

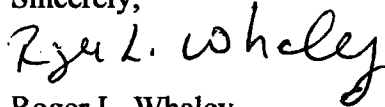
September 19, 2014

Daniel E. Shearhouse  
Clerk of Court  
Post Office Box 11330  
Columbia, SC 29211

Dear Mr. Shearhouse

Enclosed are two copies of the document which was faxed to you on September 15, 2014, in response to your letter indicating the fax was illegible. Please stamp both as being received in your court and return a copy to me in the self addressed stamped envelope included in this packet. I am also enclosing a copy of the letter I received stating the reason no action was taken on the document for your assistance.

Sincerely,

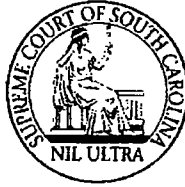


Roger L. Whaley

**RECEIVED**

SEP 23 2014

**S.C. SUPREME COURT**



# 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) 734-1080

FAX: (803) 734-1499

[www.sccourts.org](http://www.sccourts.org)

September 16, 2014

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

Dear Whaley:

This Court has received a fax from you on September 15, 2014. Since this fax is illegible, no action will be taken on it.

Very truly yours,

CLERK

**RECEIVED**

SEP 23 2014

S.C. SUPREME COURT



**WHALEY'S RESPONSE TO CLERK'S  
LETTER-DATED SEPT. 5, 2014**

**ATTACHEMENTS - 4**



## The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1015 SUMTER STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

September 05, 2014

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

Re: Roger Whaley v. SC Federal Credit Union  
Appellate Case No. 2012-213208

Dear Mr. Whaley:

This appeal was remitted to the circuit court on August 28, 2014. Accordingly, this court no longer has jurisdiction to act and we are returning your filings to you.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Jenny Abbott Kitchings".

CLERK

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



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

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FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

August 28, 2014

The Honorable Cheryl L. Graham  
5200 E Jim Bilton Blvd  
St George SC 29477-8020

## REMITTITUR

Re: Roger Whaley v. SC Federal Credit Union  
Lower Court Case No. 2012CP1800539  
Appellate Case No. 2012-213208

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

Enclosure

cc: Roger L. Whaley  
Drew Hamilton Butler, Esquire  
Erik Tison Norton, Esquire

# The South Carolina Court of Appeals

Roger L. Whaley, Appellant,

v.

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

Appellate Case No. 2012-213208

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## ORDER

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Respondents South Carolina Federal Credit Union and Bank of America have each filed motions to dismiss this appeal. After careful consideration, this appeal is dismissed because Appellant has failed to comply with the South Carolina Appellate Court Rules. *See Henning v. Kaye*, 307 S.C. 436, 437, 415 S.E.2d 794, 794 (1992) (noting an appellate court is justified in dismissing an appeal based on an appellant's failure to comply with the South Carolina Appellate Court Rules).

  
FOR THE COURT

Columbia, South Carolina

cc:

Roger L. Whaley  
Drew Hamilton Butler  
Erik Tison Norton  
Jody Alan Bedenbaugh  
Sheila Marlouvon Bias

FILED  
2/27/14

**RULE 221**  
**REHEARING AND REMITTITUR**

*Whealey-Appellate properly  
Filing*

a) **Rehearing.** Petitions for rehearing must be actually received by the appellate court no later than fifteen (15) days after the filing of the opinion, order, judgment, or decree of the court. A petition for rehearing shall be in accordance with Rule 240, and shall state with particularity the points supposed to have been overlooked or misapprehended by the court. No petition for rehearing shall be allowed from an order denying a petition for a writ of certiorari under Rule 242, SCACR.

b) **Remittitur.** The remittitur shall contain a copy of the judgment of the appellate court, shall be sealed with the seal and signed by the clerk of the court, and unless otherwise ordered by the court shall not be sent to the lower court or administrative tribunal until fifteen (15) days have elapsed (the day of filing being excluded) since the filing of the opinion, order, judgment, or decree of the court finally disposing of the appeal. If a petition for rehearing is received before the remittitur is sent, the remittitur shall not be sent pending disposition of the petition by the court. Where a petition for rehearing has been denied, the Court of Appeals shall not send the remittitur to the lower court or administrative tribunal until the time to petition for a writ of certiorari under Rule 242(c) has expired. If a petition for writ of certiorari is filed, the Court of Appeals shall not send the remittitur until notified that the petition has been denied. If the writ is granted by the Supreme Court, the Court of Appeals shall not send the remittitur.

c) **Rehearing of Motions.** The appellate court will not entertain petitions for rehearing on a motion or petition unless the action of the court on the motion or petition has the effect of dismissing or finally deciding a party's appeal.

Last amended by Order dated January 29, 2009, effective April 29, 2009, by Order of the same date.

*[Handwritten signatures and arrows pointing to the text above]*

ROGER W. WHALEY  
8673 Laurel Grove Ln  
N. Charleston SC, 29420

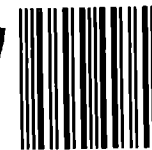
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FIRST CLASS

Supreme Court of South Carolina  
Daniel E. Shearouse, Clerk of Court  
Post Office Box 11330  
Columbia, S.C. 29211

RETURN RECEIPT  
REQUESTED

