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**SC Court of Appeals**

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM YORK COUNTY  
Master in Equity

Honorable S. Jackson Kimball III, Master in Equity  
Judge

Case No. 2014-CP-46-2394

Appellate Case No. 2015-02253

DESIGNATION OF MATTER

Nationstar Mortgage LLC

Respondent

v.

Norman D. Lowery

Appellant

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

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Master in Equity

Honorable S. Jackson Kimball III, Master in Equity Judge

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Case No. 2014-CP-46-2394

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Nationstar Mortgage LLC

Respondent,

v.

Norman D. Lowery

Appellant.

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DESIGNATION OF MATTER

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Appellant:

Norman D. Lowery  
309 Scoggins St.  
Rock Hill SC 29730

Respondents Attorneys:

Mr. Andrew W. Montgomery  
PO Box 100200, Columbia SC 29202

Mr. Trent M. Grissom  
201 N Tyron St, Suite 3000, Charlotte NC 28202

Mr. Robert A. Muckenfuss  
201 N Tyron St, Suite 3000,  
Charlotte NC 28202

Appellant proposes the following 2014/2015 Designation of Matter be included in the Record on Appeal:

1. Judgement/Foreclosure Form 4 2015
2. Sep 28, 2015 Judgment of Foreclosure & Sale Nationstar
3. September 28, 2015, Record of Hearing & Les Pendens 25 July 2015
4. August 31, 2015 PHH Mortgage Corp. Notification of Re-Scheduled Master in Equity Hearing for September 23, 2015
5. August 31 2015, PHH Mortgage Corp. Certification of Mailing of Re-Scheduled Master in Equity Hearing
6. Original Mortgage/Note, July 13, 2010, Coldwell Banker
7. Dept. Veterans Affairs Policy Rider
8. Mortgage/Deed of Trust Assignment PHH Mortgage Corp. Filed 05/06/2013
9. 06/04/2015 Filing, Nationstar Mortgage LLC, Assignment of Mortgage
10. MFG Home Appraisal Report, Scheduled For Sale, Redacted
11. August 18, 2015, Nationstar Mortgage LLC v. Norman D. Lowery Court Docket No. 2014CP4602394 Affidavit Sworn Statement of Account, Not Shared With Defendant
12. September 22, 2015 Affidavit of Costs

13. Affidavit of Attorney Costs, Sworn Date September 22, 2015
14. Notice of Sale Signed September 23, 2015
15. September 15, 2015 PHH Mortgage Corp. v. Norman D. Lowery  
2014CP4602394 Motion Information Form, Signed by Attorney of  
Record for Nationstar Mortgage LLC
16. Order Substituting Plaintiff PHH Mortgage with Nationstar 9/28/2015
17. June 2, 2015 Clerk of Court Order of case PHH Mortgage v. Norman  
D. Lowery 2014CP4602394 to Master in Equity Hearing
18. Cert of Default & Military Service PHH Mortgage Corp. v. Norman D.  
Lowery 2014CP4602394, Sworn 06/09/2015
19. Order of Reference PHH Mortgage Corp. v. Norman D. Lowery  
2014CP4602394 referral to Master in Equity
20. March 11, 2015, PHH Mortgage v. Norman D. Lowery Plaintiff  
Attorney/Mailing Certification
21. (1<sup>st</sup> of 2) Lis Pendens Filed PHH Mortgage/Laura Baer Attorney July 25  
2014
22. Civil Action Cover Sheet & ADR, PHH Mortgage Filing July 25, 2014
23. July 25, 2014 Filing Summons/Complaint/Notice PHH Mortgage Corp.  
v. Norman D. Lowery 2014CP4602394
24. PHH Mortgage Corp. Notice For Foreclosure Intervention July 25, 2014
25. Proof of Defendant's Attendance Master in Equity Hearing August 25,  
2015 attached to Dept. Veteran Affairs Letter Not Present: Master in  
Equity & Plaintiff PHH Mortgage

26. August 25, 2015 Letter/Emails for Master in Equity to accept evidence of Nationstar Mortgage as Plaintiff/Scheduled Property Sale Prior to Hearing/Plaintiff Substitution
27. PHH Mortgage Corp Plaintiff Notice of Master in Equity Cancellation dated August 25, 2015, received on/about August 28 2015
28. Dated August 31, 2015 PHH Mortgage Corp Plaintiff Notice of re-schedule Master in Equity Hearing & Cert of Mailing
29. July 2014 Initial Summons/Complaint & related Court Orders, ADR Exemption, Motions, Note
30. PHH Mortgage Assignment of Deed April 24, 2013
31. 12 May 2015 Nationstar Assignment of Mortgage
32. Undated/Redacted MFG Home Appraisal Report
33. August 8, 2015 Affidavit of Verified Statement of Account Nationstar Mortgage LLC vs Norman D. Lowery
34. September 28, 2015 PHH Mortgage Corp. vs. Norman D. Lowery, Motion Information Form/Coversheet; No Hearing Requested
35. September 28, 2015 PHH Mortgage Corp. vs. Norman D. Lowery, Order Substituting Plaintiff
36. September 28, 2015 Report of Hearing Nationstar Mortgage LLC
37. August 31, 2015 PHH Mortgage Corp. vs. Norman D. Lowery Notice of Hearing September 23, 2015/Certification of Mailing
38. Original Mortgage/Note, July 13, 2010, Coldwell Banker w/ Dept. Veterans Affairs Policy Rider

39. Mortgage/Deed of Trust Assignment PHH Mortgage Corp. Filed  
05/06/2013
40. 06/04/2015 Filing, Nationstar Mortgage LLC, Assignment of  
Mortgage
41. MFG Home Appraisal Report, Scheduled For Sale, Redacted
42. Nationstar Mortgage LLC v. Norman D. Lowery, Affidavit of Verified  
Statement of Account Dated August 18, 2015
42. September 28, 2015 Nationstar Mortgage LLC v. Norman D. Lowery,  
Affidavit of Costs
43. Notice of Sale September 28, 2015
44. Appellants/Defendants Response to Summons/Complaint/FDCPA  
Dispute, August 21,2014
45. PHH Mortgage Corp. Rogers Townsend & Thomas PC (RTT) Response  
to FDCPA Dispute
46. PHH Mortgage Corp. Rogers Townsend & Thomas PC (RTT) August 15,  
2013 Validation of Debt
47. PHH Mortgage Corp. Rogers Townsend & Thomas PC (RTT)  
49.Reinstatement Letter Dated August 15, 2013
48. PHH Mortgage Corp. February 18, 2013 Notice of Intention To  
Foreclose (1<sup>st</sup> of 2 on same date)
49. PHH Mortgage Corp. February 18, 2013 Notice of Intention To  
Foreclose (2nd of 2 on same date)
50. Mortgage Service Center, Account Activity Report (Un-validated) dated

06/14/2013

51. NC State Employees Credit Union personal checks, statements and stop Payment (lost checks by PHH Mortgage/Coldwell Banker Mortgage)
52. Notice of Dispute/Error to PHH Mortgage Corp/RTT Dated May 23, 2013
53. Request for Status of Response to Notice of Dispute/Error dated June 5, 2013
54. June 12, 2013 RTT response(s) to June 5, 2013 Status of Response to Dispute/Error, Foreclosure Action Placed on Hold (RTT)
55. July 2, 2013 Response Email/Ltr to PHH Mortgage's request for telephone contact and multiple to contact PHH Mortgage Call Center courier documents
56. Email From mortgagefamily.com (No subject or notations) w/Home Loan Modification Documents
57. Mortgage Services Copy of Incorrectly addressed Coldwell Banker Mortgage Notice Short Pmt for 91.72 56 in a hand addressed envelope dated 17 August 2013
58. Mortgage Services Hand Addressed envelope Dated August 22. 2013 only containing Check #2013911073 (August 2013)
59. PHH Mortgage Corp. Rogers Townsend & Thomas PC (RTT) August 2, 2013 Sworn Validation of Debt documents
60. February 18, 2013 (1<sup>st</sup> of 2) copy of mis-addressed PHH Mortgage Corp. Notice of Foreclosure Intention

61. February 18, 2013 (2<sup>nd</sup> of 2) copy of mis-addressed PHH Mortgage Corp. Notice of Foreclosure Intention
62. Mortgage Services un-validated Customer Account Activity Statement dated June 14, 2013
63. Email to RTT Request for Status of Response to Notice of Dispute/Error Dated June 5, 2013
64. June 18, 2013 RTT response(s) to June 5, 2013 Status Of Response to Dispute/Notice of Error/Documents-Proof from PHH Mortgage
65. June 12, 2013 RTT response(s) to June 5, 2013 Status Of Response to Dispute, Foreclosure Action Placed on Hold (RTT)
66. Form 4 Dismissal of Case 2013CP4601503, June 30, 2014
67. Ltr. June 12, 2013 RTT response(s) to June 5, 2013 Status Of Response to Dispute, Foreclosure Action Placed on Hold (RTT) 2013 Court Case No. on hold for Notice of Error/Dispute
68. Appellant Proof of Mortgage Pmts (Personal checks/stop payment)
69. NC State Credit Union Summary of Accounts
70. Copy of Incorrectly addressed Coldwell Banker Mortgage Notice of Foreclosure Referral check alleged #2013199158 (missing) & Copy of Incorrectly addressed February 11, 2013 Coldwell Banker Mortgage Ltr
71. Notice of Short Payment w/ hand correctly addressed envelope
72. Copy of August 20, 2013 Mortgage Services Check # 2013911073 w/ correctly hand addressed envelope
73. Email Un-resolved Resolution of Error/Dispute 2013 Notification to

Rogers Townsend and Thomas 2013 Notice of Dispute

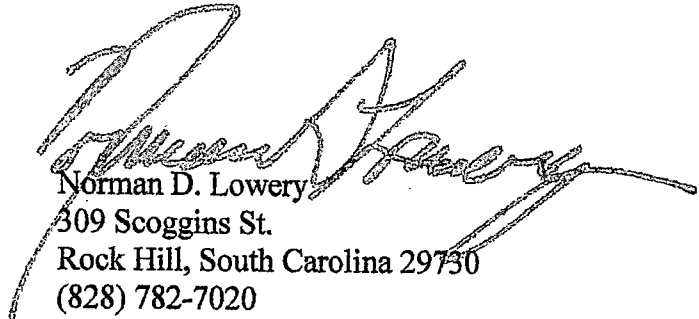
74. Email to RTT Request for Status of Response to Notice of Dispute/Error dated June 5, 2013
75. Email June 12, 2013 RTT response(s) to June 5, 2013 Status Of Response to Dispute/Notice of Error/Documents-Proof from PHH Mortgage
76. Email attachment June 12, 2013 RTT response(s) to June 5, 2013 Status Of Response to Dispute, Foreclosure Action Placed on Hold (RTT)
77. 16 May 2013, Defendant Proposal to Resolve Payment issue, Refused by Plaintiff
78. May 23, 2013 Email Notice of Error/Dispute by Defendant/Response by Plaintiff to RTT/PHH Mortgage Corp
79. Email June 12, 2013 RTT response(s) to June 5, 2013 Status Of Response to Dispute/Notice of Error/Documents-Proof from PHH Mortgage
80. Email attachment June 12, 2013 RTT response(s) to June 5, 2013 Status Of Response to Dispute, Foreclosure Action Placed on Hold (RTT)
81. Email dated June 18, 2013 from RTT Ref Status of PHH Mortgage Resolution of Errors and documents
82. Partial Plaintiff PHH Mortgage Corp/RTT Response to Notice of Error/Dispute, September 30, 2014
83. Nationstar Mortgage LLC May 29, 2015 Return of Funds Letter
84. Nationstar Mortgage LLC May 29, 2015 Accounting Error(s) Return of Payments, 2013 & 2015 Return of Funds Check #3800245

85. Customer Account Activity Statement/Mortgage Services dated June 14, 2013
86. NC State Employees Credit Union Statement Dated January 1, 2011
87. Carbon copy NC State Employees Credit Union personal check #1310
88. NC State Employees Credit Union Statement Dated February 21, 2013
89. Copy of Coldwell Banker Mortgage Ltr dated February 11, 2013,  
Improperly addressed, Notice of Short Payment
90. Copy of Coldwell Banker Mortgage Ltr dated February 11, 2013,  
Improperly addressed, Notice of referral for foreclosure
91. Mortgage Services Check #2013911073, dated August 20, 2013
92. Mortgage Services Center, Customer Activity Statement, dated  
June 14, 2013
93. Copy (1<sup>st</sup> of 2) of PHH Mortgage Corp. Ltr (incorrectly addressed) dated  
February 18, 2013, Notice of Intention to Foreclose
94. Copy (2<sup>nd</sup> of 2) of PHH Mortgage Corp. Ltr improperly addressed, dated  
February 18, 2013 Notice of Intention to Foreclose
95. Nationstar Affidavit of Verified Statement of Account Aug 15, 2015
96. Department of Veteran Affairs Email dated August 25, 2015 Notice Public  
Sale of Property Nationstar Mortgage LLC before Hearing documents/Ltr
97. Department of Veteran Affairs Email dated August 17, 2015 Notice Public  
Sale of Property by Nationstar Mortgage LLC before Hearing Ltr
98. PHH Mortgage Corp./RTT Motion Dated September 15 2015, filed  
September 28, 2015 "Move for relief or action ref attached proposed  
Order

99. PHH Mortgage Corp v. Norman D. Lowery Order Substituting Plaintiff , Signed by Master in Equity September 23, 2015, Filed September 28, 2015
100. PHH Mortgage Corp v. Norman D. Lowery Order to hold Hearing documents, ordered/filed June 2, 2015
101. PHH Mortgage Corp v. Norman D. Lowery Order of Reference, Referral to Master in Equity
102. PHH Mortgage Corp/RTT Motion and Order Move for relief or Action dated June 9, 2015/Filed June 23 2015
103. October 1, 2014 Defendant's Email response to PHH Mortgage Corp./RTT failure to resolve Notice of Error/Dispute of Affidavit of Debt and key documents establishing standing
104. September 30, 2014 Ltr from PHH Mortgage Corp/RTT responding to Notice of Error/Dispute of Statement of Debt
105. February 18, 2014 Defendant Filing Court Action to Dismiss Foreclosure Action
106. March 11, 2015 Filing RTT Certification of mailing Attorney Certification
107. March 11, 2015 Filing RTT Certification Attorney Certification: Foreclosure Intervention Disqualification

I certify that this designation is a Matter of Record and contains no matter which is irrelevant to this appeal.

December 2, 2016



Norman D. Lowery  
309 Scoggins St.  
Rock Hill, South Carolina 29730  
(828) 782-7020

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In The Court of Appeals

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APPEAL FROM YORK COUNTY  
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Honorable S. Jackson Kimball III, Master in Equity Judge

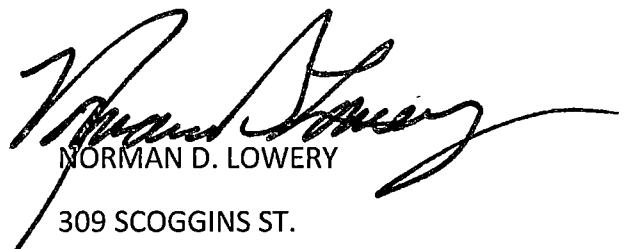
Case No. 2014-CP-46-2394

Appellate Case No. 2015-02253

CERTIFICATION OF MAILING

DESIGNATION OF MATTER

I certify a copy of the Designation of Matter Nationstar Mortgage LLC v. Norman D. Lowery, Appellant, Case No. APELLANT CASE NO. 2015-002253 was provided to Mr. Andrew W. Montgomery (PO Box 100200, Columbia SC 29202), Mr. Trent M. Grissom (201 N Tyron St, Suite 3000, Charlotte NC 28202) and Mr. Robert A. Muckenfuss (201 N Tyron St, Suite 3000, Charlotte NC 28202) on 12/ 6/2016 All mailings were sent via U.S. Postal Service in separate envelopes.



NORMAN D. LOWERY

309 SCOGGINS ST.

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(828) 782- 7020