

81492

**RECEIVED**  
NOV 07 2016  
**SC** Court of Appeals

**THE STATE OF SOUTH CAROLINA**  
In The Court of Appeal

---

**APPEAL FROM BERKELEY COUNTY**  
Court of Common Pleas

Dale E. Van Slambrook Master of Equity

---

Case No. 2010-CP 08-3514

---

Appellate Case No. 2016-000292

---

Branch Banking and Trust Company -----Respondent,

v.

Wilton H. Cain: Cassandra M. Cain-----Appellants

---

**APPELLANTS MOTION TO DENY RESPONDENTS MOTION TO CORRECT RECORD  
AND TO ORDER THE RESPONDENTS TO NOTICE OF THE AMOUNT PAID BY  
MORTGAGE INSURANCE TO LENDER AND DATE PAID**

---

Appellants motion is for Court to deny respondents motion to correct Record on Appeal for the reasons listed. Further order respondent to notify Court and Appellants of the amount of mortgage insurance paid by Republic insurance the Mortgage insurer and for official notice that Attorney Erica G. Lybrand represent the lender and this case is being pursued by lender. Reason lender informs Appellants case closed

## **FACTS**

The case before this Court only involves a narrow set of questions which are how much mortgage insurance was paid lender on what date was this mortgage paid, is insurance independent of Appellants who by loan agreement agreed to it, in the loan agreement, which also was paid for by Appellants and under some circumstances could be canceled by Appellants, does This law firm represent third party mortgage insurer ( Republic Mortgage Insurance Co.) has proper and timely notice been given to Appellant and Court that this law firm represent mortgage insurer, is a foreclosure a tort. The only issue before the Court was the value of the Appraisal, reduction of deficiency Judgment and amount after Deficiency Judgment no other issue was ever before Judge Dale E. Van Slambrook Court or at issue not the Foreclosure not the Sale not right for Appraisal and not the Order for a Deficiency Judgment only the amount if any owed after Appraisal and that which affect amount, also a question on Representation.

First to be very clear the respondent has every record they requested every piece of Information it was produced by them and filed by Respondent and most in Court files Case 2010-cp-08-3514 or Appeal case 2011-205089 ( right to Appraise ).

- a) Foreclosure and Sale 6/30/2011 filed by respondent settled not an issue.
- b) Order for Deficiency Judgment 9/19/2011 filed by respondent not in dispute only value order not.
- c) Order ( Appraisal Rights ) settled by Appeals Court not and issue.
- d) Complaint for Foreclosure 10/4/2010, Promissory note 9/19/2007 filed by Respondents not and issue.
- e) Appraisal rights not before Master of Equity Court judge Dale Van Slambrook not and issue , Brief regarding Deficiency Judgment written by Respondent not and issue.

Appellants respectfully apologize to the Court for any error in filing, however Appellant has no other copies to file and respectfully say respondent have copies for they were filed by Respondent originally and the Court has the files in 2010-cp-08-3514 or Appeals case 2011-205089 Appellants will comply with Court desire.

Note ! Respondent ask for everything then reject everything Appellants only included in the record that which answered Respondent statement or question or that which proved Respondent statements false. The letter dated 3/29/2011 is important it proves PMI ( mortgage insurance ) offsets BB&T losses, and also proves Respondents statement false. There is no agreement between respondent and PMI insurer for Respondent to represent them a third party. The respondent states that the only agreement between them and insurer is they will insure loan as long as paid no other agreement. Respondent raised issue stating they represented PMI insurer in this law suit.

Every record submitted by Appellant is concerning the issues of money respondent claims is owed, they either show mortgage insurance was paid, they sold house for 154,000.00 all which has a direct affect on lose suffered BB&T representative for lender. Please accept Appellants record as is they are unintentional errors.

### **CONCLUSION**

For the stated reason please accept Appellants Record on Appeal as filed it is readable. Order Respondent to furnish Appellants and Court with the exact amount paid by Mortgage Insurer and the date paid to Lender or servicer. Order Respondent to supply Court and Appellants with official letters notifying Appellants and Court that this law firm are their representative in this law suit and order Respondent to supply Appellants and Court with Copies of official notice and date of notice that they represent the third party PMI insurer Republic Mortgaga Insurance Company.

THANK YOU: *Wilton Cain*  
Wilton H. Cain and *Cassandra M. Durrah-Cain*  
Appellants *Cassandra Durrah-Cain*  
November 3, 20`16  
6476 North Highway 17  
Awendaw, SC  
29429

8439913198

THE STATE OF SOUTH CAROLINA  
In The Court of Appeal

---

**RECEIVED**

NOV 07 2016

APPEAL FROM BERKELEY COUNTY  
Court of Common Pleas

**SC Court of Appeals**

Dale E. Van Slambrook Master of Equity

---

Case No. 2010-CP 08-3514

---

Appellate Case No. 2016-000292

---

Branch Banking and Trust Company -----Respondent,

v.

Wilton H. Cain: Cassandra M. Cain-----Appellants

---

**PROOF of SERVICE**

---

**I HEREBY CERTIFY THAT I have served the Appellants MOTION to Order Respondent to notify Appellants of amount paid by PMI insurer and date also for proper notice on representation and response to correct Record on Appeal by placing same in United States Mail postage paid on this date November 3,2016 mailed to Roger Townsend & Thomas PC cc Erica Lybrand at post office box 100200 Columbia , SC 29202.**

*Cassandra M. Cain Wilton Cain*

*6476 N Hwy 17*

*AWENDEW SC*