

PETITION FOR A WRIT OF CERTIORARI TO THE
COURT OF APPEALS

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JUL 16 2015

THE STATE OF SOUTH CAROLINA
In The Supreme Court

S.C. Supreme Court

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas-Master-in-Equity

Joseph F. Strickland, Master-in-Equity, Judge

Civil Action Nos. 2011-CP-40-6317 and 2011-CP-40-6318
Opinion No. 2014-UP- 435 (S.C. Ct. App. filed Feb. Dec 3, 2014)
Appellate Case No. 2015-000352

SCBT,N.A,

Respondent,

v.

Sand Dollar 31, LLC, and
Rhonda Meisner, Defendants,
of Whom Rhonda Meisner is
Appellant.

Petitioner.

RESPONSE TO RESPONDENTS MOTION TO CHANGE CAPTION

Rhonda L. Meisner
Post Office Box 689
Blythewood, SC 29016
(803) 212-5407
Pro-Se Petitioner
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The petitioner Rhonda Meisner respectfully objects to the change in the caption for the petition for certiorari. As an initial matter, the foreclosure action filed by SCBT, N.A. was filed against Sand Dollar 31, LLC who is *not* a party to *or represented* in the appeal or in the petition for certiorari. The plaintiff and respondent SCBT, N.A. changed from a national association bank to a state bank as evidenced by the documents attached to the respondents request for a change in the caption; however, this occurred *prior* to the foreclosure proceeding against Sand Dollar 31, LLC and *after* the entry of judgment via the form 4 for both Sand Dollar 31, LLC and Rhonda Meisner and there was no request for the name change *or any evidence the note and mortgage transferred* to SCBT in the lower court. In fact, previous counsel for the respondent, SCBT, N.A. stated any delay of the foreclosure deficiency action would prejudice SCBT, N.A. [APPX p. ---]

Now, the respondent's request brings into question whether the assets were properly conveyed to SCBT from SCBT, N.A. in the change from a national association bank to a state bank or whether the loan was written off prior to foreclosure. While Sand Dollar 31, LLC is not in front of the Court, the present motion brings into question whether or not SCBT, N.A. had the authority to foreclose and enter *any judgment* against the petitioner, Rhonda Meisner.

SCBT, N.A. should have informed the parties to the action and the Court *prior* to the foreclosure action and judgment entered against the guarantor Rhonda Meisner that there had been a change in the structure from a national association bank to a state bank and how the assets were transferred to the new organization. Here, South State Bank asks the Supreme Court of South Carolina to validate an

asset transfer via a request for a name change when there is no evidence that the assets and liabilities (outstanding notes and mortgages) have travelled the same path as the name changes particularly given the underwriting scrutiny associated with changing from a national association to a state bank. For these reasons and all references to the record, the petitioner, Rhonda Meisner respectfully objects to the name change (caption change) requested by the respondent. The petitioner renews her request for a petition for certiorari.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Rhonda L. Meisner". The signature is fluid and cursive, with a large initial "R" and "M".

Rhonda L. Meisner
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July 15, 2015

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CERTIFICATE OF SERVICE

The petitioner certifies she caused to be served on the respondent a copy of her response to the motion to change the caption in the above mentioned case by mailing US postage prepaid to attorneys for the respondent Sean M. Foerster Rogers, Townsend and Thomas, PC post office box 100200 Columbia SC 29202 this day July 16, 2015



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