

THE STATE OF SOUTH CAROLINA
In the Court of Appeals
[In The Supreme Court]

APPEALS FROM RICHLAND COUNTY
Court of Common Pleas

Joseph M. Strickland, Master-In-Equity

Case No. 2012-CP40-00009

Appellate Case No. 2016-000678

[DEUTSCHE BANK NATIONAL TRUST
COMPANY AS TRUSTEE FOR SOUNDVIEW
HOME LOAN TRUST 2006-1 ASSET-BACKED
CERTIFICATES, SERIES 2006-1]

Respondent,

v.

HELEN VALENCIA THOMAS, DARREL A THOMAS;
ROBERT LEE HUTCHINSON; NANCY LEE
HUTCHINSON; BRIARWOOD NEIGHBORHOOD
ASSOCIATION; AND SONJA MICHELLE FURTICK,

Appellate (s),

Of Whom HELEN VALENCIA THOMAS is the Appellate

AMENDED BRIEF OF APPELLATE

HELEN VALENCIA THOMAS
3002 Knightbridge Rd.
Columbia, South Carolina 292223
Pro SE

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MAY 31 2016
SC Court of Appeals

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STATEMENT OF ISSUES ON APPEAL

1. Judge Joseph M. Strickland Master in Equity of Richland County has clearly ignored the evidence that the Plaintiff's is not the foreclosing party pursuant to a letter from the Comptroller of Currency in which the Plaintiff indicated that they had no right, title or interest to my property and that they were not involved in the foreclosure.
2. The Plaintiff's attorney has brought fraud upon the court through and by misrepresentation of the party that is foreclosing on my property.
3. The Plaintiff's attorney has violated Title 18, USC 10001 by manufacturing documents with misleading information and representation.

STATEMENT OF THE CASE

On February 23, 2016, there was a hearing on my Motion for Reconsideration of Motion to Dismiss by the Master in Equity, and the plaintiff Motion for Summary Judgment. The discussion concerning my Motion for reconsideration of Motion to dismiss was based on the fact that the plaintiff who is listed as the foreclosing party had sent a letter indicating that they had no rights, title or interest in my property. The letter also stated that they were not the foreclosing party.

This letter was very conflicting with the statement which was stated by the Plaintiff Attorney. On July 28, 2015 there was a scheduled hearing by the Plaintiff for Summary Judgment in which it was held to be continued. When I was asked by the Judge was it ok to be continued I stated to the Judge that I had a few questions I needed to ask the Plaintiff Attorney. My first question was "When you refer to your Client who are you referring to" He replied "Deutsche Bank". My next question was "Do you have a Contract with your Client" He replied "Yes". The question and answer I'm referring to is documented in the transcript of July 28, 2015 hearing.

With the two conflicting statements between the Plaintiff and the Attorney, the one that holds to be true and fact is the one from the Plaintiff. When the Plaintiff wrote this letter; the Plaintiff was responding to an inquiry from the Comptroller of Currency on my behalf. When they responded to the Comptroller of Currency; the Comptroller of Currency forward the letter to me. This now brings us to the point that will indicate that the Attorney who alleges that Deutsche Bank is his Client has brought fraud upon the Court, and has also involved the Master-in Equity in his scheme to deprive me of my property through the Color of Law. This also points to other actions of the Attorney such as Misrepresentation, false and misleading information which constitutes criminal charges under title 18 USC 241 and 242, Title 18 USC 1001, United States of America and United States Constitution (4th, 5th, and 7th Amendments).

When the allege Plaintiff was question on July 28, 2016, I had already knew the answers because I had already received the letter of Comptroller of Currency. I had asked those two questions to see if the allege Plaintiff Attorney was going to be honest. When I discovered he was not being honest; this when I filed my Motions to be Dismiss with proof of why. This Motion was denied without a hearing. After this Motion was denied, I couldn't understand why the Judge didn't see what was going on. So I wrote a personal letter to the Judge which he never responded back. At this point this when I put in my Motion for Reconsideration of the Motion to be Dismiss. For the hearing of the Motion for Reconsideration of the Motion to be Dismiss, that was held February 23, 2016, I personally handed the Master-in Equity a copy of the letter from the Comptroller of Currency. This now means that the Master-in Equity has knowledge of the fraud, misleading information, and the misrepresentation in this case. With this information the Judge still renders a Summary Judgment for the Plaintiff who has stated that they are not the foreclosing party.

ARGUMENT

The argument of this case is the fact that Master in Equity should have immediately called for a hearing for the Motion to Dismiss which is referred to on the Record of Appeal. Instead, he immediately denied the motion without a hearing. Even though, I requested a hearing. After receiving the order denying my motion to dismiss, I filed a Motion to Reconsider on the Motion to Dismiss. At this point Master in Equity was still trying to deny my due process of law to challenge the Plaintiff on the misleading information in my case. As you can see on the Record of Appeal, I personally wrote the Master in Equity a letter concerning the situation but it was to no avail. Even at the summary judgment hearing for the Plaintiff, he did not want to really give me the opportunity to address the situations that I had concerns about in the Motion to Dismiss.

During the course of this hearing I personally handed the Master in Equity in which the bank stated they had no rights, title or interest in my property and that they were not the foreclosing party. The Master in Equity made a bias decision and still made his ruling for a Plaintiff who stated that they were not foreclosing on my property.

CONCLUSION

In conclusion, based upon the argument and issues in this brief all orders and judgments must be rendered void and case dismiss with prejudice. Both Plaintiff's attorney and Master in Equity should be sanctioned for their actions for trying to continue to move forward when they are well aware that the Plaintiff's in the case was not the foreclosing party. It would please me if the Real Party that was behind the foreclosure under the disguise of the bank that was listed as the Plaintiff be barred from filing any further action against property known as: **3002 Knightsbridge Road, Columbia, SC 29223.**

May 31, 2016

Respectfully submitted,
Helen Valencia Thomas
3002 Knightsbridge Road
Columbia, South Carolina 29223

Appellate

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Appellate (s),

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AMENDED INITIAL BRIEF

PROOF OF SERVICE

I, Thomas, Helen Valencia certify that I am of such age and discretion to be competent to serve papers. That on the 31 day of May, 2016, I have served a copy of the documents listed below, by Certified Mail, sent to each of the following persons at the locations stated below, which is the last known location, and by depositing said envelope and contents in the U.S Mail.

Documents: - Amended Initial Brief -Proof of Service
Party(ies) Served:

Chad W. Burgess, SC Bar No. 72520
BROCK & SCOTT, PLLC Westpark Center,
3800 Fernandina Rd, Suite110, Columbia, SC 29210

By: Thomas, Helen Valencia Executrix 31 May 2016
Date
Thomas, Helen Valencia
3002 Knightbridge Road
Columbia, SC 29223