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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

MAY 14 2015

APPEAL FROM DORCHESTER COUNTY
James E. Chellis, Master in Equity Judge

SC Court of Appeals

Case No.: 2015-000719

Wells Fargo Bank, N.A. as Trustee for Stanwich Mortgage
Loan Trust, Series 2011-2 Asset-Backed Pass-Through Certificates, Respondent,

v.

Margaret Wilson, Leon Wilson, Appellants.

RESPONDENT'S MOTION TO DISMISS

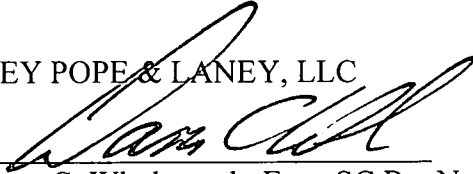
RILEY POPE & LANEY, LLC

Damon C. Wlodarczyk, Esq., SC Bar No. 70460
Riley, Pope & Laney, LLC
2838 Devine Street
Post Office Box 11412 (29211)
Columbia, South Carolina 29205
Telephone: (803)799-9993
Facsimile: (803) 239-1414
E-mail: damonw@rplfirm.com
Attorneys for Respondent

Respondent hereby submits its Motion to Dismiss pursuant to Rule 240 of the South Carolina Appellate Court Rules and shows this Honorable Court the following: This case involves a cause of action for the foreclosure of a mortgage involving a residential property located in Dorchester County, South Carolina. Pursuant to an Order filed by the Dorchester County Master in Equity on July 18, 2012 and supplemented by Order filed December 17, 2014, Respondent was granted an Order for Foreclosure and Sale and the subject property was sold to a third-party bidder on February 3, 2015. No bond was posted with the Dorchester County Clerk of Court and a Deed was issued by the Master in Equity on April 7, 2015 transferring the property to the third-party. See Exhibits 1 and 2. The Deed was recorded in the Office of the Register of Deeds for Dorchester County on April 27, 2015.

Since Appellants failed to post the statutorily required bond pending an appeal of an order granting foreclosure and the property has been sold and deeded to a third-party, Respondent respectfully requests that the Court dismiss the appeal as moot. See S.C. Code § 18-9-170.

RILEY POPE & LANEY, LLC



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Facsimile: (803) 239-1414
Attorneys for Respondent

Columbia, South Carolina
May 12, 2015



Dorchester County First Judicial Circuit Public Index



Dorchester County Home Page South Carolina Judicial Department Home Page SC.GOV Home Page

Wells Fargo Bank Na VS Margaret Wilson , defendant, et al

| | | | | | |
|----------------------|---------------|-------------------|------------------|--------------------|-----------------|
| Case Number: | 2011CP1801935 | Court Agency: | Common Pleas | Filed Date: | 10/04/2011 |
| Case Type: | Common Pleas | Case Sub Type: | Foreclosure 420 | File Type: | Non-Jury |
| Status: | Judgment | Assigned Judge: | Chellis, James E | | |
| Disposition: | Judgment | Disposition Date: | 07/18/2012 | Disposition Judge: | Murphy, Maite D |
| Original Source Doc: | | Original Case #: | | | |
| Judgment Number: | | Court Roster: | | | |

Case Parties Judgments Tax Map Information Associated Cases Actions Financials

| Name | Description | Type | Motion Roster | Begin Date | Completion Date | Documents |
|---------------------|--|--------|---------------|------------------|------------------|-----------|
| Wells Fargo Bank Na | Certificate of Service by Mail on Defendants | Filing | | 04/09/2015-14:15 | | |
| Wilson, Leon Jr | Motion for Reconsideration to Vacate Judgment/Sale | Motion | | 04/08/2015-11:58 | 04/08/2015-11:58 | |
| Wilson, Leon Jr | Notice of appeal/Court of appeals | Filing | | 04/07/2015-11:53 | | |
| Wells Fargo Bank Na | Order denying motion to vacate judgment and sale | Order | | 04/02/2015-16:01 | 04/02/2015-16:01 | |
| Wells Fargo Bank Na | Order denying motion for continuance | Order | | 04/02/2015-16:00 | 04/02/2015-16:00 | |
| Wilson, Leon Jr | Motion/Continuance | Motion | | 03/23/2015-11:57 | 03/23/2015-11:57 | |
| Wells Fargo Bank Na | Notice/Notice of Hearing/certificate | Filing | | 03/16/2015-14:57 | | |
| Wilson, Leon Jr | Motion/Vacate Judgment and Sale | Motion | | 02/23/2015-15:35 | 02/23/2015-15:35 | |
| Wells Fargo Bank Na | Affidavit/Publication | Filing | | 02/17/2015-13:22 | | |
| Wilson, Leon Jr | Affidavit for Rule 5.1 | Filing | | 01/28/2015-16:54 | | |
| Wilson, Leon Jr | Affidavit for Notice of Constitutional Challenge | Filing | | 01/28/2015-16:52 | | |
| Wilson, Leon Jr | Notice of Constitutional Challenge Rule 5.1 | Filing | | 01/28/2015-16:51 | 01/28/2015-16:51 | |
| Wilson, Leon Jr | Notice of Constitutional Challenge/Injunction Brief | Motion | | 01/28/2015-16:49 | 01/28/2015-16:49 | |
| Wells Fargo Bank Na | 4th Amended notice of sale | Filing | | 12/17/2014-13:53 | 12/17/2014-13:53 | |
| Wells Fargo Bank Na | Supplemental Master in Equity's Judgment of foreclosure/Afft | Order | | 12/17/2014-13:51 | 12/17/2014-13:51 | |
| Wells Fargo Bank Na | Notice of Motion for SJ Hearing | Filing | | 10/14/2014-09:40 | | |
| Wilson, Leon Jr | Motion to Dismiss | Motion | | 07/23/2014-12:20 | 07/23/2014-12:20 | |
| Wells Fargo Bank Na | Notice of Supplemental Hearing/Certificate of Mailing | Filing | | 05/22/2014-12:23 | | |
| Wilson, Leon Jr | Answer of Leon/Margaret Wilson to pl notice&mot to dismiss | Filing | | 02/26/2014-10:45 | | |
| Wilson, Leon Jr | Answer of Leon/Margaret Wison to pl motion to dismiss | Filing | | 02/25/2014-10:44 | | |
| Wilson, Leon Jr | Request for Hearing Rescheduling | Filing | | 02/20/2014-15:42 | 02/20/2014-15:42 | |
| Wells Fargo Bank Na | Motion/Dismiss | Motion | | 02/18/2014-14:33 | 02/18/2014-14:33 | |
| Wells Fargo Bank Na | Notice of supplemental Hearing/cert of mailing | Filing | | 02/10/2014-09:27 | | |
| Wells Fargo Bank Na | Motion/Summary Judgment | Motion | | 02/03/2014-14:58 | 02/03/2014-14:58 | |
| Wells Fargo Bank Na | Letter/Response loan modification | Filing | | 10/23/2013-11:08 | | |
| Wells Fargo Bank Na | Letter/Response reinstatement | Filing | | 10/23/2013-11:07 | | |
| Wilson, Leon Jr | Motion/Summary Judgment | Motion | | 09/25/2013-10:56 | 09/25/2013-10:56 | |
| Wilson, Leon Jr | Motion to Vacate Foreclosure/Sale | Motion | | 09/17/2013-11:06 | 09/17/2013-11:06 | |
| Wells Fargo Bank Na | Notice/Notice of Hearing | Filing | | 09/16/2013-11:11 | | |
| Wells Fargo Bank Na | Affidavit/Publication | Filing | | 09/16/2013-09:28 | | |
| Wells Fargo Bank Na | Motion for Temporary Restraining/Injunction | Motion | | 09/13/2013-16:58 | 09/13/2013-16:58 | |
| Wilson, Leon Jr | Notice/Notice of wrongful foreclosure | Filing | | 08/29/2013-15:06 | | |
| Wells Fargo Bank Na | Certificate of Mailing on defendants | Filing | | 08/26/2013-12:20 | | |
| Wells Fargo Bank Na | 3rd Amended Notice of Sale | Filing | | 08/12/2013-09:32 | | |
| Wells Fargo Bank Na | Authorization of Withdraw Property from Sale | Filing | | 03/18/2013-15:59 | | |

EXHIBIT

tabbier

| | | | | | |
|--------------------------|--|--------|--|------------------|------------------|
| Wells Fargo Bank Na | 2nd Amended Notice of Sale | Filing | | 02/21/2013-12:31 | 02/21/2013-12:31 |
| Wells Fargo Bank Na | Authorization to Withdraw Property From Sale | Filing | | 02/04/2013-15:19 | |
| Wells Fargo Bank Na | Amended Notice of Sale | Filing | | 01/04/2013-11:09 | 01/04/2013-11:09 |
| Wells Fargo Bank Na | Authorization to withdraw property from sale | Filing | | 09/13/2012-15:42 | |
| Wells Fargo Bank Na | Master's Order Of Foreclosure & Sale | Order | | 07/18/2012-14:46 | 07/18/2012-14:46 |
| Wells Fargo Bank Na | Notice/Notice of Hearing | Filing | | 07/09/2012-13:52 | 07/18/2012-13:52 |
| Wells Fargo Bank Na | Order/Referred to Master | Order | | 05/14/2012-14:22 | 05/14/2012-14:22 |
| Wells Fargo Bank Na | Motion/Refer to Master | Motion | | 05/14/2012-14:22 | 05/14/2012-14:22 |
| Wells Fargo Bank Na | Certification of Mortgagor Non-Compliance | Filing | | 05/14/2012-14:21 | 07/18/2012-14:21 |
| America United States of | Answer/Answer of the United States of America | Filing | | 11/08/2011-11:18 | 07/18/2012-11:18 |
| Wells Fargo Bank Na | Affidavit of Service by Certified Mail | Filing | | 10/28/2011-16:15 | 07/18/2012-16:15 |
| Wells Fargo Bank Na | Affidavit Of Service on United States of America | Filing | | 10/24/2011-10:27 | 07/18/2012-10:27 |
| Wells Fargo Bank Na | Affidavit of Service on SC Dept of Revenue | Filing | | 10/06/2011-11:09 | 07/18/2012-11:09 |
| Wells Fargo Bank Na | Affidavit of Service on SC Attorney General | Filing | | 10/06/2011-11:08 | 07/18/2012-11:08 |
| Wells Fargo Bank Na | Affidavit of Service on Margaret Wilson | Filing | | 10/06/2011-11:08 | 07/18/2012-11:08 |
| Wells Fargo Bank Na | Affidavit of Service on Leon Wilson, Jr. | Filing | | 10/06/2011-11:07 | 07/18/2012-11:07 |
| Wells Fargo Bank Na | Property Description 137-02-10-011 | Filing | | 10/04/2011-14:24 | 07/18/2012-14:24 |
| Wells Fargo Bank Na | ADR/Alternative Dispute Resolution (Workflow) | Filing | | 10/04/2011-13:03 | 07/18/2012-13:03 |
| Wells Fargo Bank Na | Lis Pendens Filed | Filing | | 10/04/2011-13:03 | 07/18/2012-13:03 |
| Wells Fargo Bank Na | Summons & Complaint | Filing | | 10/04/2011-12:58 | 07/18/2012-12:58 |
| Wells Fargo Bank Na | Notice of Foreclosure Intervention | Filing | | 10/04/2011-00:00 | 07/18/2012-00:00 |

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Recording Date: 04/27/2015

Instrument: 26

Book: 9706 Page: 143-147

FILED-RECORDED
RMC / ROD

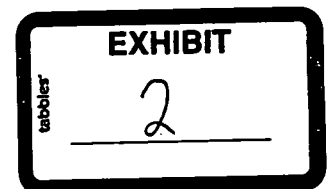
2015 Apr 27 AM 8:54:16

DORCHESTER COUNTY
SC Deed Rec Fee: 130.00
Dor Co Deed Rec Fee: 55.00
Filing Fee: 10.00
Exemption #:
MARGARET L. BAILEY
Register of Deeds



THIS PAGE IS HEREBY ATTACHED AND MADE PART OF
THE PERMANENT RECORD OF THIS DOCUMENT. IT IS
NOT TO BE DETACHED OR REMOVED AND MUST BE
CITED AS THE FIRST PAGE OF THE RECORDED
DOCUMENT. THE TOP OF THE PAGE IS TO BE USED FOR
RECORDING PURPOSES AND IS NOT TO BE USED FOR
ANY OTHER PURPOSE.

REGISTER OF DEEDS
DORCHESTER COUNTY SOUTH CAROLINA
MARGARET L. BAILEY, REGISTER
POST OFFICE BOX 38
ST. GEORGE, SC 29477
843-563-0181 or 843-832-0181



STATE OF SOUTH CAROLINA)
)
 COUNTY OF DORCHESTER)

DEED
 (PUBLIC SALE)

FILED/RECORDED
 APRIL 27, 2015
 DORCHESTER COUNTY
 REGISTER OF DEEDS

To Whom These Presents shall concern:

I, James E. Chellis, as Master In Equity for Dorchester County, State of South Carolina, send greetings:

WHEREAS, Wells Fargo Bank, N.A., as Trustee for Stanwich Mortgage Loan Trust, Series 2011-2 Asset-Backed Pass-Through Certificates, on or about October 4, 2011, did exhibit its complaint in the Court of Common Pleas in the County of Dorchester and State aforesaid, Case Number 2011-CP-18-1935 against Margaret Wilson, Leon Wilson, Jr., and the United States of America.

And the Cause, being at issue before me the Honorable Court aforesaid, came on to be heard on July 18, 2012, when the said Court, after a full hearing thereof, and mature deliberation in the Premises, Did Order, Adjudge and Decree that the premises hereafter mentioned and described should be sold at public auction by the Master in Equity for Dorchester County on the terms and for the purposes mentioned in said Decretal Order, as by reference thereto, on file in the said Court will appear; and the said Master in Equity after having duly advertised the said premises for sale by Public outcry, on February 3, 2015, did then, openly and publicly, and according to the custom of auction, sell and dispose of the said premises below described, unto Prime Property Group, LLC, for Fifty Thousand and No/100 Dollars (\$50,000.00) Dollars being, at that price, the highest bidder for the same.

NOW, KNOW ALL PERSONS, That I, the undersigned, as Master in Equity for Dorchester County, pursuant to the forgoing and also in consideration of the said bid paid as the aforesaid by the said hereinbelow named grantee, the receipt whereof is hereby acknowledged, have granted, bargained, sold, released, and by these presents do grant bargain, sell and release the following described property unto the grantee, Prime Property Group, LLC, its successors and assigns.

All that piece, parcel or tract of land with the buildings and improvements thereon, situate, lying and being Northwest of the Town of Summerville in the county and state aforesaid butting and bounding as follows: North by lands now or formerly of Williams; East by land of Mary Wilson; West by lands of Caestine Bradley and South by Highway 61.

The property has been recently surveyed and is more accurately described as follows:

All that piece, parcel or tract of land, lying and being in Dorchester County, South Carolina and known and designated as containing 0.29 acres, as shown on that certain plat entitled "BOUNDARY SURVEY FOR PARCEL AT 811 WEST RICHARDSON AVE. TMS# 137-02-10-011, TOWN OF

File No: 2559-013

After recording return to:
 JAMES E. REEVES, P.A.
 400 N. Cedar Street
 Summerville, SC 29483

SUMMERVILLE, DORCHESTER COUNTY, SOUTH CAROLINA" prepared by RLA Associates, P.A. dated February 23, 2015 and recorded March 12, 2015 in the Register of Deeds Office for Dorchester County in Plat Book M, page 51; said tract of land having such actual size, shape, dimensions, buttings and boundings as shown on said plat, reference to which is hereby made for a more complete description.

This being the same property conveyed to Leon Wilson, Jr. and Margaret Wilson by Deed of Yesterdays, Inc., dated February 26, 1999 and recorded February 26, 1999 in the Dorchester County Register of Deeds Office in Book 2143, page 167.

Property Address: 811 West Richardson Avenue, Summerville, SC 29483

TMS # 137-02-10-011.000

GRANTEES' ADDRESS: P.O. Box 422, Summerville, SC 29484

TOGETHER with all the singular the hereditaments, rights, members and appurtenances whatsoever to the said property belonging or in any wise incident or appertaining, and the reversions and remainders, rents, issues, and profits thereof; and also any estate, right, title, interest, dower, possession, benefit, claim or demand therein whatsoever of all parties to the said suit and of all other persons who might rightfully claim the same or any part thereof, by, from, or under them, or either of them;

TO HAVE AND TO HOLD the said property, with its hereditaments, privileges, and appurtenances, unto the said grantee, his heirs and assigns for his own use, benefit, and behoof, forever.

IN WITNESS WHEREOF, I, the undersigned, as Master in Equity for Dorchester County, under and by virtue of the said order(s), have hereunto set my Hand and Seal the 21st day of April in the year of our Lord two thousand fifteen, and in the two hundred and thirty ninth year of Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED

In the Presence of:

Shirley B. Young
Witness #1

Mary J. Kizer
Witness #2 and Notary

James E. Chellis (L.S.)
James E. Chellis
Master in Equity for Dorchester County

FILED/RECORDED
APRIL 27, 2015
DORCHESTER COUNTY
REGISTER OF DEEDS

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER)

PERSONALLY APPEARED the undersigned witness and made oath that he/she saw James E. Chellis, as Master in Equity for Dorchester County, sign, seal, and deliver the within Deed; and that deponent together with the other witness signed their names as witnesses thereto.

Shirley F. Young
Witness #1

SWORN to before me this
1st day of April, 2015.

Heather G. Kizer
Witness #2 and Notary Public for South Carolina
My Commission Expires: 10-01-2023

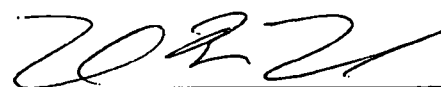
STATE OF SOUTH CAROLINA)
COUNTY OF DORCHESTER)

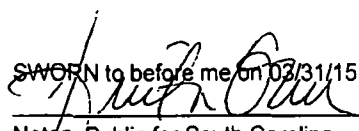
AFFIDAVIT

Date of Transfer of Title
Closing Date: 03/31/15

PERSONALLY appeared before me the undersigned, who being duly sworn, deposes and says:

1. I have read the information on this Affidavit and I understand such information.
2. The property is being transferred
BY: James E. Chellis, Master-in-Equity for Dorchester County
TO: Prime Property Group, LLC
ON: 03/31/15
3. Check one of the following: *The DEED is*
(a) subject to the deed recording fee as a transfer for consideration paid or to be paid in money(s) worth.
(b) _____ subject to the deed recording fee as a transfer between corp., partnership, or other entity and stockholder, partner, or owner of entity, or is transfer to a trust or as a distribution to a trust beneficiary.
(c) _____ EXEMPT from the deed recording fee because (exemptions #1-12) (If exempt, please skip items 4-6, and go to item 7 of this affidavit.) (Explanation if required) _____
4. Check one of the following if either item 3(a) or item 3(b) above has been checked.
(a) The fee is computed on the consideration paid or to be paid in money or money's worth in the amount of **\$50,000.00**
(b) _____ The fee is computed on the fair market value of the realty which is \$ _____
(c) _____ The fee is computed on the fair market value of the realty as established for property tax purposes which is \$ _____
5. Check YES _____ or NO to the following: A lien or encumbrance existed on the land, tenement, or realty before the transfer and remained on the land, tenement, or realty after the transfer. If "YES", the amount of the outstanding balance of this lien or encumbrance is \$ _____.
6. The DEED Recording Fee is computed as follows:
(a) **\$50,000.00** the amount listed in item 4 above
(b) _____ 0 _____ the amount listed in item 5 above (no amount place zero)
(c) **\$50,000.00** Subtract Line 6(b) from Line 6(a) and place the result.
7. As required by Code Section 12-24-70, I state that I am a responsible person who was connected with the transaction as: BUYER.
8. Check if Property other than Real Property is being transferred on this Deed.
(a) _____ Mobile Home (b) _____ Other
9. DEED OF DISTRIBUTION – ATTORNEY'S AFFIDAVIT: Estate of _____ deceased CASE NUMBER _____ Personally appeared before me the undersigned attorney who, being duly sworn, certified that (s)he is licensed to practice law in the State of South Carolina; that (s)he has prepared the Deed of Distribution for the Personal Rep. In the Estate of _____ deceased and that the grantee(s) therein are correct and conform to the estate file for the above named decedent.
10. I understand that a person required to furnish this affidavit who willfully furnishes a false or fraudulent affidavit is guilty of a misdemeanor and, upon conviction, must be fined not more than one thousand dollars or imprisoned not more than one year, or both.

Signed: 
Prime Property Group, LLC
By: Michael Brooks Marshall
Its: Member

SWORN to before me on 03/31/15

Notary Public for South Carolina
My Commission Expires: 12/31/18

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

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James E. Chellis, Master in Equity Judge

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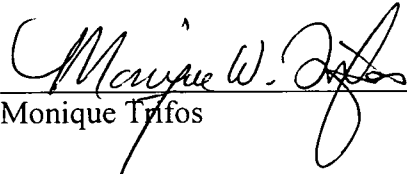
Margaret Wilson, Leon Wilson, Appellants.

CERTIFICATE OF SERVICE

I do hereby certify that I served the Respondent's Motion to Dismiss upon the parties below herein by depositing a copy of same, this date, in the U.S. Mail, first class postage prepaid, and addressed as follows:

Margaret Wilson
811 W. Richardson Ave.
Summerville, SC 29483

Leon Wilson, Jr.
811 W. Richardson Ave.
Summerville, SC 29483



Monique Trifos

Columbia, SC
May 12, 2015

3

RILEY POPE & LANEY, LLC

ATTORNEYS AND COUNSELORS AT LAW

2838 DEVINE STREET
POST OFFICE BOX 11412 (29211)
COLUMBIA, SOUTH CAROLINA 29205

TELEPHONE
(803) 799-9993

RECEIVED FACSIMILE
(803) 239-1414

May 12, 2015

MAY 14 2015

SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of Court, SC Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Wells Fargo Bank, N.A. as Trustee for Stanwich Mortgage Loan Trust, Series 2011-2 Asset-Backed Pass-Through Certificates v. Margaret Wilson, Leon Wilson
Case No.: 2015-000719
Our File No. 4043.01211

Dear Ms. Kitchings:

Enclosed for filing please find an original and seven (7) copies with proof of service attached of Respondent's Motion to Dismiss along with my firm's check in the amount of \$25.00 to cover the filing fee. Please return the filed copy to me in the self-addressed, postage paid envelope I have included for your convenience.

Thank you for your kind assistance in this matter.

Sincerely,



Damon C. Wlodarczyk

DCW/mwt

Enclosures

cc: Margaret Wilson (w/enclosure)
Leon Wilson, Jr. (w/enclosure)