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THE STATE OF SOUTH CAROLINA
In The South Carolina Court of Appeals

APPEAL FROM YORK COUNTY
Court of Common Pleas

Hon. S. Jackson Kimball III
Master in Equity

RECEIVED

AUG 06 2015

Case no. 2011-CP-46-250

SC Court of Appeals

Bank of America, N.A., as successor by merger to BAC Home Loans Servicing, LP,
f/k/a/ Countrywide Home Loans Servicing, LP FKA Countrywide Home Loans
Servicing, LP

vs.

Michelle Minardi and Ameris Bank,
of whom Defendant Michelle Minardi is the APPELLANT

NOTICE OF APPEAL

Appellant Michelle Minardi here files and serves Notice of Appeal of the Order of the York County Master in Equity Court dated July 29, 2015 and entered July 31, 2015. Appellant respectfully avers that the Order abridges Defendant's Constitutional Due Process Rights to Trial by Jury of compulsory legal counterclaims pursuant to Rule 38 SCRPC, *Johnson v. S.C. Nat't Bank*, 292 S.C. at 55-56, 354 S.E.2d at 897 (1987) and Article I Sections (3) and (14) of the South Carolina state constitution. The undersigned certifies receipt by mailing of said Order August 3, 2015.

Respectfully submitted,

HALFORD NIEMIEC & FREEMAN, LLP



J. Cameron Halford
S.C. Bar 17184
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Fort Mill, South Carolina 29708
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Attorney for Appellant Michelle Minardi

Other counsel of record:

Carolina Glenn, Esq.
Brock & Scott, PLLC
3800 Fernandina Road, Suite 110
Columbia, South Carolina 29210

Attorney for Bank of America, N.A.

PROOF OF SERVICE

I hereby certify that I am the attorney for the Appellant Michelle Minardi in the above captioned case and that I did on August 3, 2015 serve a copy of the foregoing NOTICE OF APPEAL on counsel for the Plaintiff, identified below, by e-mail delivery and U.S. mail, postage prepaid, and addressed as follows:


Carolina Glenn, Esq.
Brock & Scott, PLLC
3800 Fernandina Road
Columbia, South Carolina 29201
Attorneys for Bank of America, N.A.

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SC Court of Appeals

HALFORD NIEMTEC & FREEMAN, LLP



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July 30, 2015
Fort Mill, South Carolina

FORM 4

STATE OF SOUTH CAROLINA
 COUNTY OF YORK
 IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE
 CASE NUMBER 2011CP4604278

Bank Of America NA

Michelle Minardi

Ameris Bank

RECEIVED
 AUG 06 2015

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for: Plaintiff Defendant
 Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. See Page 2 for additional information.
- ACTION DISMISSED (CHECK REASON):** Rule 12(b), SCRPC; Rule 41(a), SCRPC (Vol. Nonsuit);
 Rule 43(k), SCRPC (Settled); Other: _____
- ACTION STRICKEN (CHECK REASON):** Rule 40(j) SCRPC; Bankruptcy;
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; Other: _____
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
 Affirmed; Reversed; Remanded; Other: _____

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: See attached order; (formal order to follow) Statement of Judgment by the Court:
ORDER INFORMATION

ORDER DENYING DEFENDANTS MOTION TO RECONSIDER

This order ends does not end the case.

Additional Information for the Clerk: _____

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
n/a	n/a	n/a

If applicable, describe the property, including tax map information and address, referenced in the order:

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. **Note: Title abstractors and researchers should refer to the official court order for judgment details.**

B/S. Jackson Kimball

Master In Equity

3063

Judge Code

7/29/2015

Date

For Clerk of Court Office Use Only

This judgment was entered on **July 31, 2015**, and a copy mailed first class or placed in the appropriate attorney's box on **July 31, 2015**, to attorneys of record or to parties (when appearing pro se) as follows:

John Sanford Kay PO Box 8237 Columbia, SC 29202
Keller Cogswell Foster Foster Law 112 Sunset Drive
Spartanburg, SC 29302
Suzanne E. Brown 5431 Oleander Dr., Ste. 110 Wilmington,
NC 28403

J. Cameron Halford 238 Rockmont Drive 238 Rockmont
Drive Fort Mill, SC 29708

ATTORNEY(S) FOR THE PLAINTIFF(S)

ATTORNEY(S) FOR THE DEFENDANT(S)

David Hamilton

Court Reporter

David Hamilton - Clerk of Court

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

