

HOWELL V. BELLAMY, JR.
 EDWARD B. BOWERS, JR.*
 BRADLEY D. KING
 M. EDWIN HINDS, JR.
 DAVID B. MILLER**
 C. WINFIELD JOHNSON, III
 DOUGLAS M. ZAYICEK
 MARTIN C. DAWSEY*
 ROBERT S. SHELTON**

* LL.M. TAXATION
 ** CERTIFIED MEDIATOR
 *** LICENSED IN SC & NC



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BELLAMY
 LAW FIRM

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November 14, 2016

Via Fax: 803.734.1839

Ms. Jenny Abbott Kitchings
 Clerk of Court
 The South Carolina Court of Appeals
 Post Office Box 11629
 Columbia, South Carolina 29201

Attention: Elizabeth

Re: Wells Fargo Bank, N.A. v. Daniel Belfield
 Appellate Case No. 2016-002267

Dear Ms. Kitchings:

I hope this letter finds you well. Please allow this letter to serve to respond to your letter dated November 10, 2016 regarding the above-described matter. For your ease of reference and convenience, a copy of the said letter is enclosed herewith. Pursuant to instructions our office received *via* telephone call earlier today, we are forwarding the attached Order Granting Motion To Be Relieved, which was signed by the Honorable Cynthia Graham Howe, Master in Equity for Horry County of April 21, 2016, and filed with the Horry County Court of Common Pleas on April 25, 2016. Thus, while we were counsel for Mr. Belfield in the underlying action at one time, we were formally and officially relieved, and we have no information as to any final orders entered or any appeals thereof.

Should you need any further information or have any guidance for our office in this matter, please let us know.

HOWELL V. BELLAMY, III
 ASHLEY P. MORRISON
 GEORGE W. REDMAN, III ** ***
 BENJAMIN A. BAROODY ** ***
 PHILLIP H. ALBERGOTTI* ***
 HAYES K. STANTON ** ***
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RETIRED:
 CLAUDE M. EPPS, JR.
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 JOHN K. RUTENBERG (1939-2012)

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SC Court of Appeals

Ms. Jenny Abbott Kitchings
Clerk of Court
The South Carolina Court of Appeals
November 14, 2016
Page 2

With kindest regards, I am

Yours truly,

**BELLAMY, RUTENBERG, COPELAND,
EPPS, GRAVELY & BOWERS, P.A.**



George W. Redman, III

GWR:pk
Enclosures, as stated



The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS
CLERK

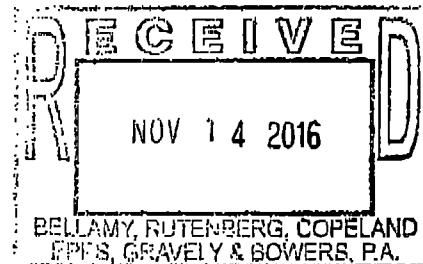
V. CLAIRE ALLEN
DEPUTY CLERK

POST OFFICE BOX 11828
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COLUMBIA, SOUTH CAROLINA 29201
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www.sccourts.org

November 10, 2016

Mr. George W. Redman, III, Esquire
PO Box 357
Myrtle Beach SC 29578

Re: Wells Fargo Bank, N. A. v. Daniel Belfield
Appellate Case No. 2016-002267



Dear Counsel:

The notice of appeal was filed by Daniel Belfield in the above case. According to South Carolina Appellate Court Rule 264, the attorneys of the respective parties in the court below shall be deemed the attorneys of the same parties in the appellate court until withdrawal is approved.

This Court has received the notice of appeal filed by your client, and the case has been assigned the appellate case number that appears above. Please use this number on all future correspondence relating to this matter.

All parties to this matter are advised that all filings must comply with the requirements of Rule 267 of the South Carolina Appellate Court Rules (SCACR). The SCACR are available online at www.sccourts.org/courtreg. Additionally, any filings submitted by counsel admitted in South Carolina must include counsel's bar number.

The attention of the parties is directed to the order relating to the inclusion of personal data identifiers and other sensitive information in documents filed with the Supreme Court of South Carolina and the South Carolina Court of Appeals.

The order can be found at

www.sccourts.org/courtOrders/displayOrder.cfm?orderNo=2014-04-15-02. Please note that the responsibility for insuring that information is redacted or sealed as required by this order rests with counsel and the parties. This office will *not* review filings for redaction or to determine if materials should be sealed.

This is to advise that the title in the above matter has been changed to read as follows:

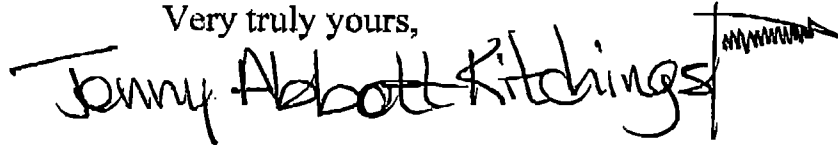
Wells Fargo Bank, N. A., Respondent,

v.

Daniel L. Belfield; Mortgage Electronic Registration Systems Inc., as nominee for Homecomings Financial Network, Inc. (MIN# 100062604288914361); American Express Bank, F.S.B.; Defendants, Of whom Daniel L. Belfield is the Appellant.

All future records in this matter should be changed to reflect this title. If you have any questions, please do not hesitate to contact this office.

Very truly yours,

Handwritten signature of Tommy Abbott Kitchings in black ink, with a stylized flourish at the end.

CLERK

cc: Nikole Deanna Haltiwanger, Esquire
Charles Stuart Gwynne, Jr., Esquire
Daniel Belfield

STATE OF SOUTH CAROLINA

) IN THE COURT OF COMMON PLEAS

COUNTY OF HORRY

) FIFTEENTH JUDICIAL CIRCUIT

) Civil Action No. 2014-CP-26-2623

Wells Fargo Bank, NA,

)

Plaintiff,

)

vs.

)

ORDER GRANTING
MOTION TO BE RELIEVED

)

Daniel L. Belfield; Mortgage Electronic
Registrations Systems, Inc., as nominee
for Homecomings Financial Network,
Inc. (MIN#100062604288914361);
American Express Bank, FSB,

)

)

)

)

)

Defendants.

)

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2016 APR 25 PM 12:40
CLERK OF COURT

THE MATTER before the Court on Wednesday, February 3, 2016, was the Motion of Counsel for Defendant Daniel L. Belfield seeking to be relieved as Counsel pursuant to Rule 11(b) of the *South Carolina Rules of Civil Procedure*. Present at the hearing were George W. Redman, III, Esquire, of Bellamy, Rutenberg, Copeland, Epps, Gravely & Bowers, P.A. (hereinafter "the Bellamy Law Firm"), and Defendant Daniel L. Belfield. Counsel for Plaintiff, Charlie Gwynne, Esquire, of Rogers, Townsend & Thomas, PC, previously emailed the Court to provide Notice that he would not be in attendance and indicated Plaintiff had no objection to the relief requested by Counsel's Motion.

FINDINGS OF FACT

Plaintiff (Wells Fargo) commenced this action by filing its Summons and Complaint on April 29, 2014. Defendant Daniel L. Belfield executed a Note on June 4, 2003, borrowing \$201,349.00 from Wells Fargo to purchase his residence at 814 Finger Lake Drive, Myrtle

Beach, South Carolina. To secure the Note, Mr. Belfield gave a Mortgage on his residence on the same date. Wells Fargo alleged Mr. Belfield defaulted on the Note and Mortgage and sued to foreclose.

On or around October 20, 2014, Mr. Belfield signed a retainer agreement ("Employment Agreement") with the Bellamy Law Firm for the purpose of having the firm represent him in this Action, including seeking a modification of the loan with Wells Fargo.

On December 28, 2015, the Bellamy Firm moved to be relieved as Mr. Belfield's counsel, with the hearing scheduled for February 3, 2016. Although no factual reasons were specified in the motion and no affidavits were served with the motion, counsel for Mr. Belfield recited the reasons at the motion hearing. Through no fault of his own, Mr. Belfield failed to live up to the financial terms within the Employment Agreement. At the motion hearing, Mr. Belfield confirmed the reasons and consented to the Court's order relieving Mr. Redman and the Bellamy Law Firm as Counsel of Record.

CONCLUSIONS OF LAW

Rule 11(b) of the South Carolina Rules of Civil Procedure provides that "an attorney may be changed by consent, or upon cause shown, and upon such terms as shall be just, upon application, by order of the Court, and not otherwise. Written notice of change of attorney must be served as provided by Rule 5." South Carolina Appellate Court Rule 407, Rules of Professional Conduct, Rule 1.16(5) and (7) provide that a lawyer may withdraw from representing a client if "the client fails substantially to fulfill an obligation to the lawyer regarding the lawyer's services or payment therefor and has been given reasonable warning that the lawyer will withdraw unless the obligation is fulfilled" or

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* ERM TAXATION
** CERTIFIED MEDIATOR
*** LICENSED IN SC & NC

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NOV 14 2016

FACSIMILE COVER SHEET SC Court of Appeals

FAX NUMBER TRANSMITTED TO: 803.734.1839

Attention: Elizabeth
To: Jenny Abbott Kitchings, Clerk of Court
Of: South Carolina Court of Appeals
From: George W. Redman, III, Esq.
Date: Monday, November 14, 2016
Client/Matter: Wells Fargo Bank, N.A. v. Daniel Belfield
Appellate Case No. 2016-02267

NOV 14 2016
SC COURT OF APPEALS

DOCUMENTS	NUMBER OF PAGES*
Letter of this date from George W. Redman, III, Esq. and enclosures referenced therein	7

COMMENTS:

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