

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM LANCASTER COUNTY
Court of Common Pleas

Philip E. Wright, Special Referee

Case No. 2013-002373

RECEIVED
JUL 22 2015
SC Court of Appeals

H & R Block Bank, FSB,

Respondent

v.

Ziraili M Elbey, a/k/a/ Ziraili Mohassan El Bey, WKFC Living Trust Under Trust Agreement dated June 4, 2010 by and through its Trustee Wellesley K. Clayton and American Home Mortgage Servicing, Inc. s/b/m to Option One Mortgage Servicing, Inc. s/b/m to Option One Mortgage Corporation, Defendants,

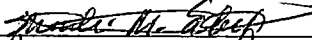
Appellant

Of Whom Ziraili M. Elbey is the Appellant.

NOTICE OF MOTION AND MOTION TO STRIKE

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By: 
Ziraili M. Elbey, 'In Propria Persona'
9789 Charlotte Highway, #400-191
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PLEASE TAKE MANDATORY NOTICE that this Notice of Motion and Motion to Strike Respondents' final brief dated October 08, 2014, and amended appendix to the record on appeal dated July 15, 2015 filed the South Carolina Court of Appeals is in violation SCRPC Rule 11 (a)(1). Therefore, Appellant moves as a matter of law to strike the Respondents' two (2) above named pleadings on the ground they do not meet the signature requirements of SCRPC 11(a)(1). Appellant continues to vehemently **objects** to the constant **delay** tactics caused by deliberate ineptness on the part of new counsel for Respondent through notice of appearance being added in this Appellate case when Brock & Scott counsel of record exist. Culbertson 322 S.C. at 24, 471 S.E.2d at 165 (1996). **Rule 11(a)** provides, in part, as follows:

The **signature** of an attorney or party [on a pleading, motion, or other paper] constitutes a certificate by him that he has read the pleading, motion or other paper; that to the best of his knowledge, information and belief there is good ground to support it; and that it is not interposed for delay. The **rule** merely provides that where a violation occurs, the court, upon motion or its own initiative, may impose appropriate sanctions.

Motion, amended

July 18th, 2015

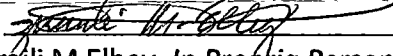
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9789 Charlotte Highway
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Certificate of Appellant

The undersigned hereby certifies that the **NOTICE OF MOTION AND MOTION TO STRIKE** contain no matter which is irrelevant to this appeal.

July 18, 2015

By: 
Ziraili M Elbey, *In Propria Persona*
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LEVITICUS 25:10

And ye shall hallow the fiftieth year, and proclaim liberty throughout all the land unto *all* the inhabitants thereof: it shall be a jubilee unto you; and ye shall return every man unto his possession, and ye shall return every man unto his family

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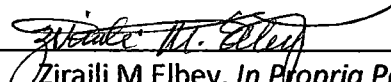
Of Whom Ziraili M. Elbey is the Appellant.

PROOF OF SERVICE

I certify that Brock & Scott, PLLC, Counsel of Record, and Attn: Chad Burgess, 3800
Fernandina Rd., Ste 110, Columbia, South Carolina, 29210, Trent M. Grissom, McGuireWoods
LLP, 201 North Tryon Street, Ste 3000, Charlotte, North Carolina, 28202 received a copy of the
NOTICE OF MOTION AND MOTION TO STRIKE by depositing a copy of it in the U.S. Mail,
postage prepaid, addressed to above counsel listed and this Appellate Court.

July 18, 2015

By:

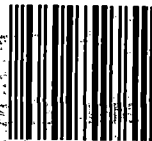

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