

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

14536

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

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,

Appellants,

-and-

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,

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SC Court of Appeals

Colonial Coast Title Agency, Inc., Lawyers Title
Insurance Corporation, Corelogic, Inc. and American
Home Mortgage Holdings, Inc.

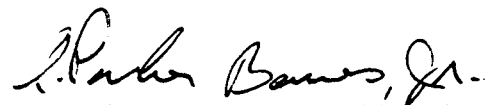
Third-party Respondents.


MOTION TO WITHDRAW APPEAL

Pursuant to Rules 240 and 260(c), SCACR, and this Court's Order dated November 8, 2012, consolidating the Notices of Appeal dated March 23, 2012; May 2, 2012; and, May 21, 2012, and permitting either party to assert that the appeals are non-appealable non-final orders (attached hereto as Exhibit A), Appellants, Counterclaim Appellants and Third-party Appellants Daniel L. Junk and Christine H. Junk as Debtors-in-Possession ("DIP"), respectfully move this Court for an Order granting the withdrawal of the consolidated Notices of Appeal on the grounds that the orders appealed from are not final appealable orders and at this time the bankruptcy estate's resources should be directed at obtaining a final order on the underlying action in the court below. DIP requests the time to serve and file the record on appeal be stayed pending a decision on the instant motion.

Respectfully submitted,

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



A. Parker Barnes, Jr. – signed with
permission 

(SC Bar No. 523)

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500 Carteret Street

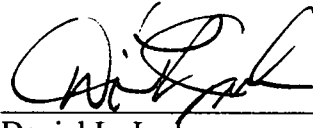
Beaufort, South Carolina 29901

(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

Suite 200

Columbus, Ohio 43215

(614) 648-5062

Pro Se for Appellant, Counterclaim

Appellant and Third-party Appellant

Daniel L. Junk

Columbus, Ohio
December 18, 2014

Exhibit A

The South Carolina Court of Appeals

CitiMortgage, Inc., Respondent,

v.

Daniel L. Junk and Christine H. Junk, and Oldfield Community Association, Defendants, Of Whom Daniel L. Junk and Christine H. Junk are, Appellants,

Daniel L. Junk and Christine H. Junk, Counterclaim Appellants,

v.

CitiMortgage Inc., Counterclaim Respondent,

Daniel L. Junk and Christine H. Junk, Third-Party Appellants,

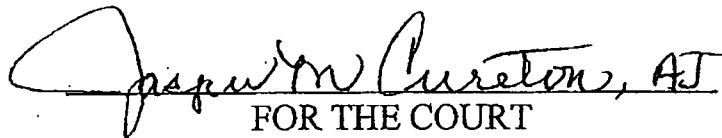
v.

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.

Appellate Case No. 2012-210910

ORDER

This appeal shall be consolidated with its two related appeals having Appellate Case Numbers 2012-212115 and 2012-212148. Nothing in this order prevents the parties from arguing the appealability of any of the orders in their briefs.


FOR THE COURT

Columbia, South Carolina

cc:

Daniel L. Junk
Brian Patrick Crotty
A. Parker Barnes, Jr.
Amanda Coney Williams
Susan Taylor Wall
Michael J. Anzelmo

FILED

cc 11/8/12

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

Daniel L. Junk and Christine H. Junk, Appellants,

v.

Mortgage Electronic Registration Systems, Inc., and John Does 1-5,000, Respondents.

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, Appellants,

Daniel L. Junk and Christine H. Junk, Counterclaim Appellants,

v.

CitiMortgage, Inc. Counterclaim Respondent.

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.,

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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.

PROOF OF SERVICE

I certify that I have served **MOTION TO WITHDRAW APPEAL** dated December 18, 2014, on counsel listed below by depositing a copy of it in the United States Mail, postage prepaid, on December 18, 2014.

DANIEL L. JUNK, DEBTOR-IN-
POSSESSION, *PRO SE*



Daniel L. Junk, Debtor-in-possession
*Pro Se Appellant, Counterclaim
Appellant and Third-party Appellant*
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Columbus, OH 43221
(614) 648-5062

Columbus, Ohio
December 18, 2014

{Service list on following page}

PROOF OF SERVICE

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Columbia, SC 29201-3226

DANIEL L. JUNK

December 18, 2014

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

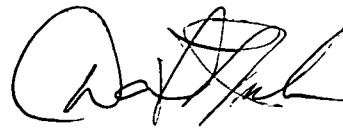
Re: CitiMortgage v. Junk, et al.
Civil Action No. 2009-CP-07-05088
Case Tracking No. 2012-210910

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SC Court of Appeals

Dear Ms. Kitchings,

Enclosed please find an original and seven (7) copies of Appellants' Counterclaim Appellants' and Third-party Appellants' Reply to Motion to Withdraw Appeal. 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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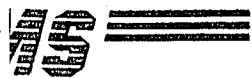
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