

THE STATE OF SOUTH CAROLINA

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IN THE COURT OF APPEALS

OCT 13 2015

SC Court of Appeals

APPEAL FROM AIKEN COUNTY

SECOND JUDICIAL CIRCUIT

COURT OF COMMON PLEAS

REFEREE JAMES MARTIN HARVEY, JR

CASE NO. 2012-CP-02-00699

BANK OF AMERICA, N.A.....RESPONDENT

V.

CAROLYN S. DEANER.....APPELLANT

DESIGNATION OF MATTER TO BE
INCLUDED IN THE RECORD OF APPEAL

AMENDED 10/7/2015

APPELLANT PROPOSES THE FOLLOWING BE INCLUDED IN THE RECORD ON APPEAL:

- 1. ORIGINAL COMPLAINT...clocked 3/19/ 2012.**
- 2. Defendant's MOTION TO DISMISS FORECLOSURE ACTION AND NOTICE OF MOTION...clocked 4/12/2012.**
- 3. Legal aid Attorney, Adam Protheroe's MEMORANDUM IN SUPPORT OF DEFENDANT'S MOTION TO DISMISS.....clocked 5/5/2012.**
- 4. E-mailed Copy of original Note from Quicken Loans, Inc. with attached Letter. (stating original promissory was signed originally on legal sized white paper.)**
- 5. Copy of Note from Bank of America attorney's.**
- 6. Assignment of April 29, 2011 (with attached 2 assignments showing different signatures for same name in Florida indicating robo-signed document).**
- 7. Defendant's ANSWER TO ORIGINAL COMPLAINT AND AFFIRMATIVE DEFENSES AND COUNTER CLAIM clocked in 12/23/ 2013.**
- 8. Referee Harvey's ORDER date 8/12/2015 of "Defendant's MOTION TO DISMISS filed on April 12, 2012 is GRANTED; provided that this matter shall not be dismissed if Plaintiff shall file and serve an AMENDED COMPLAINT within 15 days of the entry of this Order...clocked 8/27/2014**
- 9. Plaintiff's AMENDED COMPLAINT clocked 8/28/ 2014.**
- 10. Defendant Deaner's ANSWER TO AMENDED COMPLAINT AND AFFIRMATIVE DEFENSES AND COUNTERCLAIM.....clocked 9/8/2014.**

- 11. Securitization Report for Carolyn S. Deaner...clocked 9/20/13 & 8/5/2014.**
- 12. Defendant's TRIAL CLOSING SUMMARY in Letter form per Ref. Harvey's request at trial and e-mailed to Ref. Harvey 2/23/2015, and to be clocked 7/23/2015 after a hearing as Referee Harvey is holding original to be sent to Aiken County Deputy Clerk.**
- 13. Defendant's TRIAL TRANSCRIPT dated 2/4/15, received in mail 6/6/2015.**
- 14. Referee Harvey's JUDGMENT OF FORECLOSURE AND SALE...clocked 3/10/15.**
- 15. Defendant's Affidavit to MOTION TO RECONSIDER concerning Acceleration Letter sent to unauthorized address for notices and Acceleration letter NOT RECEIVED....clocked 3/19/2015**
- 16. Referee Harvey's ORDER ON MOTION TO RECONSIDER JUDGMENT AND STAY FORECLOSURE SALE AND BOND....clocked 4/1/2015**
- 17. Sent Fed-X, 3/29/2015, TENDER OF PAYMENT, and was received 3/31/2015 At Bank of America Headquarters in Charlotte, North Carolina.**
- 18. MOTION BY DEFENDANT TO STAY FORECLOSURE SALE...CLOCKED 4/16/2015.**
- 19. Referee Harvey's ORDER on STAY FORECLOSURE SALE, MOTION TO REDUCE BOND AND WILLIAM H. SLOAN'S MOTION TO BE RELIEVED AS COUNSEL FOR DEFENDANT...clocked 5/14/2015.**
- 20. DEFENDANT'S EMERGENCY MOTION TO VACATE JUDGMENT AND REVERSE OR CANCEL SALE, including attached MCI Report...clocked 5/6/2015.**

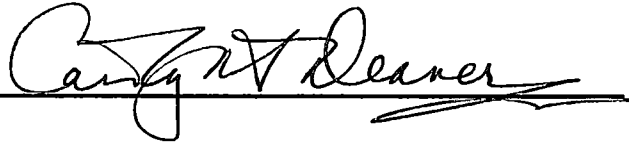
- 21. Mortgage Compliance Investigators Chain of Title Analysis & Mortgage Fraud Investigation...Report and notarized Affidavit, with Exhibits, A, B, C, D, E, F, & G...clocked with #19 on 5/6/2015.**
- 22. Memorandum in Support of Defendant's Emergency Motion to Vacate Judgment and Reverse or Cancel Sale including Exhibits A, B, C, & D...clocked 5/15/2015.**
- 23. Defendant's TRANSCRIPT for Motion To Vacate Judgment Order And Reverse Or Cancel Sale...hearing, 5/19/15, and received on or about 6/8/15.**
- 24. DEFENDANTS MOTION TO DISCHARGE DEBT DUE TO TENDER OF PAYMENT MADE TO PLAINTIFF ON ORDER OF JUDGMENT, including Exhibits A, B, C, D & E.....clocked 5/22/2015.**
- 25. Referee Harvey's ORDER on Defendant's Emergency Motion To Vacate Judgement and Reverse or Cancel Sale and Defendant's Motion To Discharge Debt Due To Tender of Payment...clocked 6/1/2015.**
- 26. MOTION TO RECONSIDER DEFENDANT'S EMERGENCY MOTION TO VACATE JUDGMENT AND REVERSE OR CANCEL SALE...6/9/2015.**
- 27. DEFENDANT'S MOTION TO ORDER RETURN OF THE IPN OR DISCHARGE DEBT DUE TO TENDER OF PAYMENT MADE TO PLAINTIFF ON ORDER OF JUDGMENT...clocked 6/9/2015.**
- 28. DEFENDANT'S MOTION AND AFFIDAVIT TO PROCEED IN FORMA PAUPERIS...clocked 6/9/2015.**

- 29. MEMORANDUM TO DEFENDANT'S EMERGENCY MOTION TO RECONSIDER DEFENDANT'S MOTION TO VACATE JUDGMENT AND REVERSE OR CANCEL SALE AND NOTICE TO RULE SCRPC 59 (E).....clocked July 17, 2015.**
- 30. MEMORANDUM TO DEFENDANT'S MOTION TO ORDER RETURN OF THE IPN OR DISCHARGE DEBT DUE TO TENDER OF PAYMENT MADE TO PLAINTIFF ON ORDER OF JUDGEMENT.....clocked JULY 17, 2015.**
- 31. DEFENDANT'S MOTION TO DISMISS FORECLOSURE ACTION, JUDGMENT AND CANCEL SALE.....clocked July 17, 2015.**
- 32. TRANSCRIPT OF JULY 23, 2015 HEARING.**
- 33. NOTICE TO REFEREE JUDGE HARVEY ON DEFENDANT'S MOVE ON THE COURT AND MOTION TO ORDER ALL TRUST DOCUMENTS OF DEFENDANT'S FANNIE MAE REMIC 2007-91 TRUST.....clocked about July 28, 2015**

I certify that this DESIGNATION contains no matter which is irrelevant to this appeal.

RESPECTFULLY SUBMITTED,

OCTOBER 7, 2015



CAROLYN S. DEANER

704 KERSHAW DRIVE

NORTH AUGUSTA (BELVEDERE), SC 29841

PRO SE/APPELLANT, (706) 399-5496

BRIEF OF APPELLANT

DESIGNATIONS

CHARLIE GWYNNE, ESQ.

ATTORNEY for RESPONDENT

220 Executive Center Drive

Columbia, SC 29210

(803) 744-1933

CAROLYN S. DEANER, Pro Se

PRO SE/APPELLANT

704 Kershaw Drive

North Augusta (Belvedere), SC 29841

(706) 399-5496

**ON APPEAL FROM THE AIKEN COUNTY, SECOND JUDICIAL CIRCUIT, COURT OF
COMMON PLEAS**

CERTIFICATE OF SERVICE

I hereby certify that the foregoing APPELLANT's MOTION TO EXTEND TIME TO FILE ANSWER TO THE RESPONDENT'S INITIAL BRIEF AND DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL has been served upon the parties in this action by mailing a copy thereof, postage prepaid to the following:

Janiere E. Taylor, Robert A. Muckenfuss, and Trent Grissom

MCGUIREWOODS LLP

201 North Tryon Street, Suite 3000

Charlotte, NC 28202

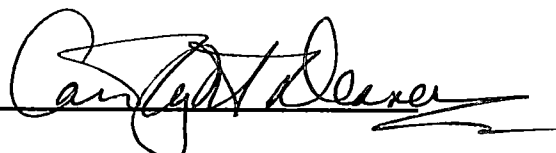
CHARLIE GWYNNE, Esq.

Rogers Townsend and Thomas

P. O. Box 100200

Columbia, SC 29202

This the 8th day of September 2015



Carolyn S. Deaner, Pro Se

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SC Court of Appeals

TO: The Honorable Jenny Abbott Kitchings

South Carolina Court to Appeals

1015 Sumter Street

Columbia, SC 29201

RE: Bank of America, N.A. v. Carolyn S. Deaner

Appellate Case No. 2015-001119

Dear Ms. Kitchings:

Please find enclosed an original and six (6) copies of the Appellant's AMENDED DESIGNATION OF MATTER. Also, please find enclosed the self addressed stamped envelope for return of the filed copies.

In addition, I am serving the counsel for the Respondent a copy.

Thank you for your time and consideration in this matter. Please contact me should you have any questions or need more information.

Cordially,



Carolyn S. Deaner

Pro Se

cc: Janiere Taylor, Charlie Gwynne, Esq.

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APPEAL COURT
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COLUMBIA, SC 29201

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