

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM BEAUFORT COUNTY
Court of Common Pleas

Honorable Marvin H. Dukes, III, Master in Equity

Case No. 2009-CP-07-05088
App. Case No. 2012-210910

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NOV 21 2014
SC Court of Appeals

CitiMortgage, Inc.,

Respondent,

v.

Daniel Junk a/k/a Daniel L. Junk and Christine H.
Junk and Oldfield Community Association,

Defendants,

Of Whom Daniel L. Junk and Christine H. Junk are,
-and-

Appellants,

Daniel L. Junk and Christine H. Junk,

Counterclaim Appellants,

v.

CitiMortgage, Inc.

Counterclaim Respondent.

-and-

Daniel L. Junk and Christine H. Junk,

Third-party Appellants,

v.

Riley Pope & Laney, LLC , Heidi Carey, Esq.,
Roy Laney, Esq., T. Lowndes Pope, Esq.,
Bayview Loan Servicing, LLC, MERSCORP, Inc.,
Mortgage Electronic Registration Systems, Inc.,
Citi Master Servicing, Citigroup Global Markets
Realty Corp., Citigroup Mortgage Loan Trust, Inc.,
John Does 1-5,000, Jennifer Oakes, Robert G.
Hall, Security Connections, Inc., Krystal Hall,
Danielle Sterling, ABC Appraisal Group, Inc.,
Mark A. Ruplinger, Linda Heller, Harry Jones,
Colonial Coast Title Agency, Inc., Lawyers Title
Insurance Corporation, Corelogic, Inc. and American
Home Mortgage Holdings, Inc.

Third-party Respondents.

APPELLANTS', COUNTERCLAIM APPELLANTS' AND THIRD-PARTY
APPELLANTS' REPLY TO MOTION FOR AN EXTENSION OF TIME

Pursuant to Rule 240(f), SCACR, Appellants, Counterclaim Appellants and Third-party Appellants Daniel L. Junk and Christine H. Junk (“Appellants” or the “Junks”), respectfully submit their Reply to their request for an extension of time to serve and file the record on appeal as ordered in this Court’s October 9, 2014 Order until their Rule 204(b), SCACR, motion to transfer the entire case to the Supreme Court is decided (“Rule 204(b) Motion”). Appellants’ Motion is unopposed by all parties subject this consolidated appeal other than CitiMortgage, Inc. (“CMI”) and should be granted.

CMI continues to misunderstand the scope of Rule 204(b), SCACR, in stating that Appellants are seeking to transfer only this appeal to the Supreme Court. The relief requested in the Rule 204(b) Motion is to transfer the entire case to the jurisdiction of the Supreme Court and seeking relief from this Court’s October 9, 2014 Order directing Appellants to perfect and serve the record in this case in light of CMI’s admission through counsel that this entire action is based on over five years of knowingly false sworn-to pleadings.

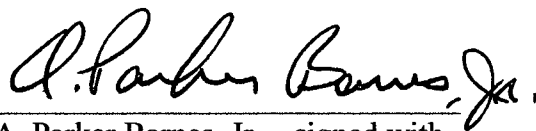
Although CMI continues to accuse Appellants of frivolity in pursuing their rights in this action, Appellants point CMI and its counsel to the Rule 11(a), SCRCP, requirements that “[t]he written or electronic signature of an attorney or party constitutes a certificate by him that he has read the pleading, . . . ; that to the best of his knowledge, information and belief there is good ground to support it;” Rule 11(a) further states, “[i]f a pleading, . . . does not comply with this Rule, it shall be stricken If a pleading, . . . is signed in violation of this Rule, the court, upon motion or upon its own initiative, may impose upon the person who signed it, a represented party, or both, an appropriate sanction, which may include an order to pay to the other party or parties the amount of the reasonable expenses incurred because of the filing of the pleading, motion or other paper, including a reasonable attorney’s fee.”


The record CMI advocates should be perfected and served is an admittedly false record over five years of litigation, containing volumes of false pleadings all in violation of Rule 11, SCRCF. None of the other parties to this appeal opposed Appellants' Rule 204(b) Motion and none of the other parties to this appeal oppose Appellants' request for an extension of time to serve the record on appeal until Appellants' Rule 204(b) Motion is decided.

WHEREFORE, Appellants ask this Court grant an extension of time to serve and file the record on appeal, if at all, until 30 days after the ruling on Appellants' pending Motion under Rule 204(b) SCACR.

Respectfully submitted,

A. PARKER BARNES, JR., P.A.



A. Parker Barnes, Jr. – signed with permission 

(SC Bar No. 523)

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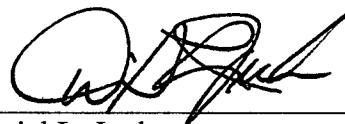
Beaufort, South Carolina 29901

(843) 522-2600

*Counsel for Appellant, Counterclaim
Appellant and Third-party Appellant,
Christine Junk*

and

DANIEL L. JUNK



Daniel L. Junk

35 North Fourth Street

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Columbus, Ohio 43215

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*Pro Se for Appellant, Counterclaim
Appellant and Third-party Appellant
Daniel L Junk*

Columbus, Ohio
November 20, 2014

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Court of Common Pleas

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Honorable Marvin H. Dukes, III, Master in Equity

Case No. 2009-CP-07-05088

App. Case No. 2012-210910

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Danielle Sterling, ABC Appraisal Group, Inc.,
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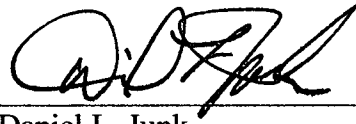
Insurance Corporation, Corelogic, Inc. and American Home Mortgage Holdings, Inc.

Third-party Respondents.

PROOF OF SERVICE

I certify that I have served APPELLANTS', COUNTERCLAIM APPELLANTS' AND THIRD-PARTY APPELLANTS' REPLY TO MOTION FOR AN EXTENSION OF TIME on counsel listed below by depositing a copy of it in the United States Mail, postage prepaid, on November 7, 2014.

November 20, 2014



Daniel L. Junk
Pro se
35 North Fourth Street
Suite 200
Columbus, OH 43215
(614) 648-5062

{Service list on following page}

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Document(s) Served: APPELLANTS', COUNTERCLAIM APPELLANTS' AND THIRD-PARTY APPELLANTS' MOTION FOR AN EXTENSION OF TIME

Persons Served:

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DANIEL L. JUNK

November 20, 2014

The Honorable Jenny Abbott Kitchings
Clerk of Court
The South Carolina Court of Appeals
1015 Sumter Street
Columbia, South Carolina 29201

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Re: CitiMortgage v. Junk, et al.

Civil Action No. 2009-CP-07-05088

Orders on Appeal: February 23, 2012 (Order Granting Motion to Dismiss Third-Party Complaint) **and** (Order Denying Defendants' Motion to Join Third Parties as Counterclaim Defendants)

Case Tracking No. 2012-210910

and

CitiMortgage v. Junk, et al.

Civil Action No. 2009-CP-07-05088

Order on Appeal: April 23, 2012 (Order Granting CitiMortgage's Motion to Dismiss Counterclaims)

Consolidated Case Tracking No. 2012-210910

and

CitiMortgage v. Junk, et al.

Civil Action No. 2009-CP-07-05088

Order on Appeal: May 3, 2012 (Form 4 Order Denying Motion for Default Judgment against American Home Mortgage)

Consolidated Case Tracking No. 2012-210910

Dear Ms. Kitchings,

Enclosed please find an original and seven (7) copies of Appellants' Counterclaim Appellants' and Third-party Appellants' Reply to Motion for an Extension of Time. Please file the original and return a file-stamped copy to me via the enclosed self-addressed postage paid envelope. Please contact me if you need anything further.

Sincerely,



Daniel L. Junk,
Pro se Appellant

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