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THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM SPARTANBURG COUNTY  
Court of Common Pleas

Gordon G. Cooper, Master-in-Equity Judge

Case No.: 2012-CP-42-3549  
2012-CP-42-2874

**RECEIVED**

APR 27 2016

Appellate Case No. 2016-000099

**SC Court of Appeals**

U.S. Bank, NA, as trustee  
relating to the Chevy Chase  
Funding, LLC Mortgage  
Backed Certificates, Series  
2004-B,

Plaintiff,

v.

Alyce F. Otto, Individually;  
Alyce F. Otto Trustee Under  
Declaration of Trust of Alyce  
F. Otto dated the 17<sup>th</sup> of  
November 2009; TD Bank,  
NA; The United States of  
America, acting by and  
through its agency, the  
Internal Revenue Service;  
Laura Kerhulas Giese, as Co-  
Trustee of the Theodore  
Ernest Kerhulas Trust Under  
Declaration of Trust dated  
May 25, 2004; Mark Warner  
Kerhulas, as Co-Trustee of the  
Theodore Ernest Kerhulas  
Trust Under Declaration of  
Trust dated May 25, 2004;  
Jackson L. Munsey, Jr.;  
Citibank, NA,

Defendants,

Of whom Jackson L. Munsey,  
Jr., is the

Appellant.

and

U.S. Bank, NA and Alyce F.  
Otto are the

Respondents.

Alyce F. Otto, Trustee,

Plaintiff,

v.

Jackson L. Munsey, Jr.,

Defendant,

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**AMENDED NOTICE OF APPEAL**

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Jackson L. Munsey, Jr., hereby appeals the Order Denying Defendant Jackson L. Munsey, Jr.'s Motion to Set Aside Default and Leave to File Answer Outside of Time of the Honorable Gordon G. Cooper dated and filed with the Clerk of Court on May 6, 2013; the Order on Defendant Jackson L. Munsey's Motion for Relief from Entry of Default of the Honorable Gordon G. Cooper dated and filed with the Clerk of Court on December 22, 2015; the Judgment of Foreclosure and Sale of the Honorable Gordon G. Cooper dated and filed with the Clerk of Court on December 22, 2015; the Order as to Otto vs. Munsey of the Honorable Gordon G. Cooper dated December 14, 2015, filed with the Clerk of Court on December 15, 2015, which was not served on counsel but discovered by Appellant Munsey's counsel, acting on its own initiative, on January 4, 2016; and the Order on Jackson L. Munsey, Jr.'s Motion to Alter or Amend of the Honorable G. Gordon Cooper dated and filed with the Clerk of Court on April 19, 2016.



David R. Price, Jr. (S.C. Bar # 75140)

Samuel B. Tooker (S.C. Bar # 78999)

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Munsey, Jr.

Greenville, SC  
Date: April 25, 2016

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Series 2004-B

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Defendant Citibank, NA  
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Jackson L. Munsey, Jr.

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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Jackson L. Munsey, Jr.;  
Citibank, NA,

Defendants,

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Of whom Jackson L. Munsey,  
Jr., is the Appellant.

and

U.S. Bank, NA and Alyce F.  
Otto are the Respondents.

Alyce F. Otto, Trustee, Plaintiff,

v.

Jackson L. Munsey, Jr., Defendant,

---

**PROOF OF SERVICE**

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IT IS HEREBY CERTIFIED that a copy of the foregoing AMENDED NOTICE OF APPEAL in this action was served upon: Erica Greer Lybrand, Esq., and Richard C. Kelley, Esq., counsel for Respondent U.S. Bank, NA as Trustee relating to the Chevy Chase Funding, LLC Mortgage Backed Certificates, Series 2004-B; Kenneth C. Anthony, Jr., Esq., and Sarah P. Spruill, Esq., counsel for Respondent Alyce F. Otto; David L. Walsh, Esq., counsel for Laura Kerhulas and Mark Warner Kerhulas; George John Conits, Esq., counsel for The United States of America, acting by and through its agency the Internal Revenue Service; William Price Stork, Esq., counsel for TD Bank, NA; Citibank NA; Erin Culbertson, Esq., counsel for Appellant Jackson L. Munsey, Jr., via facsimile and by placing copies of same in the United States Mail this date, with sufficient postage affixed thereto, addressed as follows:

Via Facsimile & U.S. Mail (803) 343-7017  
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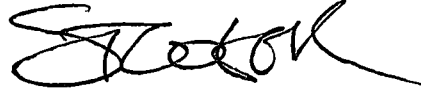
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Date:

4/23/2016



**DAVID R. PRICE, JR., P.A.**  
ATTORNEYS AT LAW

DAVID R. PRICE, JR.

April 25, 2016

SAMUEL B. TOOKER

Jenny Abbot Kitchings  
Court of Appeals  
P.O. Box 11629  
Columbia, SC 29211

RE: U.S. Bank, NA, as trustee relating to the Chevy Chase Funding, LLC  
Mortgage Backed Certificates, Series 2004-B v. Alyce F. Otto, et. al.

AND

Alyce F. Otto, Trustee v. Jackson L. Munsey, Jr.  
Of Whom Jackson L. Munsey, Jr., is the Appellant  
C.A. No.: 2012-CP-42-3549  
2012-CP-42-2874

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Dear Ms. Kitchings:

Enclosed you will find an original and two (2) copies of the Amended Notice of Appeal and the original and two (2) copies of the Proof of Service, in connection with the above referenced matter together with our firm's check in the amount of \$100.00 for filing. Please file the originals and return clocked copies to me in the envelope provided. I am also enclosing for the Court's record a copy of The Honorable G. Gordon Cooper's Order on Jackson L Munsey, Jr.'s Motion to Alter or Amend, dated April 19, 2016, which is the Order we are adding to our original appeal. Pursuant to instructions from your office, we are not including copies of the Orders included with our original Notice of Appeal.

I would ask that you please file the originals and return the clocked copies to me in the envelope provided for same. By copy of this letter to the Spartanburg County Clerk of Court, I am also enclosing copies of the Notice of Appeal and Proof of Service and one (1) copy to be clocked and returned to my office.

Thank you for your assistance. Please feel free to contact my office with any questions or concerns you may have.

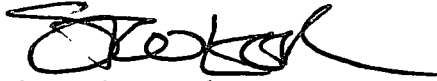
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GREENVILLELEGAL.COM

With kind regards, I remain

Respectfully yours,



Samuel B. Tooker

SBT  
Enclosures  
Cc: Client

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