

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

November 14, 2014

Case No. 2014-001656

**RECEIVED**  
NOV 14 2014  
**SC Court of Appeals**

BANK OF AMERICA, N.A.  
SUCCESSOR BY MORTGAGE  
TO BAC HOME LOANS SERVICING,LP

Respondent

v.

KERMIT G. WHITE, JR. pro se

APPELLANT'S ANSWER TO RESPONDANT'S MOTION TO DISMISS  
CONSOLADATED APPEALS AND APPELLANT'S REQUEST FOR AN  
EMERGENCY HEARING ON THE ISSUES BELOW

Appellant Amends His Response To The Above Motion

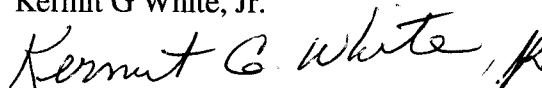
- A.) Appellant has learned from the Civil Process division of Richland County Police that his eviction will not take until November 24, 2014.
- B). That during the hearing in Masters in Equity on September 26, 2014 Respondent refused Judge Strickland's suggestions to give Appellant a means to perfect his Appeal (from the transcripts page 5 lines 20 -25 and page 6 line 1 attached).
- C). That Appellant through his best efforts and research did not interpret Rule 207 correctly in that he found the Rule confusing as written.
- D). That Appellant thought that his Appeal would stay the execution of the judgment

(Chapter 9 SECTION 18-9-130 (B)(1)(2)).

- E). That Appellant does not understand why Masters in Equity Court proceeded with a foreclosure hearing at that point even though a bond was needed later in the process.
- E). That Appellant was and still is under extreme emotional stress. (See notes attached).
- F). That Appellant has contacted the Lawyers for Vets and has applied for legal assistance to help him with his Appeal.

Therefore Appellant asks the Court to set aside Respondent's Motion to Dismiss Consolidated Appeals and to stay his eviction until his Appeal can be heard.

Kermit G White, Jr.



3321 Prentice Ave.  
Columbia, SC 29205

Certificate of Service:

I hereby certify that a true and correct copy of the foregoing has been furnished to Damon C. Włodarczyk, Esquire 2838 Devine St. Columbia, SC 29205 by regular mail this 12th day of November 2014

1           that filing an appeal would stop the -- stay the  
2           action in this court; is that your position?

3 **MR. WHITE:** Yes.

4 **THE COURT:** Okay. That's not technically always the case,  
5           and I'll let -- Mr. Ruple's client is who bid on the  
6           property at the sale and is now the new owner, has  
7           the deed. When there's title to real estate  
8           involved, to get a stay you have to post a bond.  
9           And I don't -- is that correct?

10 **MR. RUPLE:** Your Honor, that's what I was going to point  
11           out, is that Rule 241 requires a bond ---

12 **THE COURT:** Yeah.

13 **MR. RUPLE:** --- in that process, yes sir.

14 **THE COURT:** All right. Is that your understanding, as  
15           well?

16 **MR. JACKMAN:** Yes, Your Honor.

17 **THE COURT:** And you're representing the original lender,  
18           is that correct?

19 **MR. JACKMAN:** Yes, Your Honor.

20 **THE COURT:** Okay. Okay. So that's the problem. Now,  
21           quite frankly, right now the case is over. We'd  
22           have to undo everything to give you relief. Are  
23           y'all willing to sell the property to Mr. White or  
24           hold off on -- or set aside the sale, whatever you  
25           want to do, to give them him to appeal?

1 **MR. RUPLE:** No, sir We would prefer to move forward.  
2 **THE COURT:** Now, y'all have already paid your money, paid  
3 -- complied with your bid?  
4 **MR. RUPLE:** Yes, sir. We've complied and the deed has  
5 been filed, correct.  
6 **THE COURT:** All right. The deed's been recorded and  
7 everything else?  
8 **MR. RUPLE:** Yes, sir.  
9 **MR. JACKMAN:** And, Your Honor, I'd like to point out, as  
10 of September 19th, we were CC'd on a letter from the  
11 Court of Appeals. It states, Our records indicate  
12 that a transcript in the above matter should have  
13 been requested no later than August 8th, 2014. As  
14 of today's date, we have not received any  
15 information indicating that an extension has been  
16 granted to the court reporter. Our records reflect  
17 that the time for ordering the transcript has  
18 expired. Within ten days of this letter, you must  
19 file a copy of the letter showing that you have  
20 ordered the transcript directly from the court  
21 reporter, along with a motion requesting permission  
22 to order the transcript outside of the filing  
23 deadline set by Rule 207 of the South Carolina  
24 Appellate Court Rules. That letter was September  
25 19th, so as far as the appeal goes, you know, the

**Notes:**

1. Appellant lives on the first floor, which is not accessible to the second and third floors of the house.
2. Appellant has two tenants under lease signed July 21, 2014 by Cody Coker and Sam Lambert.
3. That one tenant, Mr. Coker, has been and still is verbally abusive to Appellant using foul language and threaten bodily harm (video evidence).
4. That Mr. Coker dragged Appellant's car 100 feet down his driveway to the curb damaging his tires and transmission so he could park his truck in that spot next to the house (incident report filed, witness – across the street neighbor).
5. That Mr. Coker chopped down about 200 sq. feet of Appellant's 30+ year-old azaleas in his front yard claiming, in the presence of 2 police officers, that he called the new landlords and asked if he could do some landscaping.
6. That Mr. Coker tried to force his way into Appellant's part of the house in an attempt to shut off his electricity (video).
7. That Appellant's yard and deck has been trashed with beer cans, liquor bottles and debris.
8. That Mr. Coker was arrested for drunk and disorderly conduct for repeatedly kicking Appellant's door on about the night of October 30, 2014 (video).
9. That this past Sunday evening, Nov. 9<sup>th</sup>, Appellant and his friend Russ Jeffcoat were moving some photo equipment to Mr. Jeffcoat's car that was parked next to Mr. Coker's truck while Mr. Coker seemed to be cleaning his truck out. He was doing this the entire time we were moving the pieces of equipment. Mr. Jeffcoat had placed his Nikon D-300 camera on top of his car during the process. That when he returned home his camera was missing. It was not on top of the car when he left (police report pending).