT in its attached pleading dated 7/28/2014, by appearing to showing this  
Supreme Court's Embarrassing ERRORS of this said Supreme Court's CLERK/and/or FRAUD CLAIMS made  
against this said Supreme Court Clerk regarding this said Court's Case Management System, IMPROPER/or /

<sup>2</sup> Respondent/SCFCU, since it did not produced ANY provided DOCUMENTED EVIDENCE, that supports its allegation in SCFCU's "REPLY to RETU  
(SCFCU'S OWN) filed) MOTION TO DISMISS..." dated 7/28/2014, appears to be in RETALIATION! AGAINST! this Supreme Court Clerk who advised  
PETITIONER/Whaley that his PETITION FOR WRIT OF CERTIORARI, was not DUE! UNTIL! the DATE! JUNE 26, 2014, which SCFCU ADMITS! the  
SUPREME COURT RECORDS shows Petitioner/Whaley TIMELY FILED his PETITION for Writ of Certiorari on or BEFORE! the DATE "JUNE 26  
Which again! DEFEATS!! SCFCU's claims in its UNTIMELY/and IMPROPER filed MOTION TO DISMISSED dated "JULY 8, 2014", which made claims  
UNSUPPORTED provided LAW and Rule(s) - Fraudulently claimed that Petitioner/Whaley's PETITION for Writ of Certiorari was allegedly untimely filed  
this said SUPREME COURT CLERK Advised PRO SE Petitioner/Whaley that his PETITION for WRIT OF CERTIORARI was not due! until JUNE 26, 26  
which involved Petitioner/Whaley's filed CORRECTIONS NOTICES, RESULTING in this SUPREME Court CLERK's LETTER dated "JULY 24, 2014",  
ERROR/or OTHERWISE wrote the WROTE! reasons for Petitioner/Whaley MUST file an AMEND RESPONSE/or REPLY that was filed on 7/18/2014!  
instead this said SUPREME COURT CLERK in ERROR/or otherwise WROTE and instructed PRO SE Petitioner/Whaley to have filed an "AMENDED F  
Although SCFCU's said Pleading dated 7/28/2014 - ADMITS! Petitioner/Whaley FAXED COPY of Petitioner's AMENDMENT, DID NOT JUST  
being an AMENDED RETURN, which SCFCU ADMITS as of 7/28/2014 that SCFCU always ACCEPTED! Petitioner/Whaley filed INSTRUCTED AMEN  
as being "...RECEIVED, via FAX, what PURPOSES to be a CORRECTED! OR! AMENDED Return OR! RESPONSE to the MEMORAND  
LAW in SUPPORT of the MOTION to DISMISS and the CERTIFICATE of SERVICE, in an ATTEMPT! TO! CORRECT! the DEFICIENCIES!!  
COURT! has! HIGHLIGHTED." Therefore SCFCU ADMITS its CLEAR! UNDERSTANDING! has ALWAYS! been Petitioner/Whaley FILED! a Prop  
TIMELY RESPONSE/or REPLY!! to SCFCU's filed MOTION TO DISMISS. And ONLY! this Supreme Court's CLERK!! gave ERRED/or said BIAS (N  
Wrong! Instructions in this! Supreme Court's LETTER to PETITIONER/Whaley on "JULY 24, 2014", which SCFCU's attached 7/28/2014 PLEADING Al  
was PROPER DELIVERED to SCFCU from! this said SUPREME COURT'S CLERK!! on the DATE "JULY 25, 2014". Which Shows SCFCU wrote an  
INTENTIONAL Fraudulent "REPLY in RETURN to (SCFCU'S own! filed) MOTION TO DISMISS..." dated 7/28/2014; Pursuant with SCACR Rules 242  
(b)(1,2,3,4,5) involving all the QUESTIONS/or ARGUMENTS in Petitioner's filed Petition for Writ of Certiorari.

<sup>3</sup> Although, Pro Se Petitioner/Whaley's complied! with this Supreme Court's Erred! instructed AMENDMENT, dated 7/24/2014, SCFCU also ADMITS  
7/28/2014 that PETITIONER/Whaley's AMENDMENT, also filed his AMENDED CORRECTIONS as being ALSO! a AMENDED RESPONSE - as S  
ADMITS! "On JULY 28, 2014, Respondent SCFCU RECEIVED, via FAX "(as SCFCU ADMITS! to a Perfected Delivery! by FAX! From! Petitioner  
whom SCFCU again! ADMITS! was ACCEPTED! By! SCFCU; which DEFEATS! SCFCU's Fraud claims in its MOTION TO DISMISS - that  
Petitioner/Whaley's FAX to SCFCU was NOT! PERFECTED!; SAME as SCFCU also! ACCEPTED!! Petitioner/Whaley's HAND-WRITING located  
Petitioner/Whaley's CASHIER CHECKS which Respondent/SCFCU (and Respondent/BOA, as well as the said LOWER TRIAL COURT JUDGE  
APPEALS COURT Officials) always! ACCEPTED!! the said Found RESEARCH! HAND-WRITING located on Petitioner's PROVIDED EXHIBIT!  
SUPPORTIVE DOCUMENTED EVIDENCE, ACCEPTED by both said RESPONDENTS pursuant with Respondent(s)' OWN! provided RULE SCF  
Therefore MUST also! be ACCEPTED by this said Supreme Court, and this said Court's CLERK(s) pursuant ALSO with Respondent  
own! provided RULE SCACR Rule 240, and pursuant with SCACR Rule 242(b).; WHEREAS SHOWS SCFCU filed in its Improper! and said UNL  
filed MOTION TO DISMISS, again! shows INTENTIONAL FRAUD! and UNTRUTHFUL Claims, involving SCFCU's FILED Untimely filed MOTION TO  
pursuant with SCFCU's filed Rule SCACR 240(e), which DID! NOT! STAY!! the TIME LIMIT in which SCFCU SHALL/or must have filed SCFCU's "R  
PETITION" pursuant with SCACR 242(f) - Which SCFCU's 7/28/2014 said pleading ADMITS!! SCFCU NEVER! Timely Filed its required RETURN to

filing of Petitioner/Whaley's filed RESPONSE/or REPLY to SCFCU's filed MOTION TO DISMISS, which SCFCU even ADMITS! to this! said Supreme Court, that "...THIS!! COURT! WELL! KNOWS!! a MOTION TO DISMISS Separate and APART from a RETURN!! to! a PETITION! FOR a WRIT of CERTIORARI". As well as, SCFCU admits!! that SCFCU suppose to have TIMELY!! FILED its RETURN, when SCFCU ADMITS! "...OUR MOTION! to DISMISS!! DOES! NOT! SERVE!! AS! OUR! RETURN!! to! the! PETITION for a WRIT CERTIORARI.

**SCFCU'S 7/28/2014 PLEADING AGAIN! REQUESTS SPECIAL FAVORS!  
NOW! from this SUPREME COURT'S OFFICIALS**

1b): SCFCU! instead! of filing its required RETURN TO PETITION as of 7/28/2014, pursuant with SCACR 242(f), SCFCU's admittance! in its 7/28/2014 pleading, appears to REQUESTED again! SPECIAL FAVORS! (for SCFCU to NOT! BE UPHELD! with the same! standards of LAWS and PROCEDURES as Pro § Petitioner/Whaley, regarding this APPELLATE COURT RULES and LAW(s)...\*\*4 and now! is attempting to MISLED/and TRICK this said SUPREME COURT/and/or this Supreme Court's CLERK(s), to provide also! SPECIAL FAVORS to Respondent/SCFCU, whose 7/28/2014 pleading requests that "...Upon this Court's DISPOSITION OUR (untimely and improper filed) MOTION TO DISMISS, Should! WE! BE! REQUIRED! TO! FILE! A! RETURN! to! the! PETITION for a WRIT of CERTIORARI!.."; As SCFCU appeared BELIEF/and or prayer this said SUPREME COURT will NOT! (actually) REVIEW! SCFCU's already! filed MOTION TO DISMISS claim provided LAW(s) and Rule(s), which SCFCU ONLY! filed its Motion to Dismiss Claims pursuant with SCACR 2 whereas, NEVER! placed a STAY on the time limitation for SCFCU to have filed SCFCU's ADMITTED! required "RETURN to PETITION for Writ of Certiorari" that was timely filed by Petitioner/Whaley. Therefore shows SCFCU requested SPECIAL FAVORS! from this said Supreme Court/or from this Court's CLERK(s). Pursuant with Rule 2. Petitioner/Whaley's attached EXHIBITS 1,2,3,4,5,6,&7 shows Petitioner/Whaley's ONLY! document in this Supreme Court on!! 7/18/2014, has ONLY!! the proper! written! title - "Petitioner/Whaley's RESPONSE REPLY to Respondent, SOUTH CAROLINA FEDERAL CREDIT UNION's Motion to Dismiss (and Memorandum in Support) or, In the Alternative, Motion to Strike Appendix on Behalf of RESPONDENT SOUTH CAROLINA FEDERAL CREDIT UNION", which even! SCFCU admits! was FILED also within! THIS

<sup>4</sup> \*\*[ just as Petitioner/Whaley's always filed claims with produced! supportive documented EVIDENCE, to the Lower Trial Court and! produced again! to the APPEALS Court, which Both said COURTS own! provided LAW RULES, such as, Henning V. Kaye, always UPHELD Petitioner/Whaley's filed Claims and produced documented evidence, accepted also by BOTH said RESPONDENTS/or SCFCU who Tricked! and/or Mised!! the Appellate Court and the said Lower Trial Court's Master of Equity Judge/who REPLACED an Experienced! CIRCUIT COURT JUDGE] and is now! attempting to TRICK and MISLEAD, as well as file! FRAUD Documents/and ADDITIONAL NEW! CLAIMS, and new! LAWS/or RULES within this! said SUPREME Court, as of JULY 8, 2014 SCFCU's filed UNTIMELY and Improper filed MOTION TO DISMISS, and! now! in SCFCU's filed 7/28/2014 p

RESPONSE to the SCFCU's Untimely filed MOTION TO DISMISS, that was filed also with a CERTIFICATE OF SERVICE, "...in an ATTEMPT to CORRECT!! the DEFICIENCIES THIS!! COURT!! has HIGHLIGHTED...", which SCFCU further ADMITS! on its pages 1 & 2, dated 7/28/2014 pleading admits! that.- "...THIS! COURT! WELL!! KNOWS!!, a MOTION to DISMISS IS SEPARATE and APART! from a RETURN!! to a PETITION for Writ of Certiorari."...which SCFCU admits! further! that SCFCU NEVER! ADDRESSED the ARGUMENTS! in Petitioner/Whaley's filed Petition for a Writ of Certiorari...due to SCFCU's filed MOTION TO DISMISS "...DOES NOT SERVE!! as OUR! RETURN!! to the PETITION for Writ of Certiorari.". Pursuant with SCACR Rule 242

4a): Which SCFCU DOES ADMITS! that its required to have SERVED its "RETURN to PETITION" pursuant with SCACR Rule 242(f), but! never! Complied!! to this said Supreme Court's ORDERED/or INSTRUCTED RULE, Instructed in this! Court LETTER dated "JUNE 25, 2014", Pursuant under SCACR 242, which instructed that - "...ALL PARTIES to this MATTER are ADVISED that ALL FILING MUST COMPLY with Requirements of RULE 242 of the South Carolina APPELLATE COURT RULES (SCACR)... ADDITIONALLY, ANY!! FILINGS!! Submitted!! BY! COUNSEL!! admitted! In SOUTH CAROLINA MUST!!! INCLUDE!! COUNSEL'S!! BAR!!! Number!.

**SCFCU'S 7/28/2014 "CERTIFICATE OF SERVICE"/proof of Service  
Nor SCFCU's LAST PAGE 7/28/2014 pleading WITH the NAMES and OF ALL!!  
COUNSELORS NAMED as being a LEGAL COUNSELOR involving THIS CASE MATTER  
SHOWS on (attached Exh. B & C) again! SCFCU NEVER! COMPLIED with  
the INSTRUCTIONS [not only of the LOWER Trial Court, and APPEALS COURT, but also]  
NEVER COMPLIED of this! SUPREME COURT "JUNE 25, 2014" LETTER (See Exh. a)  
WHEN SCFCU NEVER PLACED NOT! ANY! of the REQUIRED! BAR NUMBERS!  
located on SIGNATURE PAGE, nor! located on PROOF OF SERVICE/or Certificate of Service page**

5. SCFCU's filed 7/28/2014 "REPLY to RETURN..." of SCFCU's OWN! filed MOTION TO DISMISS (See Exh. A) shows that SCFCU was UNTRUTHFUL and FRAUDULENT, or attempted to MISLEAD this Supreme Court's CLERK and/or this Supreme Court, that SCFCU's filed MOTION TO DISMISS was filed pursuant SCACR Rule 240(b), when the attached Exhibit A, of SCFCU's MOTION TO DISMISS indeed shows, the ONLY! RULE that SCFCU provided to support its MOTION TO DISMISS was under the UNDER 240(c), which NEVER! allowed a STAY!!, so that SCFCU's said named Legal Counselor(s) who ADMITTED! to have NEVER! filed ANY! required "RETURN TO PETITION" pursuant with SCACR Rule 242(f). Therefore supports the Granting of Petitioner/Whaley's filed Petition for Writ of Certiorari. Pursuant with SCACR Rule 242(b)

6. SCRCU's own! Legal Counselor's signed and filed "REPLY TO RETURN TO THE MOTION TO DISMISS on BEHALF of SOUTH CAROLINA FEDERAL CREDIT UNION" dated stamped by this Supreme Court dated "July 28, 2014", shows on SCFCU's said pleading on page 2, Signature page, and Certificate of Service, showing ALL the NAMES of ALL the alleged!! LICENSED BAR Legal Counselors who was at some time period, who submitted some type pleadings within this said case matter, was INSTRUCTED BY this said SUPREME COURT to PLACE Each! of

RESPONSE to the SCFCU's Untimely filed MOTION TO DISMISS, that was filed also with a CERTIFICATE OF SERVICE, "...in an ATTEMPT to CORRECT!! the DEFICIENCIES THIS!! COURT!! has HIGHLIGHTED...", which SCFCU further ADMITS! on its pages 1 & 2, dated 7/28/2014 pleading admits! that.- "...THIS! COURT! WELL!! KNOWS!!, a MOTION to DISMISS IS SEPARATE and APART! from a RETURN!! to a PETITION for Writ of Certiorari."...which SCFCU admits! further! that SCFCU NEVER! ADDRESSED the ARGUMENTS! in Petitioner/Whaley's filed Petition for a Writ of Certiorari...due to SCFCU's filed MOTION TO DISMISS "...DOES NOT SERVE!! as OUR! RETURN!! to the PETITION for Writ of Certiorari.". Pursuant with SCACR Rule 242

4a): Which SCFCU DOES ADMITS! that its required to have SERVED its "RETURN to PETITION" pursuant with SCACR Rule 242(f), but! never! Complied!! to this said Supreme Court's ORDERED/or INSTRUCTED RULE, Instructed in this! Court LETTER dated "JUNE 25, 2014", Pursuant under SCACR 242, which instructed that - "...ALL PARTIES to this MATTER are ADVISED that ALL FILING MUST COMPLY with Requirements of RULE 242 of the South Carolina APPELLATE COURT RULES (SCACR)... ADDITIONALLY, ANY!! FILINGS!! Submitted!! BY! COUNSEL!! admitted! In SOUTH CAROLINA MUST!!! INCLUDE!! COUNSEL'S!! BAR!! Number!.

**SCFCU'S 7/28/2014 "CERTIFICATE OF SERVICE"/proof of Service  
Nor SCFCU's LAST PAGE 7/28/2014 pleading WITH the NAMES and OF ALL!!  
COUNSELORS NAMED as being a LEGAL COUNSELOR involving THIS CASE MATTER  
SHOWS on (attached Exh. B & C) again! SCFCU NEVER! COMPLIED with  
the INSTRUCTIONS [not only of the LOWER Trial Court, and APPEALS COURT, but also]  
NEVER COMPLIED of this! SUPREME COURT "JUNE 25, 2014" LETTER (See Exh. a)  
WHEN SCFCU NEVER PLACED NOT! ANY! of the REQUIRED! BAR NUMBERS!  
located on SIGNATURE PAGE, nor! located on PROOF OF SERVICE/or Certificate of Service page**

5. SCFCU's filed 7/28/2014 "REPLY to RETURN..." of SCFCU's OWN! filed MOTION TO DISMISS (See Exh. A) shows that SCFCU was UNTRUTHFUL and FRAUDULENT, or attempted to MISLEAD this Supreme Court's CLERK and/or this Supreme Court, that SCFCU's filed MOTION TO DISMISS was filed pursuant SCACR Rule 240(b), when the attached Exhibit A, of SCFCU's MOTION TO DISMISS indeed shows, the ONLY! RULE that SCFCU provided to support its MOTION TO DISMISS was under the UNDER 240[c], which NEVER! allowed a STAY!!, so that SCFCU's said named Legal Counselor(s) who ADMITTED! to have NEVER! filed ANY! required "RETURN TO PETITION" pursuant with SCACR Rule 242(f). Therefore supports the Granting of Petitioner/Whaley's filed Petition for Writ of Certiorari. Pursuant with SCACR Rule 242(b)

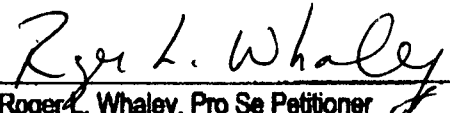
6. SCRCU's own! Legal Counselor's signed and filed "REPLY TO RETURN TO THE MOTION TO DISMISS on BEHALF of SOUTH CAROLINA FEDERAL CREDIT UNION" dated stamped by this Supreme Court dated "July 28, 2014", shows on SCFCU's said pleading on page 2, Signature page, and Certificate of Service, showing ALL the NAMES of ALL the alleged!! LICENSED BAR Legal Counselors who was at some time period, who submitted some type pleadings within this said case matter, was INSTRUCTED BY this said SUPREME COURT to PLACE Each! of

their BAR Number, but! again! you can see, that NEITHER! SCFCU's Legal Counselor again! NEVER!! COME with the Instructed orders of this said Appellate Supreme Court, just recorded/or DOCUMENTED Copies of SC records shows NEITHER Counselor(s) Complied with Appeals Court's mailed Instructions to filed a REQUIRE Timely filed "INITIAL BRIEF" and DESIGNATION of MATTER, just as SCFCU NEVER complied with the Low Court's written instructed EMAILED instructions for SCFCU to have prepared its OWN filed alleged Proposed Resulted in RespondentS/or SCFCU's continued!! NON-COMPLIANCE with ALL these said named Court's w instructions, which resulted in ONLY SPECIAL FAVORS were applied to the said RESPONDENTS/or SCFCU Legal Counselor(s), who indeed DID NOT COMPLY to this said Supreme Court's Instructed written instruction ORDERS, dated JUNE 25, 2014.

#### CONCLUSION

WHEREFORE, the attached research found documents of attached 12 EXHIBITS, are ONLY of docs previously filed within this said Supreme Court which obtained no-research hand-writing located on neither sai documents, if this said Supreme Court, personal wants COPIES without and found research located on the sa documents. THEREFORE, any other required information, can be produced by this said Pro Se Petitioner/W who has always been in compliance with the instruction letters/and/or WRITTEN signed COURT ORDERS of the said named Courts. Whereas any corrections need, please do not hesitate to contact this said PRO SE Petitioner, who will immediate comply with this said Court's found deficiencies.

AUGUST 7, 2014

  
Roger L. Whaley, Pro Se Petitioner  
8673 Laurel Grove Lane  
North Charleston, S.C. 29420

SEE NEXT PAGE – TYPE PROOF OF SERICE  
as requested to be on a separate page....

IN STATE OF SOUTH CAROLINA  
IN the SUPREME COURT  
Case No. 2014-001371

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**RECEIVED**

AUG 11 2014

APPEALED FROM S.C. APPEAL COURT  
Case no. 2012-213208

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**SC Court of Appeals**

ORIGINAL APPEAL from LOWER TRIAL COURT Dorchester County  
COURT OF COMMON PLEAS  
Replacement Master of Equity Judge/served as Circuit Court Judge/Maite D. Murpl  
Case no. 2012-CP-18-539

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Roger L. Whaley, Pro Se .....Pro se, Petitioner

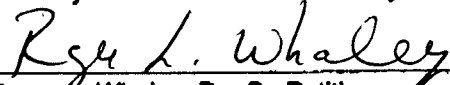
v.

SOUTH CAROLINA FEDERAL CREDIT UNION and BANK of AMERICA...Respondent

**PROOF OF SERVICE**

I certify that I have served BOTH Respondents, South Carolina Federal Credit Union and Bank of America (although! this said PETITIONER/Whaley's said REPLY is Replying only to SCFCU's filed "REPLY to RETURN to the MOTION TO DISMISS on Behalf of South Carolina Federal Credit Union" whereas all proper parties has been properly and timely served by this said Petitioner/Whaley.

August 7, 2014

  
Roger L. Whaley, Pro Se Petitioner  
8673 Laurel Grove Lane  
North Charleston, S.C. 29220

cc: NELSON MULLIN RILEY & SCARBOROUGH, LLP  
Jody A. Bedenbaugh, S.C. Bar No. 71176  
Erik T. Norton, S.C. Bar No. 73860  
Tara C. Sullivan, S.C. Bar No. 79806  
1320 Main Street/17 Floor  
Post Office Box 11070 (29211-1070)  
Columbia, South Carolina 29201  
(803) 799-2000

RICHARDSON & PLOWDEN, Law  
Sheila M. Bias, Esquire - No Bar No.  
Draw H. Butler, Esquire- No Bar No.  
Caleb M. Riser, Esquire-No Bar No.  
1900 Barnwell Street (29201)  
P.O. Drawer 7788  
Columbia, S.C. 29202  
803-771-4400

**ATTACHMENTS – 12**  
**WHALEY'S REPLY to SCFCU's REPLY to its OWN filed MOTION TO DISMISS**  
**dated 7/28/2014**

**RECEIVED**  
AUG 11 2014  
**SC Court of Appeals**



Exh. a

# The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT

BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA  
29211

1231 GERVASE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE (803) 734-1000  
FAX (803) 734-1490  
www.sccourts.org

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June 25, 2014

SC Court of Appeals

Mr. Roger L. Whaley  
8673 Laurel Grove Lane  
North Charleston SC 29420

Re: Roger Whaley v. SC Federal Credit Union  
Appellate Case No. 2014-001371

Dear Mr. Whaley:

This Court has received your Petition for Writ of Certiorari and Appendix, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 242 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at [www.sccourts.org/courtreg](http://www.sccourts.org/courtreg). Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals. The order can be found at [www.sccourts.org/whatsnew/displaywhatsnew.cfm?indexID=932](http://www.sccourts.org/whatsnew/displaywhatsnew.cfm?indexID=932). Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will not review filings for redaction or to determine if materials should be sealed.



Exh. [redacted]

# The Supreme Court of South Carolina

DANIEL E. SHEAROUSE  
CLERK OF COURT

BRENDA F. SHEALY  
CHIEF DEPUTY CLERK

POST OFFICE BOX 11330  
COLUMBIA, SOUTH CAROLINA  
29211  
1231 GERVAIS STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1000  
FAX: (803) 734-1499  
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July 24, 2014

Mr. Roger L. Whaley  
8673 Laurel Grove Lane  
North Charleston SC 29420

Re: Roger Whaley v. SC Federal Credit Union  
Appellate Case No. 2014-001371

Dear Mr. Whaley:

This Court has received your corrections to the footnotes in your return.

If you want this Court to consider these corrections, you will need to serve and file an amended return that fully incorporates these corrections. You will need to provide this Court with an original and 6 copies of the amended return along with a proof of service showing that a copy of the amended return has been served on opposing counsel. The amended return must be served and filed within ten (10) days of the date of this letter.

Very truly yours,

CLERK

cc: Erik Tison Norton, Esquire  
Jody Alan Bedenbaugh, Esquire  
Tara C Sullivan, Esquire  
Drew Hamilton Butler, Esquire  
Sheila Marlouvon Bias, Esquire  
Caleb Martin Riser, Esquire

IN THE STATE OF SOUTH CAROLINA  
In The Supreme Court

APPEAL FROM DORCHESTOR COUNTY  
Court of Common Pleas  
Maite D. Murphy, Circuit Court Judge

On Order of Dismissal (S.C. Ct. App. Filed Feb. 27, 2014)  
Appellate Case No.: 2014-001371

**RECEIVED**  
JUL - 8 2014  
S.C. Supreme Court

Roger L. Whaley .....Petitioner

vs.

South Carolina Federal Credit Union and Bank of America .....Respondents.

**MOTION TO DISMISS OR, IN THE ALTERNATIVE, MOTION TO STRIKE  
APPENDIX ON BEHALF OF RESPONDENT SOUTH CAROLINA FEDERAL  
CREDIT UNION**

Respondent South Carolina Federal Credit Union ("SCFCU") hereby moves this Court for an Order dismissing Petitioner's Petition for a Writ of Certiorari as untimely. Alternatively, and should this Court accept Petitioner's untimely filing, SCFCU moves to strike the Appendix filed by Petitioner due to extraneous information found on the documents included in the filed Appendix.

Pursuant to Rule 240(c), SCACR, the accompanying Memorandum of Law supports this Motion.

[SIGNATURE TO FOLLOW]

2014-001371

IN THE STATE OF SOUTH CAROLINA  
In The Supreme Court

RECEIVED  
JUL 28 2014  
S.C. Supreme Court

APPEAL FROM DORCHESTOR COUNTY  
Court of Common Pleas  
Maite D. Murphy, Circuit Court Judge

On Order of Dismissal (S.C. Ct. App. Filed Feb. 27, 2014)  
Appellate Case No.: 2014-001371

Roger L. Whaley.....Appellant,

vs.

South Carolina Federal Credit Union and Bank of America .....Respondents.

REPLY TO RETURN TO THE MOTION TO DISMISS ON BEHALF OF SOUTH  
CAROLINA FEDERAL CREDIT UNION

Respondent South Carolina Federal Credit Union ("SCFCU") hereby submits this brief Reply and Response to the Return to our Motion to Dismiss. SCFCU specifically incorporates by reference as if repeated herein verbatim its arguments in its Motion to Dismiss and supporting Memorandum, and will only address new matters raised by Petitioner's Return to our Motion in this Reply.

As this Court well knows, a Motion to Dismiss is separate and apart from a Return to a Petition for a Writ of Certiorari. Accordingly, any relief requested by Petitioner regarding our Motion to Dismiss

On July 25, 2014, counsel for Respondent SCFCU received a copy of this Court's deficiency notice to Mr. Whaley regarding the filing of the Return to the Motion to Dismiss. However, Respondent SCFCU was never served with a copy of the Return to the Motion to Dismiss. A review of the Appellate Case Management System indicates that a Return was received by this Court on July 18, 2014. On July 28, 2014, Respondent SCFCU received, via fax, what purports to be a corrected or amended Return or Response to the Memorandum of Law in Support of the Motion to Dismiss and the Certificate of Service in an attempt to correct the deficiencies this Court has highlighted. Although it does not appear that the Amended Return is a proper amendment nor has Respondent SCFCU actually received the Return to its Motion to Dismiss, in the interest of judicial economy, Respondent SCFCU will respond briefly to this Motion.

DKN

not addressing the arguments in his Petition for a Writ of Certiorari should be rejected as our Motion to Dismiss does not serve as our return to the Petition for a Writ of Certiorari. Upon this Court's disposition of our Motion to Dismiss, (should we be required to file a Return to the Petition for a Writ of Certiorari, same will be filed at that time and in accordance with this Court's orders. See Rule 240(b), SCACR ("A motion to dismiss an appeal ... shall, however, automatically stay the time limits for perfecting the appeal until the motion is decided.").

Based on the foregoing, our Motion to Dismiss, and Memorandum in Support thereof,

Respondent SCFCU respectfully requests that this Court dismiss the Petition for Writ of Certiorari as untimely or, in the alternative, issue an Order striking the appendix filed by Mr. Whaley.

Respectfully submitted,

*Sheila Bias*

Drew H. Butler, Esquire  
Caleb M. Riser, Esquire  
Sheila M. Bias, Esquire  
RICHARDSON PLOWDEN & ROBINSON, P.A.  
1900 Barnwell Street (29201)  
P.O. Drawer 7788  
Columbia, South Carolina 29202  
803-771-4400

Counsel for Respondent South Carolina Federal Credit Union

July 28, 2014

IN THE STATE OF SOUTH CAROLINA  
In The Supreme Court

**RECEIVED**  
JUL 28 2014  
S.C. Supreme Court

APPEAL FROM DORCHESTOR COUNTY  
Court of Common Pleas  
Maite D. Murphy, Circuit Court Judge

On Order of Dismissal (S.C. Ct. App. Filed Feb. 27, 2014)  
Appellate Case No.: 2014-001371

Roger L. Whaley .....Appellant,

v.

South Carolina Federal Credit Union and  
Bank of America .....Respondents.

**CERTIFICATE OF SERVICE**

I, the undersigned, an employee of Richardson Plowden & Robinson, P.A., attorneys for Respondent South Carolina Federal Credit Union, do hereby certify that I have this date served the foregoing Reply to Return to the Motion to Dismiss on behalf of Respondent South Carolina Federal Credit Union by personally depositing a copy of the same in a United States Postal Service mailbox, postage prepaid, addressed to the following:

Roger L. Whaley  
8673 Laurel Grove Lane  
North Charleston, South Carolina 29420

Tara C. Sullivan, Esquire  
Erik T. Norton, Esquire  
Jody A. Bedenbaugh, Esquire  
Nelson Mullins Riley & Scarborough, LLP  
Post Office Box 11070  
Columbia, South Carolina 29211

*Daisy F. Bonds*  
Daisy F. Bonds

Dated: July 28, 2014

*Never complied with his Supreme Court order June 25, 2014 Regula that "any" can sel. Admitted in S.C. Must include Counsel's Bar Number*

*Admitted None Attorney*

*\* SCFCU proof of service  
Never state that it is a Reply to Return to Dismiss the Motion was from Plaintiff Whaley*

Exh 1

IN THE STATE OF SOUTH CAROLINA  
In The Supreme Court

APPEALING the South Carolina's APPEAL COURT  
Appellate Case no. 2012-213208

APPEAL of Dorchester County Circuit Trial  
Court of Common Pleas  
Master of Equity/serving as Circuit - Judge Maite D. Murphy

Page 1 of 8 - Attachments-14

Roger L. Whaley ..... Petitioner/Appellant,

vs.

South Carolina Federal Credit Union and Bank of America ..... Respondents.

Petitioner/Whaley's RESPONSE/or Reply to Respondent,  
SOUTH CAROLINA FEDERAL CREDIT UNION's Motion to Dismiss (and Memorandum in Support) or, in the  
Alternative, Motion to Strike Appendix on Behalf of RESPONDENT SOUTH CAROLINA FEDERAL CREDIT UNION

COMES NOW, Petitioner/Plaintiff/Appellant, Roger L. Whaley/a/a Petitioner/Whaley writing his responses/or Reply ONLY to the Respondent, South Carolina Federal Credit Union/a/a SCFCU, who ONLY filed SCFCU's said motion to dismiss/and said memorandum in support/a/a "Memorandum", to be reviewed by this said Supreme Court involving Petitioner/Whaley's filed and this Supreme court's acceptance of Petitioner's Writ of Certiorari and Appendix, after Petitioner Corrected this said court's requested "deficiency...of...the...proof of service...", which Petitioner/Whaley did timely complied, as Petitioner/Whaley respond/or reply by the below numbered statements;

1. Respondent/SCFCU's filed motion to dismiss and Memorandum is not in compliance with the SCACR Rule 240(c)(3),<sup>1</sup> nor Rule 242(f)<sup>2</sup>, when SCFCU's complete motion and Memorandum does not address absolutely none of the required "...Argument on each Question...presented for Review...", written in Petitioner/Whaley's Writ of Certiorari, which Respondent/SCFCU ADMITS<sup>3</sup> was FAXED as filed in this said Supreme Court, with the date June 23, 2014, and admits, later was immediately Delivered by Petitioner, the Original Writ document to this Supreme Court. Therefore Respondent/SCFCU said Admittance shows Petitioner's Writ of Certiorari was timely served, and properly accepted by this Supreme Court on the date June 25, 2014, pursuant with SCACR Rule 262(a)(2)<sup>3</sup>.

2. Respondent/SCFCU's 7/8/2014 filed Motion to Dismiss & Memorandum, (see Exh. H-0), shows Respondent/SCFCU never Complied with its own! provided Rule, SCACR Rule 240(c), alleging "Petitioner's Petition for Writ of

<sup>1</sup> "Rule 240(c) Form and Content of Motions and Petitions... (2) Where the Record on Appeal or Appendix has not been filed, or where the facts relied upon in support of the motion are not contained in the Record on Appeal or Appendix, the parties shall file affidavits and other documents in support of their positions.  
<sup>2</sup> "... (4) Notice to Petitioner. Within thirty (30) days after service of the petition, respondent shall cause a copy of his return on opposing certiorari, and shall file with the Clerk of the Supreme Court... The return shall include an argument on each question and may include a concise statement of the case and of the questions presented for review."  
<sup>3</sup> MAILING AND SERVICE - (4) Filing. Except for petitions for rehearing (Rule 221) and motions for rehearing (Rule 268), all cases are accomplished by:  
(2) "... An electronically transmitted PRINTABLE COPY of a document may be ACCEPTED for filing; however, an original of the document must be immediately sent to the clerk...; Which Respondent SCFCU ADMITS it is "RECEIVED, VIA FAX, A COPY OF A DOCUMENT..." of you on Petitioner/Whaley's FAXED, Writ of Certiorari, "... ADMITTED the said above Court by DOCUMENT DATED JUNE 23, 2014." (See Exh. A); An Respondent/SCFCU ADMITS on an Petitioner/Whaley, that SEVERAL, RESPONSES to this SUPREME COURT BEFORE the deadline Rule of this court, which stated in the RECORD was specifically FILED BY Petitioner/Whaley "... OFFENSES TO WHICH AN EXTENSION OF TIME... Provided with SCACR 262(a) when - "... This Rule governs all motions or petitions filed in the appellate court, including but not limited to: motions for extension of time...; which event Respondent/SCFCU admitted to the said Petitioner's blame (and the ADMITTED) as an Extension of Time. Which, this Supreme Court CLERK, provided you on Petitioner/Whaley ON the DATE June 8, 2014 that he had UNTIL "JULY 26, 2014" to file his Writ of Certiorari, which you on Petitioner/Whaley HAND-DELIVERED to this Supreme Court, ON the date JUNE 8, 2014. (See Exh. A), which Respondent/SCFCU ADMITS that "Petitioner... filed, on JUNE 8, 2014, a NOTICE of COURTEOUS... advising the Court and the Clerk that he would be filing his Petition for a Writ of Certiorari..." (See Exh. 1); THEREFORE, ALL Proper notice and this said Supreme Court was GIVEN TIMELY (and) FILED (and) RECEIVED, and was always in Compliance with the SCACR rule 240(c), and SCACR rule 242(f).

Exh. 2

Certiorari as UNTIMELY. Alternatively...moves to STRIKE the APPENDIX filed by Petitioner due to extraneous INFORMATION FOUND on the DOCUMENTS INCLUDED in the filed Appendix.; Whereas, Respondent/SCFCU's own provided Rule 240(c)(3) supports, Respondent/SCFCU never provided ANY required DOCUMENTATION from this Supreme Court's office, nor from Respondent/SCFCU's said Attorney(s), which could possibly support SCFCU's claims alleged in its "Argument" on pages 3, & 4, that "...The Petition for a Writ of Certiorari is UNTIMELY...On or about June 24, 2014, counsel for Respondent/SCFCU Received VIA FAX, a copy of a Document, attached as Exhibit B...document was dated June 23, 2014..."; (See Attached Exhibits 2,3,4)

2a): As the attached above exhibit documents in number 2, shows neither of Respondent/SCFCU's provided any alleged attached DOCUMENTED EVIDENCE, NEVER! showed Respondent/SCFCU received any Faxed document on the alleged date June 24, 2014; as well as Respondent/ SCFCU never provided ANY DOCUMENT from this Supreme Court, showing any date other than the written date "June 23, 2014" when this Supreme Court received its Faxed!! copy of pro se Petitioner/Whaley's Writ of Certiorari. Therefore shows Respondent/SCFCU never produced the required documents in order to uphold its allegations filed in its motion to dismiss, pursuant with SCACR Rule 240(c)(3).

3. Respondent/SCFCU ADMITS! pro se Petitioner/Whaley's provided EXHIBITS having also the HAND-WRITING Notes on side, Circles, Arrows...are "Correspondence and ORDERS!! RELATED!! to this APPEAL...", filed under Respondent/SCFCU's 7/08/2014 Supreme Court filed Motion to Dismiss or said Alternative... (appear to be on page 1, court stamp dated July 8, 2014, [See Exh. H-0], and/or on page 5, under "I, In the Alternative, SCFCU moves to STRIKE the APPENDIX), which Respondent/SCFCU ADMITS! this said Supreme Court, as well as the Appeals Court, and! always!! filed also within the said LOWER COURT, are documents always accepted by ALL the PARTIES in the Lower Trial Court, which is pursuant with Respondent/SCFCU's own! provided RULE, 210, SCACR, when Respondent/SCFCU admits! that -

"Petitioner's 'EXHIBITS,' which this Court construed as the APPENDIX in this Matter, CONSIST! of various Correspondence and ORDERS!! RELATED!! to this APPEAL! Although! these ARE! ITEMS! which MAY! BE! typical of an APPENDIX, Petitioner...Rather, most of the Documents have Petitioner-emphasized text by way of HANDWRITTEN NOTES, CIRCLED, and UNDERLINED Text, and ARROWS. See Exhibit D. Part 1, Petitioner's Filed Appendix. Petitioner has improperly altered these documents from their original state and his submission of such altered documents to this Court is IMPERMISSIBLE. SEE Rule 210, SCACR..." 4.

Therefore, Respondent/SCFCU's above own! admittance! makes moot!and/or shows must DENY Respondent/SCFCU's Move to Strike the Appendix, pursuant with its rule 210, or any of South Carolina Appellate Court rules. 5

4 As Rule SCACR 210(c) admits that "... (c) Content. The Record on Appeal shall include all matter designated to be included by any party under Rule 208 and shall comply with the requirements of Rule 267. The Record shall not, however, include matter which was not presented to the lower court or tribunal"; and

5 Rule 208 states that "... (a) Time to Serve and File. At the same time a party serves his initial brief(s) under Rule 208, to include a reply brief, he shall also serve on all parties to the appeal a Designation of Matter to be included in the Record on Appeal which shall set forth with specificity those parts of the transcript, pleadings, orders, EXHIBITS, or OTHER MATERIALS which he proposes to include in the record on appeal. One copy of this Designation with proof of service shall immediately be filed with the clerk of the appellate court."

6 Respondent/SCFCU's said Motion to Dismiss filed in the Appeals Court (See Exh. H2,3,4) dated February 5, 2014 under its "INTRODUCTION BACKGROUND" - ADMITS! DO NOT DENY! and/or SHOWS - in its Foot and two paragraphs, that it always ACCEPTED and RELIED upon pro se Appellate/Petitioner/Whaley's (HAND-WRITTEN NOTES, Circles, Arrows, within on its ATTACHMENTS) with the Original COMPLAINT filed to the Lower Trial Court, and the SAME type documents also within the said APPEAL COURT, shown cases hand-writing, within on pro se PETITIONER/Whaley's provided CASHIER'S CHECKS, which Respondent/SCFCU "INTRODUCTION BACKGROUND" ADMITS! Petitioner/Whaley's CASHIER'S CHECKS, and ALL its other RESEARCH/FOUND Documents (which also have hand-written notes located on its said CIRCLES, and Arrows) which shows the ACTUAL CROCKERY, within TYPED NAME Document with the Petitioner/Whaley's named PAYEE, whom Respondent/SCFCU ADMITS! to CLEANLY UNDERSTOOD that Respondent/SCFCU study OUT to the "...Entry Issues as CAPITAL CONSORTIUM GROUP..."; which are the SAME exact type DOCUMENTS filed and ACCEPTED within the Lower Trial Court, and the Appeals Court, in which Respondent/SCFCU relied upon and actually USED these said Documents as their alleged PROOF, involving the Petitioner's own CASHIER'S CHECKS.

7 Although Appeals court had documents, shows neither said named RESPONDENT/SCFCU nor BDA, NEVER complied with Respondent/SCFCU's own provided South Carolina Appellate Court rule 210, or Rule 208, INVOLVING the REPLY to pro se Appellate/PETITIONER/Whaley's TIMELY said INITIAL BRIEF, which Respondent/SCFCU had before ADMITS! that...

8 The underlying action was COMMENCED on FEBRUARY 15, 2012, with APPELLANT filing a confusing COMPLAINT AGAINST BANK of AMERICA (BDA) and SOUTH CAROLINA FEDERAL CREDIT UNION (SCFCU). It appears the allegations INCLUDED CHARGES of Civil Conspiracy, Fraud, THEFT of MONEY, and BREACH of CONTRACT with named as CASHIER'S CHECKS issued BY SCFCU and BY BDA issued as CAPITAL CONSORTIUM GROUP and (through) REPOSITED into BDA's ACCOUNT at BDA. The NOTICE OF APPEAL was filed in OCTOBER 2012. Due to various ISSUES with the TRANSCRIPT, and FILING DEFICIENCIES, Appellate's reported INITIAL BRIEF was not filed until AUGUST of 2013. On October 24, 2013, BDA filed A Motion to Dismiss or in the Alternative 7 Motion to STRIKE from Petitioner's INITIAL BRIEF and DESIGNATION of Matter to be INCLUDED in the RECORD on APPEAL."



Exh. 4

Court's prior decisions, pursuant with SCACR 242(b)(2)&(3); which now on 7/8/14, the said Respondent/SCFCU has provided this said SUPREME COURT with a NEW case LAW "Cf. Elam v. South Carolina Dept. of Transp., 361 S.C. 9, 602 S.E. 2d 772 (2004), which again! contradicts! or shows that! said cas LAW "Cf. Elam v. S.C. Dept of Transp..." also FAVORS! the pro se Petitioner/Whaley, when this SUPREME COURT RULED! and admits! that "...the granted the petition for a writ of certiorari to review the Court of Appeals' unpublished order dismissing the appeal of the South Carolina Department of Transportation (SCDOT) as untimely, Elam v. South Carolina Dept of Transp., S.C. Ct.App. Order dated July 26, 2002. We REVERSE"; - which makes the Appeals Case pursuant with SCACR Rule 242(b)(3), which CONFLICTS! with a PRIOR RULING of this said Supreme Court's DISCUSSION.

6a). Respondent/SCFCU's filed requests in their 07/08/2014 motion and memorandum, shows "... Where the decision of the Court of APPEALS is in CONFLICTS with a PRIOR DECISION of the SUPREME COURT- decided by this Supreme Court of South Carolina. Heard November 19, 2003. Decided September 13, 2004. In ELAM v. SOUTH CAROLINA DEPT. of TRANSP. NO. 20030... 361 S.C. 9 (2004), 602 S.E.2d 772, Hatlie Rose ELAM, Respondent, v. SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION, Petitioner, whereas makes Respondent/SCFCU's alleged DEADLINE Claims another moot and Conflicting claims by SCFCU, whose Motion to Dismiss must be denied for "Declined". SEE "Rule 242(b), SCACR" - 7

Respondent/SCFCU ADMITS! THIS SUPREME COURT "constructed" for READ AS the APPENDIX to THIS MATTER -- CONSIST of various CORRESPONDENCE and ORDERS RELATED TO! this APPEAL; which RESPONDENT/SCFCU's 07/08/2014 "Introduction" FOOTNOTE 1 SHOWS "Where substantial constitutional issues are directly involved; AND Where a federal question is included and the decision of the Court of Appeals conflicts with a decision of the United States Supreme Court; involving also a FEDERAL RECEIVER Mr. Reggie B. Ashmore who is chief EMPLOYER/owner/manager with THE SUPREME COURT BOARD; Pursuant with 28 USC 958 (see Ex. C) and Conflicts with the STATE COURT LAW in a Appointed RECEIVER-Law Firm of Madame Justice Wiley & Scarborough, LLP

7. Respondent/SCFCU's 7/8/2014 motion to dismiss memorandum, on page 5, under its "in the Alternative, SCFCU moves to strike the Appendix", ADMITS that "Petitioner's 'EXHIBITS' in its Appendix in this matter, CONSIST of various Correspondence and Orders RELATED! to this! APPEAL." Petitioner/Whaley provided the SAME attached documents given to this Supreme and Appeals Court - is! not denied!! by Respondent/SCFCU/was given to the Appeals Court, provided with Appellant/Petitioner's filed along! with! the Lower Court's TRANSCRIPT(s), and other Documented EVIDENCE, that always SUPPORTED, Petitioner's SAME documents with all said handwritten notes-written, was also provided to the Lower Trial Court, which make ALL THOSE SAME said Documents Admissible! in this SUPREME COUR, as well within the said APPEAL COURT, involving the APPEALS COURT'S (alleged Final) ORDERS (which RESPONDENT/SCFCU admits the Court GRANTED both RESPONDENTS Motion to Dismiss involving the APPEAL Court) dated 5/22/2014 AND 02/27/2014, although NEITHER! said named RESPONDENTS! NEVER! Objected! to absolutely! copy of the said HAND-WRITTEN NOTES, or Circles, and Arrows marks on the SAME documents that were filed within the lower Trial Court, involving Petitioner's Cashier's Checks named PAYEE, whom Respondent/SCFCU admits it made out Petitioner's cashier's checks to the Entity Capital Consortium Group. \*

<sup>7</sup> SCACR 242(b) Considerations Governing Review. A writ of certiorari is not a matter of right... granted only where there are special and important reasons... which will be considered:  
(2) Where there is a dissent in the decision of the Court of Appeals.  
(3) Where the decision of the Court of Appeals is in conflict with a prior decision of the Supreme Court.  
<sup>8</sup> Respondent/SCFCU has solely used the said WRITTEN DOCUMENTS as SCFCU's alleged documented EVIDENCE, as to allegedly support its allegations involving PETITIONER/WHALEY'S provided CASHIER'S CHECKS, named PAYEE/COG, whom BOTH Respondent/ SCFCU's Motion to Dismiss filed in the SUPREME COURT dated 7/8/2014, page 2 "Introduction" FOOTNOTE 1, ALLEGED that "...the filed Judge's ORDER on RESPONDENT'S Motion to Dismiss, PETITIONER'S claims RELATED to CONSTITUTIONAL, BY MADE, Via CASHIER'S CHECKS, are Control/controlled, an ENTITY CONTROLLED BY CORPORATIONS (through, the Queen, Business-writer in Respondent's pleadings and in LOWER TRIAL COURT'S TRANSCRIPTS) Controlled REFERRED to as the "THREE HERMAN GROUP" in DECEMBER of 2010, the "THREE HERMAN GROUP" were CONVICTED for THEIR involvement in an alleged FUND RAISING involving the CORPORATION and CAPITAL DOCUMENTATION and Other Similar ENTITIES... involving a FEDERAL COURT said Case entitled "State Interference with the US GOV'S STATES COURT CASE MATTER", which RESPONDENT/ SCFCU and the APPEAL COURT - said claims and decisions/request involves "...Where a federal question is included and the decision of the Court of Appeals conflicts with a decision of the United States Supreme Court." pursuant with SCACR Rule 242(b)(5);

Exh. 5

8. Respondent/SCFCU's said Motion to Dismiss/Memorandum 07/08/2014, under its Footnote 1, makes its claims, (WITHOUT! Respondent/SCFCU Never! PRODUCED!! absolutely NO! SUPPORTIVE DOCUMENTS), which Respondent/SCFCU'S own said Motion & Memo, says is required pursuant with SCACR Rule 240(c) for 240(c)(3), which SCFCU's claims involve the Appeal Court's DECISIONs of 5/22/2014 and 2/27/2014, that involves a Question in this said matter, Pursuant with SCACR Rule 242(b)(4), Where substantial constitutional issues are directly involved, (pursuant also with SCACR Rule 242 (b)(2)(3)&(5), INVOLVING Respondent/SCFCU's 7/8/2014 FOOTNOTE 1 claims and allegations involving Petitioner/Whaley's -

"...Via Cashier's Check, to CAPITAL CONSORTIUM, and ENTITY Controlled (allegedly) by INDIVIDUALS (Fough, McQueen, Brunson, See Lower Trial Court Transcript, regarding Federal Law issues! brought by Respondents in this State! Court Laws hearing matters held, May, 2012) Colloquially referred to as the 'THREE HEBREW BOYS'. In December of 2010, the 'THREE HEBREW BOYS' were CONVICTED as to for their INVOLVEMENT in an alleged! PONZI SCHEME. To/fo which Petitioner's Original COMPLAINT/and filed in the Appeals Court, always! claimed "THEFT!! of Money Funds" -

"(which involves ONLY! Respondent(s)! who JOINT! ADDED! PARTY (the alleged! Federal RECEIVER, Mr. Beatlie B. Ashmore/who is also!! a MEMBER! on the BOARD! of this said SUPREME COURT) whom RESPONDENT(S)/SCFCU's JOINT a FEDERAL! Case Law Matters! with [a Prior Closed! STATE! COURT! Case Law MATTER] and thial present! ONGOING STATE! COURT! Case Law MATTER! that the said FEDERAL COURT Case said Laws interferes with this said ONGOING!! STATE! Court CASE Laws and Rules, which involves "...Where substantial constitutional issues are directly involved; AND Where a federal question is included and the decision of the Court of Appeals conflicts with a decision of the United States Supreme Court..."; pursuant with SCACR Rule 242(b)(4)(5).

9. Respondent/SCFCU's 07/08/2014, Supreme Court filed Motion to Dismiss and Memorandum, under its footnote 1, makes allegations involving another! Court CASE MATTER, involving the said Respondent/SCFCU and the S.C. APPEAL Court's granted Orders of 5/22/2014 and 2/27/2014, ordered pursuant ONLY!! with a SUPREME STATE! Court Case LAW "Henning v. Kay, 307 S.C. 436, 415 S.E. 2d 794 (1992)", which RULED IN FAVOR of pro se Petitioner/Whaley, as to this Supreme Court's ORDERED the RESPONDENT's Motion to Dismiss (and memo) to be "DECLINED"/or DENIED. Which is pursuant with SCACR Rule 242 (b)(2)(3)&(5)

10. Respondent/SCFCU's 07/08/2014, Supreme Court filed Motion to Dismiss and Memorandum, under its footnote 1 makes allegations involving another Court Case matter, which Respondent/SCFCU alleged involves Petitioner/Whaley's filing of his Writ of Certiorari to be allegedly! UNTIMELY, which Respondent/SCFCU provided another SUPREME State! Court Case Law... "ELAM v. SOUTH CAROLINA DEPT. OF TRANSP. ... 361 S.C. 9 (2004), 602 S.E.2d 772", which Ruled ALSO in FAVOR of pro se Petitioner/Whaley, when Elam v. S.C. of Trans, ruled that "...We granted the petition for a writ of certiorari to review the Court of Appeals' unpublished order dismissing the appeal of the South Carolina Department of Transportation (SCDOT) as unlawful. Elam v. South Carolina Dept of Transp., S.C. ClApp. Order dated July 25, 2002. We reverse!!- Which is pursuant with SCACR Rule 242 (b)(2)(3)&(5)

WHEREFORE, in Conclusion of Respondent/SCFCU's request to this said Supreme Court, have requested matters that "... the decision of the Court of Appeals is in CONFLICTS with a PRIOR DECISION of this SUPREME Court". Furthermore, shows that Respondent/SCFCU's motion to dismiss and its memorandum in support must be "DECLINED"/or Denied, and therefore shows this honorable Supreme Court must Grant pro se Petitioner/Whaley's Petition for Writ of Certiorari, by upholding this Supreme Court's prior said Ordered decisions involving the LAWS provided by the said named Respondent/SCFCU, which all said LAWS were indeed in FAVOR of the pro se Petitioner/Whaley, involving also the Appeals Court's ordered decisions of May 22, 2014 involving its order of 2/27/2017, must be overruled, and REVERSE/and or remand this said very serious, case matter to be heard within whatever proper Court(s)

Dated July 18, 2014

*Roger L. Whaley*  
Roger L. Whaley, Pro Se  
8873 Laurel Grove Lane  
North Charleston, South Carolina, 29420

Exh. 7

IN THE STATE OF SOUTH CAROLINA  
In The Supreme Court  
Case no: 2014-001371

APPEALING the South Carolina's APPEAL COURT  
Appellate Case no. 2012-213208

APPEAL of Dorchester County Circuit Trial  
Court of Common Pleas  
Master of Equity/serving as Circuit - Judge Malle D. Murphy  
Case no: 2012-CP-18000539

Roger L. Whaley ..... Petitioner  
vs.  
South Carolina Federal Credit Union and Bank of America..... Respondents.

PETITIONER/WHALEY'S AMENDMENT TO the RETURN/OR RESPONSE to  
SOUTH CAROLINA FEDERAL CREDIT UNION's  
MEMORANDUM of LAW IN SUPPORT of

Motion to Dismiss or, In the Alternative, Motion to Strike  
Appendix on Behalf of RESPONDENT SOUTH CAROLINA FEDERAL CREDIT UNION/faxed & mailed 7/18/14  
SHOWING CORRECTION NOTICES - under FOOTNOTE 3, and  
CORRECT of SUPREME COURT No: 2014-001371/Erred no. 2014-000067  
and placing the CORRECTION DATE to JULY 19, 2014 (Erred written June 19, 2014)  
are CORRECTIONS ON - Petitioner/Whaley's RESPONSE/or RETURN to Only Respondent/SCFCU 7/8/14 Pleadings

COMES NOW, the pro se Petitioner/Whaley, bring to the attention of all parties and to this said Supreme Court,  
making known, Petitioner's above said Amendment, to fully incorporate the CORRECTION! involving Footnote 3 of Petitioner's  
Response/or RETURN to SCFCU's Memo and Support its Motion to Dismiss, or said Alternative, when Petitioner/Whaley, wrote  
in error that...

"...which, this Supreme Court CLERK, provided pro se Petitioner/Whaley ON the DATE June 8, 2014 that he had ERRED "July 25, 2014" to the his Writ of  
Certiorari..."; should read the said Supreme Court Clerk told Petitioner/Whaley on JUNE 8, 2014 "he had DATE "JUNE 28, 2014".

Therefore, Petitioner/Whaley further incorporates the Correction, and/or amendment also SUPREME COURT No:  
2014-001371/in erred written 2014-000067; as well as, placing the CORRECT DATE of JULY 19, 2014 (In erred written June 19,  
2014), regarding this said Amendment of said CORRECTIONS are being filed so to incorporate the first Faxed/and/or mailed  
Corrections provided to ALL PARTIES, mailed to this said Supreme Court since 7/18/2014, of Petitioner/Whaley's filed

"...Response/or Reply to Respondent/South Carolina Federal Credit Union's Memorandum of Law in Support of Motion to  
Dismiss, or, in the Alternative, Motion to Strike Appendix...", whereas, this said AMENDMENT of these said NOTICE of  
CORRECTIONS will not prejudice any said party or this said Supreme Court.

CERTIFICATE OF SERVICES

I declare that all proper parties, has been Faxed, mailed or Hand-Delivered, and (6 copies to) this Supreme Court, of this said Amendment to RETURN/or  
CORRECTIONS to South Carolina Federal Credit Union's Memorandum of Law in Support of Motion to Dismiss, or, In the Alternative, Motion to Strike Appendix.

Dated: July 25, 2014

cc: Tara C. Sullivan, Esquire  
NELSON MULLINS...LLP, LAW FIRM  
Post Office Box 11070  
Columbia, S.C. 29211

Sheila M. Egan, Esquire  
RICHARD FLOWDEN, P.A. Law Firm  
1900 Barnwell Street 29201  
Columbia, S.C. 29202

Respectfully submitted,  
*R. L. Whaley*  
Roger L. Whaley, Pro se  
6673 Laurel Grove Lane  
North Charleston, S.C. 29420

Exh. 7

IN THE STATE OF SOUTH CAROLINA  
In The Supreme Court  
Case no: 2014-001371

APPEALING the South Carolina's APPEAL COURT  
Appellate Case no. 2012-213208

APPEAL of Dorchester County Circuit Trial  
Court of Common Pleas  
Master of Equity/serving as Circuit - Judge Maite D. Murphy  
Case no: 2012-CP-18000539

Roger L. Whaley .....Petitioner

vs.

South Carolina Federal Credit Union and Bank of America.....Respondents.

**PETITIONER/WHALEY'S AMENDMENT TO the RETURN/OF RESPONSE to**  
**SOUTH CAROLINA FEDERAL CREDIT UNION's**  
**MEMORANDUM of LAW IN SUPPORT of**

Motion to Dismiss or, In the Alternative, Motion to Strike  
Appendix on Behalf of **RESPONDENT SOUTH CAROLINA FEDERAL CREDIT UNION**/faxed & mailed 7/18/14  
**SHOWING CORRECTION NOTICES** - under **FOOTNOTE 3**, and  
**CORRECT** of SUPREME COURT No: 2014-001371/Erred no. 2014-000067  
and placing the **CORRECTION DATE** to **JULY 19, 2014** (Erred written June 19, 2014)  
are **CORRECTIONS ON** - Petitioner/Whaley's **RESPONSE**/or **RETURN** to Only Respondent/SCFCU 7/18/14 Pleadings

COMES NOW, the pro se Petitioner/Whaley, bring to the attention of all parties and to this said Supreme Court,  
making known, Petitioner's above said Amendment, to fully incorporate the **CORRECTION!** involving Footnote 3 of Petitioner's  
**Response**/or **RETURN** to SCFCU's Memo and Support its Motion to Dismiss, or said Alternative, when Petitioner/Whaley, wrote  
in error that:

"Which, this Supreme Court CLERK, provided pro se Petitioner/Whaley ON the DATE June 15, 2014 that he had ERRED "July 25, 2014" to the his WRIT of  
Certiorari"; should read the said Supreme Court Clerk told Petitioner/Whaley on **JUNE 8, 2014** "he had ERRED "JUNE 28, 2014".

Therefore, Petitioner/Whaley further incorporates the Correction, and/or amendment also SUPREME COURT No:  
2014-001371/in erred written 2014-000067; as well as, placing the **CORRECT DATE** of **JULY 19, 2014** (in erred written June 19,  
2014), regarding this said Amendment of said **CORRECTIONS** are being filed so to incorporate the first **Faxed/and/or mailed**  
Corrections provided to **ALL PARTIES**, mailed to this said Supreme Court since 7/18/2014, of Petitioner/Whaley's **Filed**

"...Response/or Reply to Respondent/South Carolina Federal Credit Union's Memorandum of Law in Support of Motion to  
Dismiss, or, in the Alternative, Motion to Strike Appendix..."; whereas, this said **AMENDMENT** of these said **NOTICE** of  
**CORRECTIONS** will not prejudice any said party or this said Supreme Court.

**CERTIFICATE OF SERVICES**

I declare that all proper parties, has been Faxed, mailed or Hand-Delivered, and (5 copies to) this Supreme Court, of this said Amendment to **RETURN**/or  
**CORRECTIONS** to South Carolina Federal Credit Union's Memorandum of Law in Support of Motion to Dismiss, or, In the Alternative, Motion to Strike Appendix;

Dated: July 25, 2014

cc: Tara C. Sullivan, Esquire  
NELSON MULLINS, LLP, LAW FIRM  
Post Office Box 11070  
Columbia, S.C. 29211

Sheila M. Egan, Esquire  
RICHARD FLOWDEN, P.A. Law Firm  
1800 Barnwell Street 28201  
Columbia, S.C. 29212

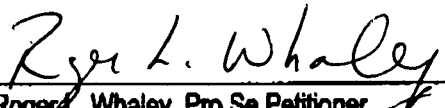
Respectfully submitted,  
*R. L. Whaley*  
Roger L. Whaley, Pro se  
9873 Laurel Grove Lane  
North Charleston, S.C. 29420

their BAR Number, but! again! you can see, that NEITHER! SCFCU's Legal Counselor again! NEVER!! COME with the Instructed orders of this said Appellate Supreme Court, just recorded/or DOCUMENTED Copies of SC records shows NEITHER Counselor(s) Complied with Appeals Court's mailed Instructions to filed a REQUIRE Timely filed "INITIAL BRIEF" and DESIGNATION of MATTER, just as SCFCU NEVER complied with the Low Court's written instructed EMAILED instructions for SCFCU to have prepared its OWN filed alleged Proposed Resulted in RespondentS/or SCFCU's continued!! NON-COMPLIANCE with ALL these said named Court's written instructions, which resulted in ONLY SPECIAL FAVORS were applied to the said RESPONDENTS/or SCFCU Legal Counselor(s), who indeed DID NOT COMPLY to this said Supreme Court's Instructed written instruction ORDERS, dated JUNE 25, 2014.

#### CONCLUSION


WHEREFORE, the attached research found documents of attached 12 EXHIBITS, are ONLY of documents previously filed within this said Supreme Court which obtained no-research hand-writing located on neither said documents, if this said Supreme Court, personal wants COPIES without and found research located on the said documents. THEREFORE, any other required information, can be produced by this said Pro Se Petitioner/W who has always been in compliance with the instruction letters/and/or WRITTEN signed COURT ORDERS of the said named Courts. Whereas any corrections need, please do not hesitate to contact this said PRO SE Petitioner, who will immediately comply with this said Court's found deficiencies.

AUGUST 7, 2014

  
Roger L. Whaley, Pro Se Petitioner  
8673 Laurel Grove Lane  
North Charleston, S.C. 29420

SEE NEXT PAGE – TYPE PROOF OF SERVICE  
as requested to be on a separate page....

ROGER L. WHALEY  
8673 Laurel Grove Ln  
N. Charleston S.C. 29420

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Jenney Abbott Kitchings, Clerk of Court  
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Columbia

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AUG 11 2014  
**SC Court of Appeals**

