

STATE OF SOUTH CAROLINA
COUNTY OF RICHLAND
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2013-CP-40-31133

JPMorgan Chase Bank, National Association

Daniel T. Monahan a/k/a Daniel Tompkins Monahan a/k/a Dan Monahan, Cheryl C. Monahan, Mortgage Electronic Registration Systems, Inc., as nominee for HOMECOMINGS FINANCIAL NETWORK, INC., The United States of America by and through its agency, the Department of Treasury - Internal Revenue Service, The United States of America by and through its agency, the Department of Justice, South Carolina Department of Revenue, William Walkup, as Personal Representative of the Estate of Melvin Eugene Lanham, Deceased; Sandie D. Lanham, Travis Lee Lanham, Lucas James Lanham, and Lacey Elizabeth Lanham, as Legal Heirs and Devises of the Estate Melvin Eugene Lanham a/k/a Melvin Lanham, Deceased, and Presque Isle Cottage Court, Inc., Stephanie Ellis and The Personal Representative if any, whose name is unknown, of the Estate of Marvin Bogue Ellis, Deceased; and Any other Heirs-at-Law or Devises of The Estate of Marvin Bogue Ellis, Deceased, their heirs, Personal Representatives, 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; also any persons 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 under a disability being a class designated as Richard Roe

RECEIVED
NOV 24 2014
SC Court of Appeals

PLAINTIFF(S)

DEFENDANT(S)

Submitted by: Scott Law Firm, P.A.

Attorney for : ☒ Plaintiff ☐ Defendant
or
☐ Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☒ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. ☐ See Page 2 for additional information.
- ☐ **ACTION DISMISSED (CHECK REASON):** ☐ Rule 12(b), SCRCP; ☐ Rule 41(a), SCRCP (Vol. Nonsuit); ☐ Rule 43(k), SCRCP (Settled); ☐ Other
- ☐ **ACTION STRICKEN (CHECK REASON):** ☐ Rule 40(j), SCRCP; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other
- ☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):** ☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☒ See attached order (formal order to follow) ☐ Statement of Judgment by the Court:

JEANETTE W. MCNEIL
2014 OCT -8 AM 10:39
FILED

ORDER INFORMATIONThis order ☒ ends ☐ does not end the case.

Additional Information for the Clerk :

The property which is the subject of this action shall be sold at public sale pursuant to the Master in Equity's Report and Judgment of Foreclosure and Sale.

INFORMATION FOR THE PUBLIC INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
N/A		

If applicable, describe the property, including tax map information and address, referenced in the order:

TMS No. 138150915

Property address: 701 Rickenbaker Road
Columbia, SC 29205

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk.
Note: Title abstractors and researchers should refer to the official court order for judgment details.

Joseph M. Strickland, Master in Equity

Judge Code

Date

For Clerk of Court Office Use OnlyThis judgment was entered on the 8 day of Oct, 20 14 and a copy mailed first class or placed in the appropriate attorney's box on this _____ day of _____, 20 _____ to attorneys of record or to parties (when appearing pro se) as follows:Scott Law Firm, P.A.
P.O. Box 2065
Columbia, SC 29204The United States of America by and through its
agency, the Department of Treasury –
Internal Revenue Service
Matthew J. Modica, Esq.
Assistant U.S. Attorney
151 Meeting Street, Ste 200
Charleston, SC 29401South Carolina Department of Revenue
Milton G. Kimpson, Esq.
PO Box 12265
Columbia, SC 29211

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

JPMorgan Chase Bank, National Association,

PLAINTIFF,

vs.

Daniel T. Monahan a/k/a Daniel Tompkins Monahan a/k/a Dan Monahan, Cheryl C. Monahan, Mortgage Electronic Registration Systems, Inc., as nominee for HOMECOMINGS FINANCIAL NETWORK, INC., The United States of America by and through its agency, the Department of Treasury - Internal Revenue Service, The United States of America by and through its agency, the Department of Justice, South Carolina Department of Revenue, William Walkup, as Personal Representative of the Estate of Melvin Eugene Lanham, Deceased; Sandie D. Lanham, Travis Lee Lanham, Lucas James Lanham, and Lacey Elizabeth Lanham, as Legal Heirs and Devises of the Estate Melvin Eugene Lanham a/k/a Melvin Lanham, Deceased, and Presque Isle Cottage Court, Inc., Stephanie Ellis and The Personal Representative if any, whose name is unknown, of the Estate of Marvin Bogue Ellis, Deceased; and Any other Heirs-at-Law or Devises of The Estate of Marvin Bogue Ellis, Deceased, their heirs, Personal Representatives, 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; also any persons 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 under a disability being a class designated as Richard Roe

DEFENDANTS.

IN THE COURT OF COMMON PLEAS

CASE NO.: 2013-CP-40-01133

MOTION AND ORDER INFORMATION FORM
AND COVER SHEET

2014 OCT -8 AM 10:39
FILED
JEANETTE M. MCBRIDE
C.C.P. & G.S.

SUBMITTING PARTY: PLAINTIFF

Name, SC Bar No. and Address of Plaintiff's Attorney

Ronald C. Scott, SC Bar #4996
Reginald P. Corley, SC Bar #69453
Alan M. Stewart, SC Bar #15576
Angelia J. Grant, SC Bar #78334
William S. Koehler, SC Bar #74935
ATTORNEYS FOR THE PLAINTIFF
2712 Middleburg Drive, Suite 200
(P.O. Box 2065)
Columbia, SC 29204 (29202)

Telephone: (803) 252-3340

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E-mail: rons@scottlaw.com
harrisonr@scottlaw.com

Mary R. Powers, SC Bar #16534
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Andrew M. Wilson, SC Bar #72553
Andrew M. Sullivan, SC Bar #100464

reggiec@scottlaw.com
andyw@scottlaw.com

alans@scottlaw.com
andrews@scottlaw.com

Name, SC Bar No. and Address of Defendant's Attorney

angig@scottlaw.com billyk@scottlaw.com maryp@scottlaw.com

MOTION HEARING REQUESTED (attach written motion and complete SECTIONS I and III)
☒ FORM MOTION, NO HEARING REQUESTED (Complete Sections II and III)
☐ PROPOSED ORDER/CONSENT ORDER (Complete Sections II and III)

SECTION I: HEARING INFORMATION

Nature of Motion: Supplemental Order

Estimated Time Needed:

Court Reporter Needed YES/NO

SECTION II: MOTION TYPE

☒

Written Motion attached

Form Motion -

I hereby move for relief or action by the court as set forth in the attached proposed order.

Signature of Attorney for Plaintiff/Defendant

September 11, 2014
Date Submitted

SECTION III: MOTION FEE

☒

PAID - AMOUNT: \$25.00

EXEMPT:

Rule to Show Cause in Child or Spousal Support

Domestic Abuse or Abuse and Neglect

Indigent Status

Sexually Violent Predator Act

Motion for Stay in Bankruptcy

Motion for Publication

Proposed order submitted at request of the court; or,
reduced to writing from motion made in open court per judge's instructions

Name of Court Reporter

Other

State Agency v. Indigent Party
Post-Conviction Relief

Motion for Execution (Rule 69, SCRCP)

JUDGE'S SECTION

☐

Motion Fee to be paid upon filing of the attached order.

☐

Other

JUDGE CODE: DATE:

Judge Signature

CLERK'S VERIFICATION

Collected by:

DATE FILED:

☐

MOTION FEE COLLECTED: \$

☐

CONTESTED - AMOUNT DUE: \$

PURSUANT to Rule 53, SCRPC, the above matter was taken up in a Supplemental Hearing by the undersigned to take any additional testimony arising under the pleadings and to make any additional findings of fact and conclusions of law. This Court retains its authority to enter a final judgment in the cause, with any appeal therefrom to be directed to the State of South Carolina Court of Appeals.

The Court has determined that the Plaintiff has complied with the Administrative Order of the Supreme Court dated May 2, 2011 (2011-05-02-01).

The Court again finds that the Plaintiff and/or its counsel has complied with its obligation(s) as required under the specific terms of the Note and Mortgage being foreclosed as well as any applicable Federal or State statutes or regulations including but not limited to, the furnishing of any notices required to be given to the obligor(s) which gives to such person(s) the right to cure any default arising under the specific terms of the recited Note and Mortgage herein; the review of this mortgage loan for compliance with the Home Affordability Modification Program (HMP), if applicable; and that moreover and prior to the filing of this judicial proceeding, the Defendant(s) had not raised any compliance defense or objections as to the servicing of any applicable banking or consumer laws by the Plaintiff and/or its counsel.

In addition, all Findings and Conclusions of Law in the aforementioned Judgment were not timely appealed or timely excepted to, or, timely moved for reconsideration, and, therefore such appeals and motions are barred.

Pursuant to the aforementioned Master in Equity's Order and Judgment of Foreclosure and Sale, heretofore entered in this case, the subject property was ordered to be sold, and the Plaintiff has requested that the subject property be sold as ordered by this Court.

That additional costs and expenses have been incurred as follows:

(a)	Principal due	\$132,197.51
(b)	Interest from June 1, 2012 to September 22, 2014	\$8,088.69
(c)	Late Charges	\$203.64
(d)	Escrow Adjustments (Itemized in Plaintiff's Disbursement Record)	\$4,898.75

STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

JPMorgan Chase Bank, National Association

PLAINTIFF,

VS.

Daniel T. Monahan a/k/a Daniel Tompkins Monahan a/k/a Dan Monahan, Cheryl C. Monahan, Mortgage Electronic Registration Systems, Inc., as nominee for HOMECOMINGS FINANCIAL NETWORK, INC., The United States of America by and through its agency, the Department of Treasury - Internal Revenue Service, The United States of America by and through its agency, the Department of Justice, South Carolina Department of Revenue, William Walkup, as Personal Representative of the Estate of Melvin Eugene Lanham, Deceased; Sandie D. Lanham, Travis Lee Lanham, Lucas James Lanham, and Lacey Elizabeth Lanham, as Legal Heirs and Devisees of the Estate Melvin Eugene Lanham a/k/a Melvin Lanham, Deceased, and Presque Isle Cottage Court, Inc., Stephanie Ellis and The Personal Representative if any, whose name is unknown, of the Estate of Marvin Bogue Ellis, Deceased; and Any other Heirs-at-Law or Devisees of The Estate of Marvin Bogue Ellis, Deceased, their heirs, Personal Representatives, 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; also any persons 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 under a disability being a class designated as Richard Roe

DEFENDANTS.

IN THE COURT OF COMMON PLEAS

CASE NO. 2013-CP-40-01133

SUPPLEMENTAL MOTION AND ORDER
TO THE MASTER IN EQUITY'S ORDER
AND JUDGMENT OF FORECLOSURE AND
SALE

DEFICIENCY DEMANDED

RICHLAND COUNTY
FILED
2014 OCT - 8 AM 10:39
JEANNETTE W. MCBRIDE
C.C.P. & G.S.

(e)	Appraisal	\$234.00
(f)	Property Inspections	\$294.00
(g)	Corporate Advances (Itemized in Plaintiff's Disbursement Record)	\$0.00
(h)	Costs of collection prior to hearing	\$4,162.01
(i)	Previous bankruptcy fees	\$ 0.00
(j)	Attorney's fees and costs	
	(Foreclosure & applicable Bankruptcy)	<u>\$2,350.00</u>

TOTAL DEBT secured by note and mortgage including interest to date shown **\$152,428.60**

Now, on motion of Plaintiff's attorney,

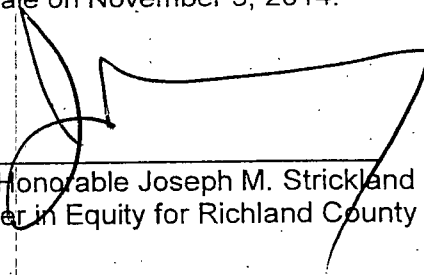
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED:

That there is due to the Plaintiff on the obligation the sum set forth in the preceding paragraph and later accrued interest on the principal shall constitute the total judgment debt.

IT IS ORDERED that the Plaintiff is entitled to a personal or deficiency judgment against Daniel T. Monahan and Cheryl C. Monahan.

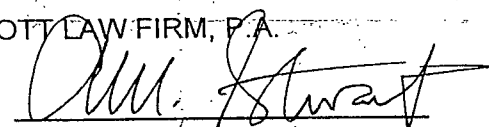
That this matter should be scheduled for sale on November 3, 2014.

AND IT IS SO ORDERED.


The Honorable Joseph M. Strickland
Master in Equity for Richland County

September 30, 2014
I SO MOVE:

SCOTT LAW FIRM, P.A.

By: 

Ronald C. Scott, SC Bar #4996

Reginald P. Corley, SC Bar #69453

Alan M. Stewart, SC Bar #15576

Angelia J. Grant, SC Bar #78334

William S. Koehler, SC Bar #74935

Mary R. Powers, SC Bar #16534

J. Harrison Rushton, SC Bar #100406

Andrew M. Wilson, SC Bar #72553

Andrew M. Sullivan, SC Bar #100464

ATTORNEYS FOR THE PLAINTIFF

2712 Middleburg Drive, Suite 200

Columbia, SC 29204

(803) 252-3340

Monahan Consulting, LLC
3103 Devine St.
Columbia, SC 29205-1881
803-446-1502

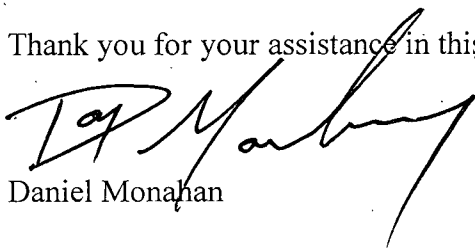
November 21, 2014

Dear Ms. Allen:

Please find attached the 2 items noted in your letter to cure the deficiency.
A copy of the order\judgment I am appealing.

I also certify that written receipt of said order was received on October 14, 2014

Thank you for your assistance in this matter.



Daniel Monahan

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NOV 24 2014

SC Court of Appeals



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

November 13, 2014

Daniel Monahan
701 Rickenbaker Road
Columbia SC 29205

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NOV 24 2014

SC Court of Appeals

Re: JP Morgan Chase Bank v. Daniel Monahan
Appellate Case No. 2014-002409

Dear Mr. Monahan:

Upon reviewing your notice of appeal, the following deficiencies have been noted under the South Carolina Appellate Court Rules (SCACR), and any deficiency must be corrected within ten (10) days of the date of this letter:

- The notice of appeal is not accompanied by the order and/or judgment challenged on appeal.
- The notice of appeal fails to include a statement of when you received written notice of entry of the order or judgment from which this appeal is taken.

Very truly yours,

A handwritten signature in black ink, which appears to read "Jenny Abbott Kitchings". The signature is stylized and includes a flourish at the end.

CLERK

cc: JP Morgan Chase Bank, N.A.

MS. JENNY ABBOTT KITCHINGS

1015 SUMTER ST

RECEIVED

NOV 24 2014

SC Court of Appeals