

LETTER FILING REPLY TO WACHOVIA'S RETURN TO
PETITION FOR CERTIORARI

25 February 2012

RECEIVED

FEB 28 2012

Daniel E. Shearouse
Clerk of Court, Supreme Court
Supreme Court Building
1231 Gervais Street
Columbia, SC 29201

S.C. Supreme Court

pm 2-25-12

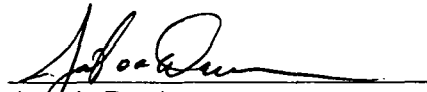
RE: Supreme Court Tracking #02011-199968
Jacob Davison, Petitioner, v. David Michael Scaffè, Defendant, Wachovia
Bank, N.A., Respondent, Court of Appeals 2011-UP-328

Dear Clerk Shearouse:

Please find enclosed:

- 1) An original reply to Wachovia's return to petition for certiorari
- 2) Proof of service, and
- 3) Six copies of the reply.

Thank you.



Jacob Davison
9519 Barcellona Court
Fairfax, VA 22031
(703) 691-0780
Pro Se Petitioner

cc:
Attorneys for Respondent:
Robert E. Sumner, IV
Amy D. Jowers
Moore & VanAllen
40 Calhoun Street, Suite 300,
Charleston, SC 29401-3531
(843) 579-7000

Moore & Van Allen

Amy Jowers
Attorney at Law

T 843 579 7017
F 843 579 8717
amyjowers@mvalaw.com

Moore & Van Allen PLLC

Suite 300
40 Calhoun Street
Charleston, SC 29401-3535

Mailing Address:
Post Office Box 22828
Charleston, SC 29413-2828

February 17, 2012

The Honorable Daniel E. Shearouse
Clerk of Court
The South Carolina Supreme Court
P.O. Box 11330
Columbia, SC 29211-1330

Re: Davison v. Scaffie and Wachovia Bank, N.A.
Case No. 2008-CP-08-130
Our File 034282-1

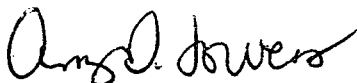
Dear Mr. Shearouse:

With regard to the above-referenced action, enclosed for filing please find the original and seven (7) copies of a **Return to Petition for Writ of Certiorari and Proof of Service**. Please file the original documents and return a file stamped copy of each to me in the enclosed envelope.

Thank you for your assistance with this matter. If you have any questions or concerns, please do not hesitate to contact me.

Yours very truly,

Moore & Van Allen PLLC



Amy D. Jowers

ADJ/ws

Enclosures: As stated

cc: Jacob Davison (w/enclosures)

RECEIVED

FEB 21 2012

S.C. SUPREME COURT

pm 2-17-12

Charlotte, NC
Research Triangle Park, NC
Charleston, SC

The Supreme Court of South Carolina

Jacob Davison,

Petitioner,

v.

David Michael Scaffè and
Wachovia Bank, N.A.,

Defendants,

of whom Wachovia Bank, N.A.
is

Respondent.

The Honorable Robert E. Watson
Berkeley County
Trial Court Case No. 2008-CP-08-00130

ORDER

For good cause having been shown, the time for serving and filing the Return to the Petition for Writ of Certiorari in the above entitled matter is hereby extended until February 17, 2012.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY Suzanne J. Slesky
Chief Deputy Clerk

Columbia, South Carolina

January 6, 2012

cc: Mr. Jacob Davison
William Howell Morrison, Esquire
Robert E. Sumner, Esquire

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

Robert E. Watson, Master-In-Equity

Opinion No. 2011-UP-328
(S.C. Ct. App. Filed June 27, 2011, re-filed September 20, 2011)

Jacob Davison,..... Petitioner,
v.
David Michael Scaffè, Defendant,
Wachovia Bank, N.A., Respondent.

RESPONDENT'S MOTION FOR EXTENSION OF TIME TO FILE
AND SERVE ITS RETURN TO THE PETITION FOR WRIT OF CERTIORARI

Robert E. Sumner, IV
Moore & Van Allen PLLC
40 Calhoun Street, Suite 300
Charleston, SC 29401
Ph. (843) 579-7000
Fax (843) 579-8718
Attorneys for Respondent

Other Counsel of Record:

Jacob Davison
9519 Barcellona Court
Fairfax, VA 22031
Ph. (703) 691-0780
Pro Se Petitioner

RECEIVED

JAN 06 2012

S.C. SUPREME COURT

Now comes the Respondent, by and through counsel, and hereby moves for an additional extension of time in which to file and serve its Return to the Petition for Writ of Certiorari. Petitioner served its Petition for Writ of Certiorari on November 17, 2011. On November 29, 2011 the Court granted Respondent an extension until January 18, 2012 to file the Return to the Petition for Writ of Certiorari.

Since the filing of Respondent's original motion for extension, counsel for Respondent has had several hearing dates set by the court, including:

- 1) Motion for Summary Judgment on January 4, 2012 in Jasper County, SC;
- 2) Motion to Change Venue on January 11, 2012 in Charleston County, SC;
- 3) Motion for Summary Judgment on January 13, 2012 in Charleston County, SC; and
- 4) Motion to Refer to Arbitration on January 17, 2012 in Richland County, SC.

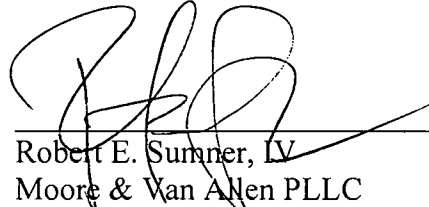
All of these hearings require extensive preparation in addition to time for travel and attendance. Given the busy schedule of counsel for Respondent, counsel will not have adequate time to prepare its Response to the Petition for Writ of Certiorari before January 18, 2012.

Respondent respectfully requests an extension of thirty (30) days, or until February 17, 2012, to file and serve its Return to the Petition for Writ of Certiorari. The parties have conferred and counsel for Petitioner consents to this motion.

This motion is made pursuant to Rule 263(b), SCACR.

January 3rd, 2012

Respectfully submitted,



Robert E. Sumner, IV
Moore & Van Allen PLLC
40 Calhoun Street, Suite 300
Charleston, SC 29401
Ph. (843) 579-7000
Fax (843) 579-8718
Attorneys for Respondent

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

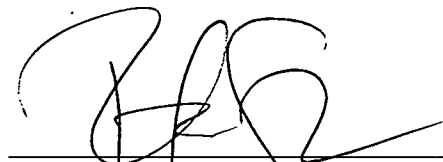
Robert E. Watson, Master-In-Equity

Opinion No. 2011-UP-328
(S.C. Ct. App. Filed June 27, 2011, re-filed September 20, 2011)

Jacob Davison, Petitioner,
v.
David Michael Scaffè, Defendant,
Wachovia Bank, N.A., Respondent.

PROOF OF SERVICE

I certify that I have served *Respondent's Motion for Extension of Time to File and Serve its Response to the Petition for Writ of Certiorari* by depositing a copy of it in the United States Mail, postage prepaid, on January 3rd, 2012, addressed to Petitioner Jacob Davison, 9519 Barcellona Court, Fairfax, VA 22031.



Robert E. Sumner, IV
Moore & Van Allen PLLC
40 Calhoun Street, Suite 300
Charleston, SC 29401
Ph. (843) 579-7000
Fax (843) 579-8718
Attorneys for Respondent

Moore & Van Allen

Robert E. Sumner, IV.
Attorney at Law

T 843 579 7018
F 843 579 8743
robertsumner@mvalaw.com

Moore & Van Allen PLLC

Suite 300
40 Calhoun Street
Charleston, SC 29401-3535

Mailing Address:
Post Office Box 22828
Charleston, SC 29413-2828

January 3, 2012

The Honorable Daniel E. Shearouse
Clerk of Court
The South Carolina Supreme Court
P.O. Box 11330
Columbia, SC 29211-1330

Re: Davison v. Scaffa and Wachovia Bank, N.A.
Case No. 2008-CP-08-130
Our File 034282-1

Dear Mr. Shearouse:

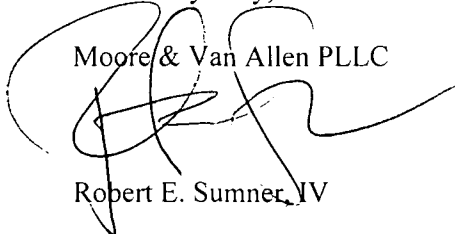
With regard to the above-referenced action, enclosed for filing are the originals and seven (7) copies of Respondent' Motion for Extension of Time to File and Serve its Return to the Writ of Certiorari and Proof of Service.

I am enclosing our firm check in the amount of \$25.00 for the filing fee.

Please file the original documents and return one copy of each to me in the enclosed envelope.

Thank you for your assistance in this matter. If there are any questions as to any of the above, please call me.

Yours very truly,



Moore & Van Allen PLLC

Robert E. Sumner, IV

RES/hm

Enclosures: As stated

cc: Jacob Davison (w/enclosures)

*check # 26184
\$25.00*

RECEIVED

JAN 05 2012

S.C. SUPREME COURT

pm 1-3-12

The Supreme Court of South Carolina

Jacob Davison,

Petitioner,

v.

David Michael Scaffè and
Wachovia Bank, N.A.,

Defendants,

of whom Wachovia Bank, N.A.
is

Respondent.

The Honorable Robert E. Watson
Berkeley County
Trial Court Case No. 2008-CP-08-00130

ORDER

For good cause having been shown, the time for serving and filing the Return to the Petition for Writ of Certiorari in the above entitled matter is hereby extended until January 18, 2012.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY



Clerk

Columbia, South Carolina

November 29, 2011

cc: Mr. Jacob Davison
William Howell Morrison, Esquire
Robert E. Sumner, Esquire

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

Robert E. Watson, Master-In-Equity

Opinion No. 2011-UP-328
(S.C. Ct. App. Filed June 27, 2011, re-filed September 20, 2011)

Jacob Davison, Petitioner,
v.
David Michael Scaffè, Defendant,
Wachovia Bank, N.A., Respondent.

RESPONDENT'S MOTION FOR EXTENSION OF TIME TO FILE
AND SERVE ITS RETURN TO THE PETITION FOR WRIT OF CERTIORARI

Robert E. Sumner, IV
Moore & Van Allen PLLC
40 Calhoun Street, Suite 300
Charleston, SC 29401
Ph. (843) 579-7000
Fax (843) 579-8718
Attorneys for Respondent

Other Counsel of Record:

Jacob Davison
9519 Barcellona Court
Fairfax, VA 22031
Ph. (703) 691-0780
Pro Se Petitioner

RECEIVED

NOV 28 2011

S.C. SUPREME COURT

Now comes the Respondent, by and through counsel, and hereby moves for an extension of time in which to file and serve its Return to the Petition for Writ of Certiorari. Petitioner served its Petition for Writ of Certiorari on November 17, 2011, which makes the Respondent's Response to the Petition for Writ of Certiorari due on December 19, 2011.

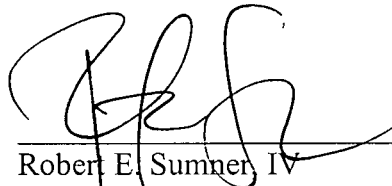
Given the busy schedule of counsel for Respondent, counsel will not have adequate time to prepare its Response to the Petition for Writ of Certiorari before December 19, 2011.

Respondent respectfully requests an extension of thirty days, or until January 18, 2012, to file and serve its Return to the Petition for Writ of Certiorari. The parties have conferred and counsel for Petitioner consents to this motion.

This motion is made pursuant to Rule 263(b), SCACR.

November 23rd, 2011

Respectfully submitted,



Robert E. Sumner, IV
Moore & Van Allen PLLC
40 Calhoun Street, Suite 300
Charleston, SC 29401
Ph. (843) 579-7000
Fax (843) 579-8718
Attorneys for Respondent

THE STATE OF SOUTH CAROLINA
In the Supreme Court

APPEAL FROM BERKELEY COUNTY
Court of Common Pleas

Robert E. Watson, Master-In-Equity

Opinion No. 2011-UP-328
(S.C. Ct. App. Filed June 27, 2011, re-filed September 20, 2011)

Jacob Davison, Petitioner,
v.
David Michael Scaffè, Defendant,
Wachovia Bank, N.A., Respondent.

PROOF OF SERVICE

I certify that I have served *Respondent's Motion for Extension of Time to File and Serve its Response to the Petition for Writ of Certiorari* by depositing a copy of it in the United States Mail, postage prepaid, on November 23rd, 2011, addressed to Petitioner Jacob Davison, 9519 Barcellona Court, Fairfax, VA 22031.



Robert E. Sumner, IV
Moore & Van Allen PLLC
40 Calhoun Street, Suite 300
Charleston, SC 29401
Ph. (843) 579-7000
Fax (843) 579-8718
Attorneys for Respondent

Moore & Van Allen

November 23, 2011

The Honorable Daniel E. Shearouse
Clerk of Court
The South Carolina Supreme Court
P.O. Box 11330
Columbia, SC 29211-1330

Robert E. Sumner, IV.
Attorney at Law

T 843 579 7018
F 843 579 8743
robertsumner@mvalaw.com

Moore & Van Allen PLLC

Suite 300
40 Calhoun Street
Charleston, SC 29401-3535

Mailing Address:
Post Office Box 22828
Charleston, SC 29413-2828

Re: Davison v. Scaffa and Wachovia Bank, N.A.
Case No. 2008-CP-08-130
Our File 034282-1

Dear Mr. Shearouse:

With regard to the above-referenced action, enclosed for filing are the originals and seven (7) copies of Respondent's Motion for Extension of Time to File and Serve its Return to the Writ of Certiorari and Proof of Service.

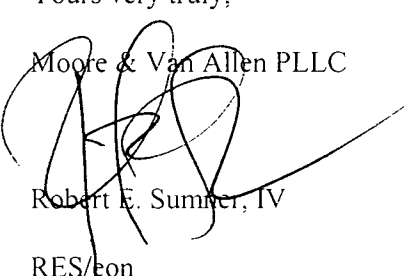
I am enclosing our firm check in the amount of \$25.00 for the filing fee.

Please file the original documents and return one copy of each to me in the enclosed envelope.

Thank you for your assistance in this matter. If there are any questions as to any of the above, please call me.

Yours very truly,

Moore & Van Allen PLLC



Robert E. Sumner, IV

RES/son

Enclosures: As stated

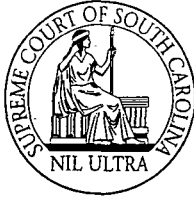
cc: Jacob Davison (w/enclosures)

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NOV 28 2011

S.C. SUPREME COURT
pm 11-23-11

check # 25976
\$25.00



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

(803) 734-1080

FAX (803) 734-1499

November 22, 2011

Mr. Jacob Davison
9519 Barcellona Court
Fairfax, VA 22031

Re: Davison, Jacob v. Scaffa, David Michael
Case Tracking No: 2011-~~203186~~
199968

Dear Mr. Davison:

This office has received your Petition for Writ of Certiorari and Appendix in the above matter. It has been assigned the Case Tracking Number that appears above. Please use this number on all future correspondence relating to this matter.

I do wish to call the attention of the parties to the attached 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. 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.

Very truly yours,

Daniel E. Shearouse
ES

CLERK

DES/lda

Enclosure

cc: Robert Ernest Sumner, IV, Esquire
The Honorable Tanya Gee

LETTER FILING APPENDIX FOR PETITION FOR CERTIORARI

17 November 2011

Daniel E. Shearouse
Clerk of Court, Supreme Court
Supreme Court Building
1231 Gervais Street
Columbia, SC 29201

RE: Jacob Davison, Petitioner, v. David Michael Scaffè, Defendant, Wachovia Bank, N.A., Respondent, Court of Appeals 2011-UP-328 (#2009-132586)


Dear Clerk Shearouse:

Further to my other letter to you of the same date, please find enclosed:

- 1) One unbound appendix, and
- 2) One bound set of the appendix materials.

The petition and check were sent separately.

Thank you.



Jacob Davison
9519 Barcellona Court
Fairfax, VA 22031
(703) 691-0780
Pro Se Petitioner

cc:
Robert E. Sumner, IV, Moore & VanAllen, Attorney for Respondent
40 Calhoun Street, Suite 300, Charleston, SC 29401-3531
(843) 579-7000

RECEIVED

NOV 21 2011

S.C. SUPREME COURT

Check #172
\$100.00

LETTER FILING PETITION FOR CERTIORARI

17 November 2011

Daniel E. Shearouse
Clerk of Court, Supreme Court
Supreme Court Building
1231 Gervais Street
Columbia, SC 29201

RE: Jacob Davison, Petitioner, v. David Michael Scaffè, Defendant, Wachovia Bank, N.A., Respondent, Court of Appeals 2011-UP-328 (#2009-132586)

Dear Clerk Shearouse:

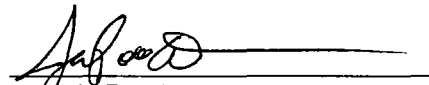
Please recall the grant of an extension until November 21. Please find enclosed:

- 1) An original petition for certiorari with proof of service,
- 2) Six copies of the petition, and
- 3) A check for \$100.

One bound appendix set and one unbound appendix is being sent in a separate box.

I have provided a copy of the petition with proof of service to the court of appeals.

Please note Wachovia Bank, N.A. has been succeeded by Wells Fargo Bank, N.A. and Wells Fargo should be substituted. Also, W. Howell Morrison no longer represents Wachovia as per remaining counsel. Thank you.



Jacob Davison
9519 Barcellona Court
Fairfax, VA 22031
(703) 691-0780
Pro Se Petitioner

cc:
Robert E. Sumner, IV, Moore & VanAllen, Attorney for Respondent
40 Calhoun Street, Suite 300, Charleston, SC 29401-3531
(843) 579-7000

RECEIVED
NOV 21 2011
S.C. SUPREME COURT
pm 11-17-11

The Supreme Court of South Carolina

Jacob Davison,

Petitioner,

v.

David Michael Scaffè and
Wachovia Bank, N.A.,

Defendants,

of whom Wachovia Bank, N.A.
is

Respondent.

The Honorable Robert E. Watson
Berkeley County
Trial Court Case No. 2008-CP-08-130

ORDER

For good cause having been shown, the time for serving and filing the
Petition for Writ of Certiorari and Appendix in the above entitled matter is
hereby extended until November 21, 2011.

IT IS SO ORDERED.

JEAN H. TOAL, CHIEF JUSTICE

BY *Arenda J. Shealy*
Chief Deputy Clerk

Columbia, South Carolina

September 29, 2011

cc: Mr. Jacob Davison
William Howell Morrison, Esquire
Robert E. Sumner, Esquire

RECEIVED

SEP 28 2011

S.C. SUPREME COURT
pm 9-27-11

Jacob O. Davison
9519 Barcellona Court
Fairfax, VA 22031
(703) 691-0780
jakedavison123@gmail.com

27 September 2011

Daniel E. Shearouse
Clerk of Court, Supreme Court
Supreme Court Building
1231 Gervais Street
Columbia, SC 29201
ATTN: Linda Allen

RE: Extension Request for Petition for Certiorari
Davison (Plaintiff-Appellant) v. Scaffè (Defendant),
Wachovia Bank (Respondent)
Court of Appeals 2011-UP-328 (also Case No. 2008-CP-08-130)
Re-filed September 20, 2011

Ladies and Gentlemen:

This is my first request for an extension before your court and Ms. Allen indicated that I may request an extension by letter. I need an extension of time to file my Petition for Certiorari. I request an additional thirty (30) days.

I will be travelling to Dubai, UAE for work October 1. This was only confirmed to me today. I am currently scheduled to either remain there until October 15 or to travel to London to remain there until October 15. I will be working and will have limited access to technology and resources during that time.

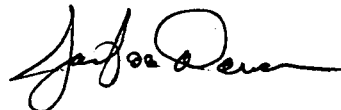
My petition is currently due October 20. The Court of Appeals re-filed its decision as a result of my petition for rehearing below on September 20. I received it September 22. I have had limited time to work on this matter so far. It will be very difficult to work on it while I am overseas.

check # 168
\$2500

I have not previously been granted any extensions in this appeal. Wachovia's counsel has consented to an extension of up to 30 days. I have included a copy of their correspondence.

Thank you in advance for your consideration. If you could find a way to contact me with an answer as soon as possible I would greatly appreciate it as I am scheduled to leave on Saturday.

Sincerely,



Jacob Davison

Enclosures:

E-mail correspondence with Robert E. Sumner IV
Check for \$25 for motion fee

cc:

The Honorable Tanya A. Gee
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

Robert E. Sumner, IV
Moore & VanAllen
40 Calhoun Street, Suite 300
Charleston, SC 29401-3531
(843) 579-7000
Attorney for Respondent Wachovia Bank

Jake Davison

From: Robert Sumner [sumnerr@mvalaw.com]
Sent: Tuesday, September 27, 2011 12:08 PM
To: Jake Davison
Subject: RE: Davison v. Scaffa, Wachovia Cert Petition Extension

I consent to an extension not longer than 30-days. And I hope, if necessary, you will return the same courtesy our direction.

Robert



Robert E. Sumner, IV

Attorney at Law

Suite 300
40 Calhoun Street
Charleston, SC 29401-3531

T 843 579 7018
F 843 579 8743

robertsumner@mvalaw.com
www.mvalaw.com

From: Jake Davison [mailto:jakedavison123@gmail.com]
Sent: Tuesday, September 27, 2011 11:51 AM
To: Robert Sumner
Subject: Davison v. Scaffa, Wachovia Cert Petition Extension

Hello Robert, would you and your client consent to an extension for filing a petition for certiorari in this matter?

Thank you, Jake

To comply with certain U.S. Treasury regulations, we inform you that, unless expressly stated otherwise, any U.S. Federal tax advice contained in this e-mail, including attachments, is not intended or written to be used, and cannot be used, by any person for the purpose of avoiding any penalties that may be imposed by the Internal Revenue Service.

CONFIDENTIAL & PRIVILEGED

Unless otherwise indicated or obvious from the nature of the following communication, the information contained herein is attorney-client privileged and confidential information/work product. The communication is intended for the use of the individual or entity named above. If the reader of this transmission is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error or are not sure whether it is privileged, please immediately notify us by return e-mail and destroy any copies, electronic, paper or otherwise, which you may have of this communication.



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Date Accepted 9/27/11	Scheduled Date of Delivery Month 9 Day 28	\$	
Mo. Day Year	Scheduled Time of Delivery <input type="checkbox"/> Noon <input checked="" type="checkbox"/> 3 PM	COD Fee \$	Insurance Fee \$
Time Accepted 10:58 AM	Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Total Postage & Fees \$ 18.30	
Flat Rate <input type="checkbox"/> or Weight	Int'l Alpha Country Code	Acceptance Emp. Initials JFH	
lbs.	ozs.		

DELIVERY (POSTAL SERVICE USE ONLY)		
Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day		
Delivery Attempt	Time <input type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day		
Delivery Date 9/28/11	Time <input checked="" type="checkbox"/> AM <input type="checkbox"/> PM	Employee Signature
Mo. Day Year		

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<input checked="" type="checkbox"/> WAIVER OF SIGNATURE (Domestic Mail Only) Additional merchandise insurance is void if customer requests waiver of signature. I wish delivery to be made without obtaining signature of addressee or addressee's agent (if delivery employee judges that article can be left in secure location) and I authorize that delivery employee's signature constitutes valid proof of delivery.	<i>[Signature]</i>
<input type="checkbox"/> NO DELIVERY Weekend <input type="checkbox"/> Holiday	Mailers Signature

FROM: (PLEASE PRINT) PHONE (703) 691-0780

Jake Davison
9519 Barcelona Ct
Fairfax, VA 22031

TO: (PLEASE PRINT) PHONE ()

Clerk, SC Supreme Court
Supreme Ct Building
1201 German St.
Columbia, SC

ZIP + 4 (U.S. ADDRESSES ONLY. DO NOT USE FOR FOREIGN POSTAL CODES.)
29120 + [] [] [] []

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EP13F