

IN THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM CHESTER COUNTY
Court of Common Pleas

Lamar H. Kelsey, III, Special Referee

Case No. 2007-CP-12-559

HSBC Bank as Trustee, for the registered
holders of Nomura Home Equity Loan, Inc.
Asset-Backed Certificates, Series 2007-2 Respondent,

v.

Nathaniel McMickens,
Glenda L. McMickens and Robert Cooke,
of whom
Nathaniel McMickens and Glenda L. McMickens are Appellants.

Case No. 2007-CP-12-0034

Robert Cooke ,

v.

Nathaniel McMickens, Glenda L. McMickens
and Mortgage Electronic Registration Systems,
Inc. as nominee for Coastal Capital Corp.,
of whom
Nathaniel McMickens and Glenda L. McMickens are. Appellants,
and
HSBC Bank as Trustee as successor
in interest to Mortgage Electronic Registration Systems,
Inc. as nominee for Coastal Capital Corp. is Respondent.

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MAY 11 2012

SC Court of Appeals

RESPONDENT'S RETURN TO APPELLANTS'
SUPPLEMENTAL RECORD ON APPEAL

Nathaniel McMickens
Glenda L. McMickens
2834 James F. Wherry Road
Chester, SC 29706
(803) 581-8700
pro se Appellants

H. Guyton Murrell
P.O. Box 11264
Columbia, SC 29211
(803) 252-5817
Attorney for Respondent

The respondent would respectfully return to the appellant's document titled "Supplemental Record on Appeal" as follows:

1. Appellants have submitted a Supplemental Record and a cover later dated May 5, 2012 and received by the respondent's counsel on May 8, 2012.

2. The appellants claim the documents in the Supplemental Record and cover letter allegedly show that the foreclosure was based upon "false claims" and the subject mortgage loan has been "paid off".

3. Respondent would show that the allegations by the appellants are categorically untrue and in direct conflict with the appellants' sworn statements and filings in their prior Chapter 13 Bankruptcy case.

4. The documents included in the Supplemental Record on Appeal state that the mortgage loan bearing account no. 8560641 has been paid off and appellant seeks to include these documents as evidence that the mortgage loan in the current appeal has been paid.

5. The mortgage loan in this appeal is a refinance of a prior mortgage loan between the identical parties and account no. 8560641 corresponds to the prior mortgage loan that was refinanced.

6. The loan application for the current mortgage loan reflects that the prior mortgage loan held by respondent was designated as account no. 8560641. A copy of the loan application is attached hereto as Exhibit A.

7. The current mortgage loan was closed on April 28, 2006 and the proceeds were used to payoff the prior mortgage loan designated as account no. 8560641.

8. The new and current mortgage loan held by respondent was designated as account no. 6355630 and was serviced by Ocwen Loan Servicing.

9. Subsequent to the loan closing to refinance the mortgage debt, appellants filed a Chapter 13 Bankruptcy designated as Case No. 07-07099-hb.

10. Appellants acknowledged the mortgage loan held by respondent HSBC Bank and serviced by Ocwen Loan Servicing as a current and valid debt in appellants' Chapter 13 Bankruptcy case. A copy of Schedule D from the appellants' Chapter 13 Bankruptcy case which acknowledged the mortgage loan as a valid and current debt is attached hereto as Exhibit B.

11. Schedule D from the appellants' Chapter 13 Bankruptcy case confirmed that the current mortgage loan account was designated as account no. 6355630 and was a valid debt that was in arrears and to be reinstated pursuant to the terms of the appellants' bankruptcy plan.

12. A proof of claim for the current mortgage loan designated as account no. 6355630 was filed in the appellants' Chapter 13 Bankruptcy case and the claim was incorporated into the appellants' bankruptcy plan. A copy of the proof of claim dated 01/03/08 and amended proof of claim dated 01/28/08 are attached as Exhibit C. The note and mortgage which were attached to the proof of claim have been omitted as said documents were already included in the Record on Appeal.

13. The appellants' Chapter 13 Bankruptcy case was subsequently dismissed and this foreclosure action was filed.

14. The letter dated 12/06/07 and the letter dated 05/11/06 which appellants seek to include in a Supplemental Record both reference the prior mortgage loan designated as account no. 8560641 which was paid off with the proceeds of the current mortgage loan bearing account no. 6355630.

15. Respondent would show that appellants know or should know that the statements made in the cover letter to the "Supplemental Record" regarding the subject loan being paid off

are incorrect as appellants were provided additional copies of the proof of claim filed in their bankruptcy case on multiple occasions during the pendency of the foreclosure action. By letter dated January 13, 2009, a copy of the proof of claim was provided to the appellants. A copy of the January 13, 2009 letter is attached hereto as Exhibit D. A copy of the proof of claim was again provided to the appellants by letter dated May 20, 2009. A copy of the May 20, 2009 letter is attached as Exhibit E.

15. The document which appears to be an undated internet search for “MERS ServicerID” stating that HSBC Mortgage Services is a servicer also refers to the account number on the prior mortgage loan which was paid off.

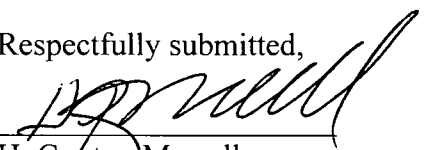
16. The document which appears to be a compilation of two (2) separate deeds is not a true and accurate copy of the deeds conveying title to the appellants. A copy of deeds is attached hereto as Exhibit F.

17. Respondent would argue that said deeds are irrelevant in that respondent has never contested that the appellants are the current titleholders to the subject real property.

For the reasons stated, respondent would argue that the appellants’ request to supplement the record be denied.

May 10, 2012

Respectfully submitted,



H. Guyton Murrell
P.O. Box 11264
Columbia, SC 29211
(803) 252-5817
Attorney for Respondent

Union Residential Loan Application

This application is designed to be completed by the applicant(s) with the Lender's assistance. Applicants should complete this form as "Borrower" or "Co-Borrower", as applicable. Co-Borrower information must also be provided (and the appropriate box checked) when the income or assets of a person other than the "Borrower" (including Borrower's spouse) will be used as a basis for loan qualification or the income or assets of the Borrower's spouse or other person who has community property rights pursuant to state law will not be used as a basis for loan qualification, but his or her liabilities must be considered because the spouse or other person has community property rights pursuant to applicable law and Borrower resides in a community property state, the security property is located in a community property state, or the Borrower is relying on other property located in a community property state as a basis for repayment of the loan.

This is an application for joint credit. Borrower and Co-Borrower each agree to jointly intend to apply for joint credit (sign below):
Nathaniel M. McMeckens *Glenda McMeckens*

Borrower		Co-Borrower	
PROPERTY INFORMATION AND TERMS OF LOAN			
Mortgage Applied for:	<input type="checkbox"/> VA <input checked="" type="checkbox"/> Conventional <input type="checkbox"/> Other:	Agency Case Number	Lender Case Number
	<input type="checkbox"/> FHA <input type="checkbox"/> USDA Rural Housing Svc.		
Amount	Interest Rate	No. of Months	Amortization Type:
\$ 92,000	10.750 %	360 / 380	<input type="checkbox"/> Fixed Rate <input type="checkbox"/> Other (explain): <input type="checkbox"/> GPM <input checked="" type="checkbox"/> ARM (type): 2/28

PROPERTY INFORMATION AND PURPOSE OF LOAN	
Subject Property Address (street, city, state & zip code)	No. of Units
2834 JAMES F. WHERRY ROAD, CHESTER, SC 29706	1
Legal Description of Subject Property (attach description if necessary)	Year Built
SFR	1971

Purpose of Loan <input type="checkbox"/> Purchase <input type="checkbox"/> Construction <input type="checkbox"/> Other (explain):		Property will be:	
<input checked="" type="checkbox"/> Refinance <input type="checkbox"/> Construction-Permanent		<input checked="" type="checkbox"/> Primary Residence <input type="checkbox"/> Secondary Residence <input type="checkbox"/> Investment	
Complete this line if construction or construction-permanent loan.			
Year Lot Acquired	Original Cost	Amount Existing Liens	(a) Present Value of lot (b) Cost of Improvements Total (a + b)
	\$	\$	\$

Complete this line if this is a refinance loan.			
Year Acquired	Original Cost	Amount Existing Liens	Purpose of Refinance
1992	\$	\$ 46,000	DEBT CONSOL
Describe Improvements <input type="checkbox"/> made <input type="checkbox"/> to be made			Cost
			\$

Title will be held in what Name(s)	Manner in which Title will be held	Estate will be held in:
NATHANIEL MCMICKENS AND GLENDA MCMICKENS	HUSBAND AND WIFE	<input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold (show expiration date)
Source of Down Payment, Settlement Charges and/or Subordinate Financing (explain)		

BORROWER INFORMATION			
Borrower's Name (include Jr. or Sr. if applicable)		Co-Borrower's Name (include Jr. or Sr. if applicable)	
MCMICKENS, NATHANIEL		MCMICKENS, GLENDA	
Social Security Number	Home Phone (incl. area code)	DOB (mm/dd/yyyy)	Yrs. School
		10/18/1953	12
<input checked="" type="checkbox"/> Married <input type="checkbox"/> Unmarried (include single, divorced, widowed) <input type="checkbox"/> Separated	Dependents (not listed by Co-Borrower) no. 1 ages	<input checked="" type="checkbox"/> Married <input type="checkbox"/> Unmarried (include single, divorced, widowed) <input type="checkbox"/> Separated	Dependents (not listed by Co-Borrower) no. ages
Present Address (street, city, state, zip code) <input checked="" type="checkbox"/> Own <input type="checkbox"/> Rent 12.0 No. Yrs.		Present Address (street, city, state, zip code) <input checked="" type="checkbox"/> Own <input type="checkbox"/> Rent 12.0 No. Yrs.	
2834 JAMES F. WHERRY ROAD CHESTER, SC 29706		2834 JAMES F. WHERRY ROAD CHESTER, SC 29706	
Mailing Address, if different from Present Address		Mailing Address, if different from Present Address	

If residing at present address for less than two years, complete the following:

Former Address (street, city, state, zip code) <input type="checkbox"/> Own <input type="checkbox"/> Rent ___ No. Yrs.	Former Address (street, city, state, zip code) <input type="checkbox"/> Own <input type="checkbox"/> Rent ___ No. Yrs.
--	--

BORROWER EMPLOYMENT INFORMATION			
Name & Address of Employer <input type="checkbox"/> Self Employed		Name & Address of Employer <input type="checkbox"/> Self Employed	
MARATHON ABRASIVE CO. 2928 JAMES WHERRY RD CHESTER, SC 29706		CHESTER LANCASTER DISABILITIES P.O. BOX 577, 1126 CAMP CREEK CHESTER, SC 29706	
Years on this job	Years employed in this line of work/profession	Years on this job	Years employed in this line of work/profession
8.0	8.0	1.1	5.0
Position/Title/Type of Business	Business Phone (incl. area code)	Position/Title/Type of Business	Business Phone (incl. area code)
FOREMAN		DIRECT CARE	

If employed in current position for less than two years or if currently employed in more than one position, complete the following:

Name & Address of Employer <input type="checkbox"/> Self Employed	Dates (to - from)	Name & Address of Employer <input type="checkbox"/> Self Employed	Dates (to - from)
	Monthly Income \$	ABL MANAGEMENT, INC. (CHESTER CO.) 11224 BOARDWALK DRIVE BATON ROUGE, LA 70816-	03/01/2004 07/01/2004 Monthly Income \$ 867
Position/Title/Type of Business	Business Phone (incl. area code)	Position/Title/Type of Business	Business Phone (incl. area code)
		COOK	(225) 272-608
Name & Address of Employer <input type="checkbox"/> Self Employed	Dates (to - from)	Name & Address of Employer <input type="checkbox"/> Self Employed	Dates (to - from)
	Monthly Income \$	WHITE OAK MAMMER/ROCK HILL 1915 EBENEZER ROAD ROCK HILL, SC 29732-	01/01/2004 03/01/2004 Monthly Income \$ 900
Position/Title/Type of Business	Business Phone (incl. area code)	Position/Title/Type of Business	Business Phone (incl. area code)
		NURSING ASSISTANT	(803) 366-8155

MONTHLY INCOME AND COMBINED EXPENSE INFORMATION

Gross Monthly Income	Borrower	Co-Borrower	Total	Combined Monthly Housing Expenses	Present	Proposed
Base Empl. Income *	\$ 1,733	\$ 1,592	\$ 3,325	Rent	\$	\$
Overtime				First Mortgage (P & I)	451	858
Bonuses				Other Financing (P & I)		
Commissions				Hazard Insurance	66	66
Dividends/Interest				Real Estate Taxes	18	18
Net Rental Income				Mortgage Insurance		
Other (before completing, see the notice in "describe other income," below)				Homeowner Assn. Dues		
				Other		
Total	\$ 1,733	\$ 1,592	\$ 3,325	Total	\$ 536	\$ 943

* Self Employed Borrower(s) may be required to provide additional documentation such as tax returns and financial statements.

Describe Other Income		Monthly Amount
B/C	Notice: Alimony, child support, or separate maintenance income need not be revealed if the Borrower (B) or Co-Borrower (C) doesn't choose to have it considered for repaying this loan.	\$

ASSETS AND LIABILITIES

This Statement and any applicable supporting schedules may be completed jointly by both married and unmarried Co-Borrowers if their assets and liabilities are sufficiently joined so that the Statement can be meaningfully and fairly presented on a combined basis; otherwise, separate Statements and Schedules are required. If the Co-Borrower section was completed about a non-applicant spouse or person, this Statement and supporting schedules must be completed about that spouse or other person also.

Completed Jointly Not Jointly

ASSETS	Cash or Market Value	LIABILITIES	Monthly Payment & Months Left to Pay	Unpaid Balance
Description		Liabilities and Pledged Assets. List the creditor's name, address and account number for all outstanding debts, including automobile loans, revolving charge accounts, real estate loans, alimony, child support, stock pledges, etc. Use continuation sheet, if necessary. Indicate by (*) those liabilities, which will be satisfied upon sale of real estate owned or upon refinancing of the subject property.		
Cash deposit toward purchase held by:	\$			
List checking and savings accounts below				
Name and address of Bank, S & L, or Credit Union		Name and address of Company	\$ Payment/Months	\$
Acct. no.	\$	CONSUMER PORTFOLIO SVC PO BOX 57071 IRVINE, CA 92619	408.00 / 69	16,422.00
Name and address of Bank, S & L, or Credit Union		Name and address of Company	\$ Payment/Months	\$
Acct. no.	\$	WORLD FINANCE CORP 148 GADSDEN ST CHESTER, SC 29706	65.00 / 11	700.00
Name and address of Bank, S & L, or Credit Union		Name and address of Company	\$ Payment/Months	\$
Acct. no.	\$	HSBC/MS PO BOX 8633 ELMHURST, IL 60126	451.00 / 342	47,156.56 *

NMM
de

Name of Debtor: McMickens, Nathaniel
 Glenda McMickens
 Case Number: 07-07099

NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. Sec. 503.

Name of Creditor (the person or other entity to whom the debtor owes money or property): HSBC Bank USA, National Association, as Trustee, for the registered holders of Nomura Home Equity Home Loan, Inc. Asset-Backed Certificates, Series 2007-2
 Name and address where notices should be sent:
 OCWEN
 ATTN: Bankruptcy Department
 12650 Ingenuity Drive
 Orlando, FL 32826
 Telephone Number:
 Check this box to indicate that this claim amends a previously filed claim.
 Court Claim Number: (if known)
 Filed on:

Name and address where notices should be sent:
 OCWEN
 ATTN: Bankruptcy Department
 12650 Ingenuity Drive
 Orlando, FL 32826
 Telephone Number:
 Check Box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars.
 Check this box if you are the debtor or trustee in this case.

1. Amount of Claim as of Date Case Filed: \$101814.14
 If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4.
 If all or part of your claim is entitled to priority, complete item 5.
 Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.

2. Basis for Claim: Money loaned
 (See instruction #2 on reverse side.)

3. Last four digits of any number by which creditor identifies debtor: 9824

3a. Debtor may have scheduled account as: 6355630
 (See instruction #2 on reverse side.)

4. Secured Claim (See instruction #4 on reverse side.)
 Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information.
 Nature of property or right of setoff: Real Estate Motor Vehicle Other
 Describe:
 Value of Property: \$121000.0 Annual Interest Rate 10.75000%
 Amount of arrearage and other charges as of time case filed included in secured claim,
 if any: \$10528.00 Basis for perfection: Secured
 Amount of Secured Claim: \$101814.14 Amount Unsecured: \$0

5. Amount of Claim Entitled to Priority under 11 U.S.C. Sec 507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount.
 Specify the priority of the claim.
 Domestic support obligations under 11 U.S.C. Sec 507(a)(1)(A) or (a)(1)(B).
 Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier 11 U.S.C. Sec 507 (a)(4).
 Contributions to an employer benefit plan 11 U.S.C. Sec 507 (a)(5).
 Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use 11 U.S.C. Sec 507 (a)(7).
 Taxes or penalties owed to governmental units 11 U.S.C. Sec 507 (a)(8).
 Other Specify applicable paragraph of 11 U.S.C. Sec 507 (a)(_____).

6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.
 7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements or running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See definition of redacted on reverse side.)
 Amount entitled to priority:
5
 *Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.
 DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING.
 If the documents are not available, please explain:

Date: 01/03/08
 Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any.
/s/Michele Rice Bankruptcy Supervisor
 FOR COURT USE ONLY

EXHIBIT "A"
ITEMIZATION OF CLAIM

Date of Filing: 12/22/2007

Case Number: 07-07099

Debtor: McMickens, Nathaniel

Creditor: HSBC Bank USA, National Association, as Trustee, for the registered holders of Nomura Home Equity Home Loan, Inc. Asset-Backed Certificates, Series 2007-2

<u>Arrearage:</u>	\$	7729.20
Monthly Payments:	\$	343.2
Late Charges:	\$	25.0
Non Sufficient Fund Charges:	\$	677.22
Escrow Advances:	\$	2005.52
Fees, Costs & Property Preservation Expenses:	\$	0.0
Securitized Interest Arrearage:	\$	0.0
Interest on Claim:	\$	0.0
POC Fee:	\$ (	0.0)
(Forbearance Suspense):	\$ (	0.0)
(Miscellaneous Suspense):	\$ (	252.14)
(Pre-Pet Suspense):		
TOTAL ARREARAGE:	\$	10528.0

\$ 966.34

*Post-Petition payment amount (including escrow if any) is

Applicable in states where the trustee is required to make post-petition payments on debtors behalf

Subject to change according to terms of your note and mortgage

P&I Schedule:

From	To	%Rate	Days	P&I
04/01/2007	04/30/2007	10.75000	30	858.8
05/01/2007	05/31/2007	10.75000	30	858.8
06/01/2007	06/30/2007	10.75000	30	858.8
07/01/2007	07/31/2007	10.75000	30	858.8
08/01/2007	08/31/2007	10.75000	30	858.8
09/01/2007	09/30/2007	10.75000	30	858.8
10/01/2007	10/31/2007	10.75000	30	858.8
11/01/2007	11/30/2007	10.75000	30	858.8
12/01/2007	12/31/2007	10.75000	30	858.8

EXHIBIT "B"
Payoff Information

Unpaid Principal Balance:		\$	91639.38
Interest From:	04/01/2007	to	12/31/2007
		\$	7375.96
Late Charges:		\$	343.2
Non Sufficient Fund Charges:		\$	25.0
Escrow Advances:		\$	677.22
Fees, Costs & Property Preservation Expenses:		\$	2005.52
Securitized Interest Arrearage:		\$	0.0
Interest On Claim:		\$	0.0
POC Fee:		\$	0.0
(Miscellaneous Suspense):		\$ (	0.0)
(Forbearance Suspense):		\$ (	252.14)
(Pre-Pet Suspense):		\$	101814.14
Payoff as of:	12/22/2007	\$	27.36
Per Diem Amount:			

Exhibit C

Pre-Petition Fee, Costs & Property Preservation Expenses Breakdown

Name:	Nathaniel McMickens
Loan Number:	6355630
Case Number:	07-07099

Description	Amount
Property-Inspection-Fee.....	\$10.50
Foreclosure Fee	\$262.50
Foreclosure Cost	\$22.00
Property Inspection Fee	\$10.50
Property Valuation Fee - BPO	\$121.00
Title Report Fee	\$300.00
Foreclosure Fee	\$15.00
Certified Mail Cost	\$5.21
Certified Mail Cost	\$5.21
Certified Mail Cost	\$5.21
Certified Mail Cost	\$5.21
Certified Mail Cost	\$2.51
Certified Mail Cost	\$4.67
Property Valuation Fee - BPO	\$121.00
Oustanding FC Fees and Cost	\$1,115.00
Total	\$2,005.52

UNITED STATES BANKRUPTCY COURT ALL	DISTRICT OF SOUTH CAROLINA	PROOF OF CLAIM
Name of Debtor: McMickens, Nathaniel Glenda, McMickens		Case Number: 07-07099
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. Sec. 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): HSBC Bank USA, National Association, as Trustee, for the registered holders of Nomura Home Equity Home Loan, Inc. Asset-Backed Certificates, Series 2007-2		<input checked="" type="checkbox"/> Check this box to indicate that this claim amends a previously filed claim. Court Claim Number: 2 (If known) Filed on: 01/03/2008
Name and address where notices should be sent: OCWEN ATTN: Bankruptcy Department 12650 Ingenuity Drive Orlando, FL 32826 Telephone Number:		
Name and address where notices should be sent: OCWEN ATTN: Bankruptcy Department 12650 Ingenuity Drive Orlando, FL 32826 Telephone Number:		<input type="checkbox"/> Check Box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check this box if you are the debtor or trustee in this case.
1. Amount of Claim as of Date Case Filed: <u>\$102631.91</u> If all or part of your claim is secured, complete item 4 below; however, if all of your claim is unsecured, do not complete item 4. If all or part of your claim is entitled to priority, complete item 5. <input checked="" type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of claim. Attach itemized statement of interest or charges.		5. Amount of Claim Entitled to Priority under 11 U.S.C. Sec 507(a). If any portion of your claim falls in one of the following categories, check the box and state the amount. Specify the priority of the claim. <input type="checkbox"/> Domestic support obligations under 11 U.S.C. Sec 507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Wages, salaries, or commissions (up to \$10,950*) earned within 180 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier 11 U.S.C. Sec 507 (a)(4). <input type="checkbox"/> Contributions to an employee benefit plan 11 U.S.C. Sec 507 (a)(5). <input type="checkbox"/> Up to \$2,425* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use 11 U.S.C. Sec 507 (a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units 11 U.S.C. Sec 507 (a)(8). <input type="checkbox"/> Other Specify applicable paragraph of 11 U.S.C. Sec 507 (a)(). Amount entitled to priority: <p style="text-align: center;">5</p> *Amounts are subject to adjustment on 4/1/10 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.
2. Basis for Claim: <u>Money loaned</u> (See instruction #2 on reverse side.)		
3. Last four digits of any number by which creditor identifies debtor: <u>9824</u> 3a. Debtor may have scheduled account as: <u>6355630</u> (See instruction #2 on reverse side.)		
4. Secured Claim (See instruction #4 on reverse side.) Check the appropriate box if your claim is secured by a lien on property or a right of setoff and provide the requested information. Nature of property or right of setoff: <input checked="" type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: Value of Property: <u>\$121000.0</u> Annual Interest Rate <u>10.750000%</u> Amount of arrearage and other charges as of time case filed included in secured claim, if any: <u>\$11386.80</u> Basis for perfection: <u>Secured</u> Amount of Secured Claim: <u>\$102631.91</u> Amount Unsecured: <u>\$0</u>		
6. Credits: The amount of all payments on this claim has been credited for the purpose of making this proof of claim.		
7. Documents: Attach redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements or running accounts, contracts, judgments, mortgages, and security agreements. You may also attach a summary. Attach redacted copies of documents providing evidence of perfection of a security interest. You may also attach a summary. (See definition of redacted on reverse side.) DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain:		
Date: <u>01/28/08</u>	Signature: The person filing this claim must sign it. Sign and print name and title, if any, of the creditor or other person authorized to file this claim and state address and telephone number if different from the notice address above. Attach copy of power of attorney, if any. <p style="text-align: center;">/s/Michele Rice Bankruptcy Supervisor</p>	
		FOR COURT USE ONLY

EXHIBIT "A"
ITEMIZATION OF CLAIM

Date of Filing: 12/22/2007

Case Number: 07-07099

Debtor: McMickens, Nathaniel

Creditor: HSBC Bank USA, National Association, as Trustee, for the registered holders of Nomura Home Equity Home Loan, Inc.-Asset-Backed Certificates, Series-2007-2

Arrearage:

Monthly Payments:	\$	8588.00
Late Charges:	\$	343.2
Non Sufficient Fund Charges:	\$	25.0
Escrow Advances:	\$	677.22
Fees, Costs & Property Preservation Expenses:	\$	2005.52
Securitized Interest Arrearage:	\$	0.0
Interest on Claim:	\$	0.0
POC Fee:	\$	0.0
(Forbearance Suspense):	\$ (	0.0)
(Miscellaneous Suspense):	\$ (	0.0)
(Pre-Pet Suspense):	\$ (	252.14)
TOTAL ARREARAGE:	\$	11386.8

*Post-Petition payment amount (including escrow if any) is \$ 966.34

Applicable in states where the trustee is required to make post-petition payments on debtors behalf

Subject to change according to terms of your note and mortgage

P&I Schedule:

From	To	%Rate	Days	P&I
04/01/2007	04/30/2007	10.75000	30	858.8
05/01/2007	05/31/2007	10.75000	30	858.8
06/01/2007	06/30/2007	10.75000	30	858.8
07/01/2007	07/31/2007	10.75000	30	858.8
08/01/2007	08/31/2007	10.75000	30	858.8
09/01/2007	09/30/2007	10.75000	30	858.8
10/01/2007	10/31/2007	10.75000	30	858.8
11/01/2007	11/30/2007	10.75000	30	858.8
12/01/2007	12/31/2007	10.75000	30	858.8
01/01/2008	01/31/2008	10.75000	30	858.8

EXHIBIT "B"
Payoff Information

Unpaid Principal Balance:		\$	91639.38
Interest From:	04/01/2007	to	12/31/2007
		\$	8193.73
Late Charges:		\$	343.2
Non Sufficient Fund Charges:		\$	25.0
Escrow Advances:		\$	677.22
Fees, Costs & Property Preservation Expenses:		\$	2005.52
Securitized Interest Arrearage:		\$	0.0
Interest On Claim:		\$	0.0
POC Fee:		\$	0.0
(Miscellaneous Suspense):		\$ (	0.0)
(Forbearance Suspense):		\$ (	0.0)
(Pre-Pet Suspense):		\$ (	252.14)
Payoff as of:	12/22/2007	\$	102631.91
Per Diem Amount:		\$	27.36

Exhibit C

Pre-Petition Fee, Costs & Property Preservation Expenses Breakdown

Name:	Nathaniel Mcmickens
Loan Number:	6355630
Case Number:	07-07099

Description	Amount
Property Inspection Fee	\$10.50
Foreclosure Fee	\$262.50
Foreclosure Cost	\$22.00
Property Inspection Fee	\$10.50
Property Valuation Fee - BPO	\$121.00
Title Report Fee	\$300.00
Foreclosure Fee	\$15.00
Certified Mail Cost	\$5.21
Certified Mail Cost	\$5.21
Certified Mail Cost	\$5.21
Certified Mail Cost	\$5.21
Certified Mail Cost	\$2.51
Certified Mail Cost	\$4.67
Property Valuation Fee - BPO	\$121.00
 Outstanding FC Fees and Cost	 \$1,115.00
 Total	 \$2,005.52

KORN LAW FIRM, P.A.
1300 Pickens Street
Post Office Box 12369
Columbia, SC 29211
Telephone: (803) 252-5817 Facsimile: (803) 231-2060

January 13, 2009

Nathaniel McMickens
Glenda McMickens
2834 James F. Wherry Road
Chester, SC 29706

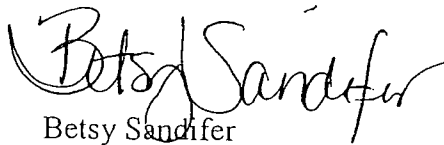
Re: HSBC Bank v. Nathaniel McMickens et al
Civil Action No.: 2007-CP-12-559
Our File No.: F27-03230

Dear Sir or Madam:

Enclosed please find a copy of our Complaint and the Proof of Claim in regards to the above referenced foreclosure action.

Your assistance is very much appreciated.

Yours truly,



Betsy Sandifer
Litigation Paralegal

/bs
Enclosures

This communication is an attempt to collect a debt and any information gained will be used for that purpose.

KORN LAW FIRM, P. A.
POST OFFICE BOX 11264,
1300 PICKENS STREET
COLUMBIA, SOUTH CAROLINA 29211
(803) 252-5817

May 20, 2009

Glenda McMickens
2834 James F. Wherry Road
Chester, SC 29706

RE: HSBC Bank v. Nathaniel McMickens, et al
Case No.2007-CP-12-559
File No.F27-03230

Robert Cooke v. Nathaniel McMickens, et al
Case No.2006-CP-12-034
File No.K27-03230

Dear Ms. McMickens:

Per your request that I provide documents regarding the mortgage held by HSBC Bank, I have enclosed the following:

Note
Mortgage
Assignment
Proof of claim
Letter dated 3/19/09

I do not understand your confusion over this mortgage debt as you listed it in your Chapter 13 plan in Bankruptcy Case #07-07099-jw. I have enclosed the proof of claim filed by Ocwen in the Bankruptcy as the servicing agent for HSBC. As you had denied receiving the letter from Kirk Abernathy dated March 19, 2009 confirming that you have a mortgage account with HSBC, I have enclosed a copy of that letter as well.

Thank you for your attention in this matter.

Sincerely,

H. Guyton Murrell

This communication is an attempt to collect a debt and any information gained will be used for that purpose.

cc:
Chester County Clerk of Court
P.O. Drawer 580
Chester, SC 29706

Prepared by STRICKLAND, KEELS, & LIPSEY, P.A.

TITLE TO REAL ESTATE
The R. L. Rivers Company, Columbia, S.C.

Form 18
(Revised 1-1-83)

BOOK 660 PAGE 129

State of South Carolina,

COUNTY OF CHESTER

002839

Known All Men by These Presents, That I, Jessie McMickens
(hereinafter whether singular or plural the "Grantor")

FILED

ROPTA 2011 FEE 100
CLERK OF COURT
CHESTER COUNTY, S.C.
JUN 21 3 19 PM '94

In the State aforesaid, for and in consideration of the
sum of ----- One and NO/100 (\$1.00) Dollar --- love and affection ----- Dollars
to the Grantor paid by Glenda L. McMickens (hereinafter
whether singular or plural the "Grantee") has granted, bargained, sold and released, and by these presents does grant,
bargain, sell and release unto the said Grantee the following described property.

ALL that piece, parcel or lot of land, with any and all improvements thereon, lying and being situate in the County of Chester, State of South Carolina, fronting on Road S-12-191 leading to S.C. Highway 72, containing 1.03 acres, more or less, and having such courses and distances, metes and bounds as will appear on a plat of same prepared by Fred J. Hager dated June 23, 1969, recorded in Deed Book 442 at Page 141, office of the Clerk of Court for Chester County; and being the identical premises conveyed to Jessie McMickens and Nathaniel McMickens by deed recorded March 19, 1993 in Deed Book 636, Page 92. Jessie McMickens is conveying all of his interest in this property, which is a one-half (1/2) interest to the Grantee.

①

BOOK 660 PAGE 130

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

To HAVE AND TO HOLD all and singular the premises before mentioned unto the said Grantee,

Glenda L. McMickens, her

Heirs and Assigns forever.

And the Grantor does hereby bind himself and his Heirs, Executors and Administrators, to warrant and forever defend all and singular the said premises unto the said Grantee and the Grantee's Heirs and Assigns, against the Grantor and the Grantor's Heirs and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

WITNESS the Hand and Seal of the Grantor this 16 day of June in the year of our Lord one thousand nine hundred and ninety-four and in the two hundredth and eighteenth year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Russ Young
Michael K. Brown

Glenda L. McMickens (SEAL)
Glenda L. McMickens (SEAL)

EARL D. BROWN

NOTARY PUBLIC, State of Ohio
My Commission Expires 2/28/09

BOOK 066 PAGE 131

STATE OF OHIO }
Lorain COUNTY. }

PERSONALLY appeared before me the undersigned witness and made oath that s/he saw the within named Grantor sign, seal and, as the Grantor's act and deed, deliver the within-written Deed for the uses and purposes therein mentioned and that s/he, with the other witness whose signature appears above witnessed the execution thereof.

SWORN to before me this 16th

day of June, 18 94

Richard L. Brown (L.S.)
Notary Public of S. C.
My Commission Expires: 2/28/09

Richard L. Brown
Witness

PREPARED BY STRICKLAND, KEELS, & LIPSEY, P. A TITLE TO REAL ESTATE

The R. L. Hyatt Company, Columbia, S. C.

Form 14
(Revised 1-1-02)

BOOK 636 PAGE 092

State of South Carolina,

COUNTY OF CHESTER

001118

Know All Men by These Presents, That I, Roberta M. Thompson

(hereinafter whether singular or plural the "Grantor")

FILED
MAY 19 3 34 PM '93
CLERK OF COURT
CHESTER COUNTY, S.C.

in the State aforesaid, for and in consideration of the sum of One (\$1.00) Dollar and with love and affection ----- Dollars to the Grantor paid by Jessie McMickens and Nathaniel McMickens (hereinafter whether singular or plural the "Grantees") has granted, bargained, sold and released, and by these presents does grant, bargain, sell and release unto the said Grantee the following described property.

"ALL that piece, parcel or lot of land, with any and all improvements thereon, lying and being situate in the County of Chester, State of South Carolina, fronting on Road S-12-191 leading to S.C. Highway 72, containing 1.03 acres, more or less, and having such courses and distances, metes and bounds as will appear on a plat of same prepared by Fred J. Hager dated June 23, 1969, recorded in Deed Book 442 at Page 141, office of the Clerk of Court for Chester County; and being the identical premises conveyed to John Willie Thompson by deed of Henry Gladden recorded June 25, 1969 in Deed Book 442 at Page 142, office of the Clerk of Court for Chester County, South Carolina. By deed recorded in Deed Book 488, Page 366, John Willie Thompson conveyed a one-half (1/2) interest to Roberta M. Thompson. John Willie Thompson died leaving as his sole heir his wife, Roberta M. Thompson."

2

BOOK 636 PAGE 093

TOGETHER with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incident or appertaining.

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the said Grantee,

Jessie McMickens and Nathaniel McMickens, their

Heirs and Assigns forever.

And the Grantor does hereby bind herself and her Heirs, Executors and Administrators, to warrant and forever defend all and singular the said premises unto the said Grantee and the Grantee's Heirs and Assigns, against the Grantor and the Grantor's Heirs and against every person whomsoever lawfully claiming, or to claim, the same or any part thereof.

WITNESS the Hand and Seal of the Grantor this 19th day of March in the year of our Lord one thousand nine hundred and ninety-three and in the two hundredth and seventeenth year of the Sovereignty and Independence of the United States of America.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF

Shirley S. Culp }
Mona J. Cardwell Jr. }

[Signature] (SEAL)
her mark (SEAL)

BOOK 636 PAGE 094

STATE OF SOUTH CAROLINA.
CHESTER COUNTY.

PERSONALLY appeared before me the undersigned witness and made oath that s/he saw the within named Grantor sign, seal and, as the Grantor's act and deed, deliver the within-written Deed for the uses and purposes therein mentioned and that s/he, with the other witness whose signature appears above witnessed the execution thereof.

SWORN to before me this

19th day of March, 19 93
2) Yvonne J. Caldwell Jr. (L.S.)
Notary Public of S. C.

My Commission Expires: 6-18-1995

Sheila A. Culp Jr.
Witness

FROM: Mollie Cardell LLC FAX NO. : 803 635 2023 (: t. 04 2007 09:35AM P11/44

800X 636 PAGE 095

State of South Carolina,

County of Chester

Roberta M. Thompson
TO
Jessie M. Mickens
Nathaniel Mickens

200 York St Apt 5-2 Chester SC
TITLE TO REAL ESTATE

I hereby certify that the within Deed was filed for record
in my office at 3:34 P.M. o'clock on the
19 day of March
1993 and was immediately entered upon the proper indexes
and duly recorded in Book 036 of Deeds,
page 92

Mae K. Carpenter
Clerk of Court of Common Pleas and General Sessions for
County, S. C.

I hereby certify that the within Deed has been this
19th day of
March A. D. 1993 Recorded in

Book 5 of Deeds, page
Edward M Thomas Auditor
for Chester County

CHESTER COUNTY ASSESSOR
DATE 3-22-93
TAX MAP NO. 75-0-0-41

The R. L. Rye Company, Columbia, S. C.

10/04/2007 8:45AM