

THE STATE OF SOUTH CAROLINA

In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY

Court of Common Pleas

Mikell Scarborough, Master In Equity

Case No. 2011-CP-10-8421

Court of Appeals Docket 2015-001182

RECEIVED
OCT 13 2015
SC Court of Appeals

Bank of New York Mellon, The as Trustee, et al
Respondent

vs.

Martin H. Seppala, et al
Appellants

APPELLANTS' STATUS UPDATE OF BANKRUPTCY

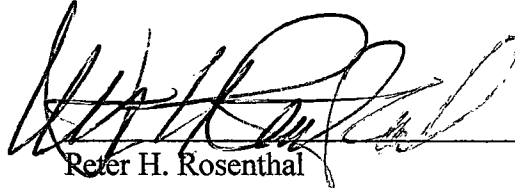
Now come the Appellants, Thomas F. True, Trustee of The Jate IV Trust and The Jate IV Trust, in the above captioned matter, and provides this Status Update pursuant to the Order of the Appeals Court dated August 13, 2015.

The Appellant Jate IV Trust filed for bankruptcy protection under Chapter 11 on July 21, 2015. The Appellant so notified the Appeals Court that in turn issued the said order holding the appeal "in abeyance until the bankruptcy court relinquishes jurisdiction". Further, the Appeals Court order contained a requirement that the Appellant

provide this status every 60 days.

The Appellant hereby states that the Appellant remains in Chapter 11 bankruptcy under the jurisdiction of the bankruptcy court for the District of South Carolina. (Docket # 15-03834-dd).

Signed,

A handwritten signature in black ink, appearing to read 'Peter H. Rosenthal', written over a horizontal line.

Peter H. Rosenthal
Attorney for Jate IV Trust
647 Pleasant St.
Weymouth, MA 02189
(617) 571-9177

Dated: October 9, 2015
Weymouth, Massachusetts

PROOF OF SERVICE

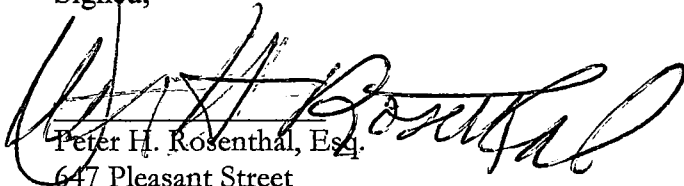
Pursuant to Rule 262 of the Rules of Appellate Procedure, I hereby certify that I served a copy of the above document,

APPELLANTS' STATUS UPDATE OF BANKRUPTCY

on Respondent by depositing same with this Proof of Service, in the United States Mail, first class postage prepaid, on October 9, 2015 and addressed as follows:

Magalie A. Creech, Esquire
Finkel Law Firm LLC
P.O. Box 41489
Charleston, SC 29423

Signed,



Peter H. Rosenthal, Esq.
647 Pleasant Street
Weymouth, MA. 02189
(617)571-9177
Attorney for Jate IV Trust, Appellant

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SC Court of Appeals

The South Carolina Court of Appeals

The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the Certificateholders of CWALT, Inc., Alternative Loan Trust 2005-17, Mortgage-Pass Through Certificates, Series 2005-17, Respondent,

v.

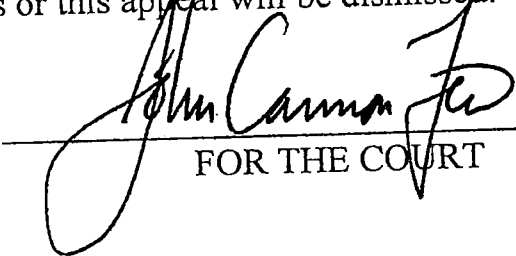
Martin H. Seppala, Thomas F. True III, as Trustee of the Jate IV Trust utd 7-7-2000, The Jate IV Trust utd 7-7-2000, David A. Collins, William J. Thrower, The United States of America, The South Carolina Department of Revenue, 4th National Harbor Realty Trust, Snee Farms Community Foundation, Inc.,

Of Whom Thomas F. True as Trustee of the Jate IV Trust utd 7-7-2000, The Jate IV Trust utd 7-7-2000 David A. Collins and Williams J. Thrower are Appellants.

Appellate Case No. 2015-001182

ORDER

The appellant, Jate IV Trust, notified the Court that it has filed for Chapter 11 bankruptcy. Accordingly, this appeal is held in abeyance until the bankruptcy court relinquishes jurisdiction. *See Bragg v. Bragg*, 347 S.C. 16, 24, 553 S.E.2d 251 255-56 (Ct. App. 2001) ("Because the bankruptcy court has exclusive jurisdiction over the debtor's assets, no action can be maintained in state court to enjoin assets within the bankruptcy court's jurisdiction.") The appellants must provide this Court with a status update every 60 days or this appeal will be dismissed.



FOR THE COURT

C.J.

FILED

8/13/15

PETER H. ROSENTHAL
ATTORNEY AT LAW
647 Pleasant Street
Weymouth, MA. 02189

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OCT 13 2015
SC Court of Appeals

ALSO ADMITTED IN SOUTH CAROLINA

Phone: (617) 571-9177
Fax: (781) 335-2153

October 9, 2015

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of Appeals
1015 Sumter Street
Columbia, SC 20201

Re: Bank of New York Mellon, The as Trustee, et al vs. Martin H. Seppala, et al
Appeals Court Docket No. 2015- 001182;
Notice of Appearance and Motion to Extend Time

Dear Madam Clerk,

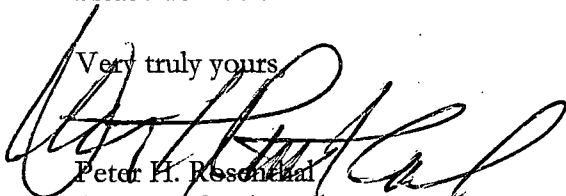
Enclosed please find the following:

- Appellants' Status Update of Bankruptcy;
- Proof of Service;
- Copy of Court Order of August 13, 2015;

The Appellants have sent the required proof of service to the Respondent in this matter.

Please docket and file same with the other papers in this matter.

Very truly yours,



Peter H. Rosenthal
Attorney for Appellants

PHR:smm

Attachments

Copy to Magalie Creech, Esq.

Peter H. Rosenthal, Attorney
647 Pleasant Street
Weymouth, MA 02189

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SC Court of Appeals

The Honorable Jenny Abbott Kitchings
Clerk of Court, South Carolina Court of
Appeals
1015 Sumter Street
Columbia, SC ~~20201~~

29201



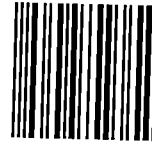
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