

81962

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

RECEIVED

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

DEC 20 2016

SC Court of Appeals

Ralph P. Stroman, Special Referee

Appellate Case No. 2016-002311

Wells Fargo Bank, N.A. and Wells Fargo Equipment Finance, Inc.,.....Plaintiff,
Of whom Wells Fargo Bank, N.A. and Wells Fargo Equipment Finance, Inc. are
the Respondents

v.

C.J.B. Holding & Trust Company, LLC, Cornelius J. Beck, Jr.; Inlet Dental Center,
Inc., N/K/A Cameron Banks, LLC, Seaside Surgical, Inc., Andrews Dental Center
Inc., Georgetown Dental Center of South Carolina, Inc., South Beach Dental Center,
Inc., Southpark Centre Property Owners Association, Inc., Myrtle Beach Farms
Company, Inc., Wachesaw Warehouses Property Owners Association, Inc. and
Patterson Dental Supply, Inc.,Defendants.

Of whom Cornelius J. Beck is the Appellant

MOTION TO DISMISS APPEAL

Pursuant to Rule 240 of the South Carolina Appellate Court Rules, Respondents
respectfully move the Court to dismiss this appeal due to the absence of standing by the stated
Appellant. This motion is based upon the grounds set forth herein and upon the exhibits
attached hereto.

FACTUAL/PROCEDURAL BACKGROUND

This is an action for, *inter alia*, the foreclosure and replevin of commercial real and personal property owned by Defendant C.J.B. Holding & Trust Company, LLC (“CJB”) located in Georgetown and Horry Counties and for collection pursuant to guaranties by Beck and others on the debt owed by CJB to Respondents, Wells Fargo Bank, N.A. (“Wells Fargo”) and Wells Fargo Equipment Finance, Inc. (“WFEFI”).

The facts of this case, which are set forth in the October 27, 2016 Order Granting Partial Summary Judgment (“Summary Judgment Order”), which, together with the October 27, 2016 Order Authorizing Sale of Real and Personal Property Free and Clear of Liens (“Sale Order”), are the subjects of this appeal (the “Orders”), are not in dispute.

On September 20, 2013, CJB, by and through Beck, executed a promissory note (“Note #1”) in favor of Wells Fargo in the principal amount of \$117,000.00. In connection with Note #1, CJB also granted Wells Fargo a mortgage (“Note #1 Mortgage”) of even date on certain of its real property located in Horry County (as further described in the Summary Judgment Order, the “Note Mortgage #1 Real Property”).

On October 31, 2013, CJB, by and through Beck, executed a second promissory note (“Note #2”) in favor of Wells Fargo in the principal amount of \$1,142,500.00. In connection with Note #2, CJB executed and delivered in favor of Wells Fargo mortgages of even date (“Obligor Note #2 Mortgages”) on several parcels of its real property located in Horry and Georgetown Counties and Beck executed and delivered in favor of Wells Fargo a mortgage on the real property more fully described therein (“Beck Note #2 Mortgage”) (the real property subject to the Obligor Note #2 Mortgages and the Beck #2 Mortgage being more

fully described in Respondents' Complaint as the "Mortgage #2 Real Property," with the subjects of Mortgage #1 Real Property and Mortgage #2 Real Property being collectively referred to as the "Real Property").

On November 1, 2013, CJB, by and through Beck, also executed a promissory note (the "WFEFI Note" and together with Note #1 and Note #2, the "Notes") in the principal amount of \$743,985.00 in favor of WFEFI. In connection with the WFEFI Note, CJB also granted WFEFI a security interest in certain of its personal property (the "Personal Property") pursuant to a Security Agreement of even date (the "Security Agreement").

CJB failed to make the payments as required under Note #1, Note #2, and the WFEFI Note. As a result, Plaintiffs filed this action on December 1, 2014 seeking, *inter alia*, foreclosure on the mortgages held by Wells Fargo on its Real Property collateral and replevin of WFEFI's personal property collateral under the Security Agreement.

CJB did not answer the Complaint and was held in default by Order filed November 24, 2015. On December 31, 2014, Beck, proceeding *pro se*, filed a pleading entitled "Notice of Constitutional Challenge Rule 5.1" (the "Beck Filing"), in which Beck claimed unsubstantiated constitutional prohibitions to the enforcement of Respondents' loan documents and the statutory foreclosure process, as well as references to inapplicable Federal Rules of Civil Procedure and Maryland law. Notably, however, the Beck Filing did not deny, or respond to in any manner, the well-pleaded factual allegations set forth in Respondents' Complaint. In any case, as discussed below, the Beck Filing was stricken by consent order filed December 18, 2015, and Beck failed to timely file a subsequent responsive pleading to the Complaint.

This matter was originally referred to the Hon. Joe M. Crosby, as Master in Equity for Georgetown County, by General Order of Reference filed on March 16, 2015. Judge Crosby subsequently recused himself pursuant to an Order dated May 12, 2015. Following Judge Crosby's recusal, an Order of Reference by the Hon. Larry B. Hyman, Jr. was filed on May 29, 2015 referring Plaintiffs' action, and any matters arising in connection therewith, to the Hon. Ralph Stroman as Special Referee.

On May 27, 2015, CJB, by and through Beck, filed a petition for relief in the U.S. Bankruptcy Court for the District of South Carolina under chapter 11 of the United States Bankruptcy Code, 11 U.S.C. § 101 *et seq.*, designated as Case No. 15-02839-dd, which case was ultimately dismissed by Order Dismissing Case filed October 30, 2015.

Upon resumption of this action in circuit court, and as stated above, the Beck Filing was struck by consent order entitled, "Order Regarding Plaintiffs' Motion to Strike Beck Filing", filed December 18, 2015, which acted to strike Beck's "Notice of Constitutional Challenge Rule 5.1" and granted him 30 days from the hearing date in which to file an Answer. Beck failed to timely file an Answer. Beck appealed the Order Regarding Plaintiffs' Motion to Strike Beck Filing, which appeal was dismissed by this Court on March 10, 2016.

The Honorable Steven H. John issued an order for Immediate Possession of the Personal Property on February 11, 2015 and an Order Appointing Receiver ("Receiver Order") for the Real Property and Personal Property on March 5, 2015, with Webster Rogers, LLP appointed as receiver (the "Receiver")

On July 11, 2016, the Respondents moved to supplement the Receiver Order to allow the Receiver to market and sell the Real and Personal Property (the “Supplemental Motion”). On August 10, 2016, following notice and a hearing, Special Referee Stroman, overruling an objection by Beck, granted the Supplemental Motion and authorized the Receiver to market the Real and Personal Property for sale pursuant to the “Order Granting Motion to Supplement Order Appointing Receiver to Authorize Receiver to Sell Real and Personal Property Free and Clear of Liens” (“Supplemental Receiver Order”). A hearing to consider Plaintiffs’ motion to approve the Receiver’s sale of Real Property subject to Mortgage #2 (“Sale Motion”) was scheduled for September 12, 2016 (“Sale Approval Hearing”).

On August 19, 2016, Beck filed a “Writ of Mandamus/Prohibition” in a separate case against Respondents—as well as the Respondents’ counsel, the Receiver, the Special Referee and various court and public officials—to terminate the within action.¹ After a hearing of numerous motions to dismiss by the various named “respondents” held before the Honorable Roger E. Henderson, the Writ of Mandamus/Prohibition was dismissed pursuant to separate Orders filed September 22, 2016, and sanctions were imposed against Beck as a result of his frivolous filing. Beck has since appealed that ruling, which case is presently pending before this Court as Appellate Case No. 2016-002138.

Following dismissal of Beck’s Writ of Mandamus/Prohibition, the Sale Motion Hearing was rescheduled to October 27, 2016. Respondents filed a Motion for Partial Summary Judgment (“Summary Judgment Motion”) on October 12, 2016 to be heard at the same time as the Sale Motion. Beck filed an objection to the Summary Judgment Motion on

October 17, 2016 and an Amended Objection to Motion for Summary Judgment on October 20, 2016 (collectively, "Summary Judgment Motion Objection"); neither he nor any other party filed an objection to the Sale Motion. A copy of the Summary Judgment Motion Objection may be more fully seen by reference to copy of the same, attached hereto as Exhibit A. A Motion for Continuance was also filed by Beck on October 20, 2016, as may be more fully seen by reference to the Motion for Continuance attached hereto as Exhibit B. Following the hearings on Respondents' Summary Judgment Motion and the rescheduled Sale Motion, Special Referee Stroman granted both motions pursuant to the Summary Judgment Order and the Sale Order, which were filed on the same date and are the subject of the within appeal. Beck did not attend the hearings.

On November 10, 2016, "objections" to both Orders were filed by "Beck Jr, Cornelius-Johnathan in the capacity of Cornelius Johnathan Beck, Jr.", as may be more fully seen by reference to the objections attached hereto as Exhibits C and D. The Notice of Appeal as to the Summary Judgment and Sale Orders was filed on November 14, 2016 by the purported Appellant, identifying himself as "Beck Jr, Cornelius-Johnathan." The party-defendant listed in the caption of this action, "Cornelius J. Beck, Jr." is not named in the Notice of Appeal. No motion for stay of the Sale Order pending appeal has been filed.

ARGUMENT

The appeal should be dismissed because it purports to be taken by "Beck Jr, Cornelius-Johnathan, in the capacity of Cornelius Johnathan Beck, Jr." who is not a party to the underlying action.

¹ The Sale Hearing was cancelled in the face of Beck's filing of the Writ of Mandamus/Prohibition.

Rule 201, SCACR, addresses the persons and entities with a right to appeal. Specifically, Rule 201(b) provides, "Only a party aggrieved by an order, judgment, sentence or decision may appeal." Cornelius J. Beck, Jr., the signatory on numerous loan documents underlying the within action, is a party-defendant, while Beck Jr, Cornelius-Johnathan is not. The underlying objections to the Orders and this appeal were initiated by an apparent alter-ego identified as "Beck Jr, Cornelius Johnathan." Accordingly, the party-defendant Cornelius J. Beck, Jr. has not timely appealed the Orders in accordance with Rule 203(b)(1), SCACR. The Orders were filed on October 27, 2016 and served on October 28, 2016 and more than 30 days have elapsed without the appeal by the party-defendant Cornelius J. Beck, Jr. or any other party to the action. As such, a "party" to the action has not filed a notice of appeal within the required timeframe and this appeal should be dismissed pursuant to Rules 201 and 203, SCACR.

From the outset of this action in 2014, Beck has taken the position he is not responsible for his indebtedness to the Respondents because the alter ego Beck Jr, Cornelius Johnathan is the "registered owner and beneficiary" of party-defendant Cornelius J. Beck, Jr. This argument arises out of the so-called "redemptionist" and "sovereign citizen" theories that claim that government entities and courts of law do not have jurisdiction over a so-called "real person"; they only have jurisdiction over a so-called "strawman".

Under the sovereign citizen theory, Cornelius J. Beck, Jr. is not the "flesh and blood man" and is a mere strawman under the government's control as a result of having a social security card issued in his name. Additional tenets of this theory provide that the government only has power over the strawman with whom it has a contract, but not over the

real person and that the real person cannot be responsible for any debts, damages or penalties assessed by a court. Theret, Michelle, *Sovereign Citizens: A Homegrown Terrorist Threat and its Negative Impact on South Carolina*, 63 S.C. L. Rev. 853 (2011-2012). Under the theory, the real person may redeem the strawman by filing a UCC against the strawman, at which point the real person's interest in the strawman is superior to any right the government may have. In addition, the real person has an unalienable right to own real property. *Id.*

Regardless of the basis upon which a person or entity that is a stranger to the underlying action pursues appeal, it may not do so without authorization under applicable court rules or court authority. If Beck Jr, Cornelius-Johnathan seeks to represent Cornelius J. Beck, Jr., he/it may not do so unless authorized to practice law before this Court. If Beck wishes to take an active role in this action and any related appeals, he must abandon the charade of dual identity in order to do so; he should not be allowed to have it both ways.

CONCLUSION

The appeal should be dismissed due to its failure to be commenced by a real party in interest as required by Rules 201 and 203(a), SCACR.

Respectfully submitted,



David B. Wheeler (SC Bar No. 6055)
Trudy H. Robertson (SC Bar No. 64856)
MOORE & VAN ALLEN, PLLC
78 Wentworth Street
Post Office Box 22828

Charleston, SC 29413-2828
Telephone: (843) 579-7000
Email: davidwheeler@mvalaw.com
trudyrobertson@mvalaw.com

Attorneys for Respondents,
Wells Fargo Bank, N.A. and Wells Fargo
Equipment Financing, Inc.

12/19, 2016

EXHIBIT "A"

STATE OF SOUTH CAROLINA IN THE COURT OF COMMON PLEAS

COUNTY OF GEORGETOWN

CASE NO.: 2014-CP-22-01109

WELLS FARGO BANK, N.A.,
WELLS FARGO EQUIPMENT
FINANCE, INC.

Plaintiff,

vs.

CORNELIUS JOHNATHAN BECK, JR., et,al

Defendant(s)

OBJECTION TO MOTION
FOR SUMMARY JUDGEMENT

FILED
REC'D IN DOWN COURT IV, S.C.
2016 OCT 17 PM 3:45
ALMA Y. WHITE
CLERK OF COURT

OBJECTION TO MOTION FOR SUMMARY JUDGEMENT

I, Cornelius Johnathan Beck, Jr., am objecting to Plaintiffs Motion For Summary Judgement for the following reasons:

1. On December 31, 2014, I filed a Constitutional Challenge against the statutes governing foreclosure proceedings.
2. At no point during between December 31, 2016 and October 14, 2016 have I forfeited, or waived my right to the Constitutional Challenge that was filed.
3. To the best of my knowledge the clerk of the court never certified the constitutional challenge, according to 28 U.S.C. §2403.
4. According to Federal Rule 5.1.(c), the court may reject the constitutional challenge, but may not enter a final judgment holding the statute unconstitutional..

(c) INTERVENTION; FINAL DECISION ON THE MERITS. Unless the court sets a later time, the attorney general may intervene within 60 days after the notice is filed or after the court certifies the challenge, whichever is earlier. Before the time to intervene expires, the court may reject the constitutional challenge, but may not enter a final judgment holding the statute unconstitutional.

5. At no point in this case has my claim of constitutional challenge has been forfeited pursuant to Federal 5.1.(d).

(d) NO FORFEITURE. A party's failure to file and serve the notice, or the court's failure to certify, does not forfeit a constitutional claim or defense that is otherwise timely asserted.

Therefore an Affidavit of Default is inappropriate for the case. I have stated true, correct and complete facts to the best of my knowledge and ability under penalty of perjury.

Cornelius J. Beck, Jr.

Cornelius J. Beck, Jr. UCC 1-308
34 Old Evergreen Lane
Pawley's Island, South Carolina 29585

10/17/2016
Date

WITNESS: [Signature]

10.17.16
Date

WITNESS: [Signature]

10.17.16
Date

Subscribe and sworn to (or affirmed) before me on this 17 day of Oct. 2016, by Cornelius Johnathan Beck, Jr. proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

JESSA STARR EDWARDS
Jessa Starr Edwards

NOTARY PUBLIC My Commission Expires
My Commission Expires: October 24, 2017

(Seal)

10/19/16

STATE OF SOUTH CAROLINA IN THE COURT OF COMMON PLEAS

COUNTY OF GEORGETOWN

CASE NO.: 2014-CP-22-01109

WELLS FARGO BANK, N.A.,
WELLS FARGO EQUIPMENT
FINANCE, INC.

Plaintiff,

vs.

OBJECTION TO MOTION
FOR SUMMARY JUDGEMENT

CORNELIUS JOHNATHAN BECK, JR., et, al

Defendant(s)

CERTIFICATE OF SERVICE

I, Cornelius Johnathan Beck, Jr. certify that I am of such age and discretion to be competent to serve papers.

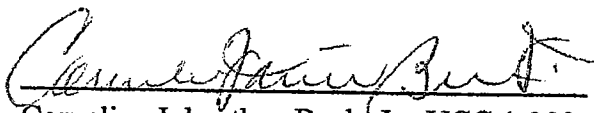
That on the 17th day of October, 2016, I have served a copy of the documents listed below, by Certified Mail, sent to each of the following persons at the locations stated below, which is the last known location, and by depositing said envelope and contents in the U.S Mail.

DOCUMENTS: OBJECTION TO MOTION FOR SUMMARY JUDGEMENT,
AFFIDAVIT REBUTTING PLAINTIFFS AFFIDAVIT OF
DEFAULT

PARTIES SERVED:

David B. Wheeler, Attorney
78 Wentworth Street
Charleston, S.C. 29401

FILED
GEORGETOWN COUNTY, S.C.
2016 OCT 17 PM 3:45
ALMA Y. WHITE
CLERK OF COURT



Cornelius Johnathan Beck, Jr. UCC 1-308
34 Evergreen Lane
Pawley's Island, SC 29585

10/17/2016
Date

STATE OF SOUTH CAROLINA IN THE COURT OF COMMON PLEAS

COUNTY OF GEORGETOWN

CASE NO.: 2014-CP-22-01109

WELLS FARGO BANK, N.A.,
WELLS FARGO EQUIPMENT
FINANCE, INC.

Plaintiff,

vs.

CORNELIUS JOHNATHAN BECK, JR., et,al

Defendant(s)

AMENDED OBJECTION TO
MOTION FOR SUMMARY
JUDGEMENT

FILED
GEORGETOWN COUNTY, S.C.
OCT 20 AM 11:05
ALMA Y. WHITE
CLERK OF COURT

AMENDED OBJECTION TO MOTION FOR SUMMARY JUDGEMENT

I, Cornelius Johnathan Beck, Jr., is objecting to Plaintiffs Motion For Summary Judgement for the following reasons:

1. On December 31, 2014, I filed a Constitutional Challenge against the statutes governing foreclosure proceedings.
2. At no point during between December 31, 2016 and October 14, 2016 have I forfeited, or waived my right to the Constitutional Challenge that was filed.
3. To the best of my knowledge the clerk of the court never certified the constitutional challenge, according to 28 U.S.C. §2403.
4. According to Federal Rule 5.1.(c), the court may reject the constitutional challenge, but may not enter a final judgment holding the statute unconstitutional..

(c) INTERVENTION; FINAL DECISION ON THE MERITS. Unless the court sets a later time, the attorney general may intervene within 60 days after the notice is filed or after the court certifies the challenge, whichever is earlier. Before the time to intervene expires, the court may reject the constitutional challenge, but may not enter a final judgment holding the statute unconstitutional.

5. At no point in this case has my claim of constitutional challenge has been forfeited pursuant to Federal 5.1.(d).

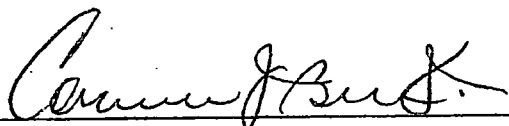
(d) NO FORFEITURE. A party's failure to file and serve the notice, or the court's failure to certify, does not forfeit a constitutional claim or defense that is otherwise timely asserted.

(e) A summary judgement will serve no purpose in this case since there can be no final judgement in this case because of the rules of the constitutional challenge

Note: A summary judgement serves as a way to obtain a judgement without having to go through a trial.

CONCLUSION:

The fact that I have timely inserted the constitutional challenge for the statutes for foreclosure, there should be no final judgement for foreclosure and sale, which includes but not limited to Summary Judgement. According to the rule, this will indicate that the foreclosure statutes are being held as unconstitutional. In conjunction with the orders that have been signed in this case giving possession to the Plaintiff before any rendering of judgment is void and inappropriate. This objection will accompanied by an Amended Motion to Vacate all orders.

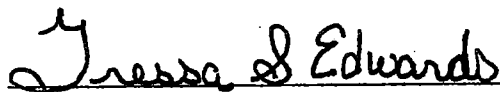


Cornelius J. Beck, Jr. UCC 1-308
34 Old Evergreen Lane
Pawley's Island, South Carolina 29585

10/19/2016

Date

Subscribe and sworn to (or affirmed) before me on this 19th day of October, 2016, by Cornelius Johnathan Beck, Jr. proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.



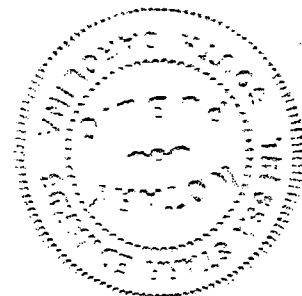
NOTARY PUBLIC

My Commission Expires: _____

My Commission Expires

October 24, 2017

(Seal)



STATE OF SOUTH CAROLINA IN THE COURT OF COMMON PLEAS

COUNTY OF GEORGETOWN

CASE NO.: 2014-CP-22-01109

WELLS FARGO BANK, N.A.,
WELLS FARGO EQUIPMENT
FINANCE, INC.

Plaintiff,

vs.

CORNELIUS JOHNATHAN BECK, JR., et,al

Defendant(s)

AMENDED OBJECTION TO
MOTION FOR SUMMARY
JUDGEMENT

FILED
GEORGETOWN COUNTY, S.C.
2016 OCT 20 AM 11:05
ALMA Y. WHITE
CLERK OF COURT

CERTIFICATE OF SERVICE

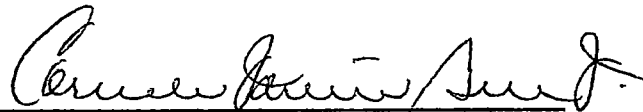
I, Cornelius Johnathan Beck, Jr. certify that I am of such age and discretion to be competent to serve papers.

That on the 19th day of October, 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 OBJECTION TO MOTION FOR SUMMARY
JUDGEMENT

PARTIES SERVED:

David B. Wheeler, Attorney
78 Wentworth Street
Charleston, S.C. 29401



Cornelius Johnathan Beck, Jr. UCC 1-308
34 Evergreen Lane
Pawley's Island, SC 29585

10/19/2016

Date

EXHIBIT "B"

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF GEORGETOWN

CASE NO.: 2014-CP-22-01109

WELLS FARGO BANK, N.A.,
WELLS FARGO EQUIPMENT
FINANCE INC.

MOTION FOR CONTINUANCE

Plaintiff,

vs.

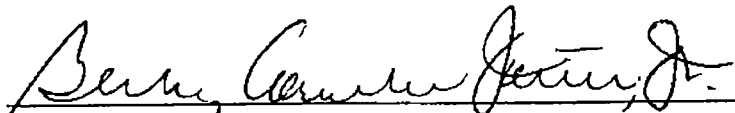
CORNELIUS JOHNATHAN BECK, JR., et,al

Defendant(s)

MOTION FOR CONTINUANCE

FILED
GEORGETOWN COUNTY, SC
2016 OCT 20 AM 11:03
ALMA Y WHITE
CLERK OF COURT

I Cornelius Johnathan Beck, Jr. moves this court for a continuance of this case in which a motion is scheduled to be heard on October 27, 2016, due to a conflict in schedule I will not be able to attend the hearing. This case is very important to me so I would appreciate a rescheduling of this hearing. Thank you for your cooperation in advance.



Beck, Cornelius Johnathan, Jr., Executor

10/19/2016
Date

34 Old Evergreen Lane
Pawley's Island, SC [29585]

STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF GEORGETOWN

CASE NO.: 2014-CP-22-01109

WELLS FARGO BANK, N.A.,
WELLS FARGO EQUIPMENT
FINANCE INC.

MOTION FOR CONTINUANCE

Plaintiff,

vs.

CORNELIUS JOHNATHAN BECK, JR., et,al

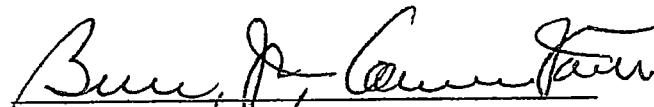
Defendant(s)

CERTIFICATE OF SERVICE

For the claim is with the knowledge I have sent a copy of the MOTION FOR CONTINUANCE, by Certified Mail, to the following location(s) on this 19th day of October, in the year 2016:

David B. Wheeler, Attorney
78 Wentworth Street
Charleston, S.C. 29401

FILED
GEORGETOWN COUNTY, S.C.
2016 OCT 20 AM 11:05
ALMA Y. WHITE
CLERK OF COURT


Beck Jr, Cornelius Johnathan, Executor
34 Old Evergreen Lane
Pawley's Island, SC [29585]

10/19/2016
Date

EXHIBIT "C"

STATE OF SOUTH CAROLINA IN THE COURT OF COMMON PLEAS

COUNTY OF GEORGETOWN

CASE NO.: 2014-CP-22-01109

WELLS FARGO BANK, N.A.,
WELLS FARGO EQUIPMENT
FINANCE, INC.

Plaintiff,

vs.

OBJECTION TO ORDER
GRANTING PLAINTIFFS
SUMMARY JUDGEMENT

CORNELIUS JOHNATHAN BECK, JR., et,al


Defendant(s)

OBJECTION TO ORDER GRANTING PLAINTIFFS SUMMARY JUDGEMENT

COMES NOW, Beck, Jr., Cornelius-Johnathan in the capacity of CORNELIUS JOHNATHAN BECK JR. objecting to the order granting the Plaintiff summary judgement. My objections are as follows:

1. I filed a motion to have the hearing that was scheduled on October 27, 2016, well in advance prior to the hearing date stating the reason why I needed the hearing to be rescheduled.
2. I filed a motion requesting Special Referee Ralph Stroman to recuse himself and I did state the reason why I wanted him recused. This case is a perfect picture of the holding found in Charles Hill vs. SEC as it points out the problems so readily found involving administrative courts which operates with no judicial authority.
3. The court has ignored Federal Rule 5.1 which involves a constitutional challenge and yet all court officials took an oath to uphold the constitution.

The statements that I stated above 1-3 are the main important reasons why I am objecting to the Order Granting Plaintiff Summary Judgement. These objections are for the record and the basis of my reasons to seek an appeal to this court.



Cornelius Johnathan Beck, Jr. - UCC 1-308
34 Evergreen Lane
Pawley's Island, SC 29585

11/10/2016
Date

FILED
GEORGETOWN COUNTY, S.C.
2016 NOV 10 PM 3:10
ASHA Y. WHITE
CLERK OF COURT

STATE OF SOUTH CAROLINA IN THE COURT OF COMMON PLEAS

COUNTY OF GEORGETOWN

CASE NO.: 2014-CP-22-01109

WELLS FARGO BANK, N.A.,
WELLS FARGO EQUIPMENT
FINANCE, INC.

Plaintiff,

vs.

CORNELIUS JOHNATHAN BECK, JR., et,al

Defendant(s)

OBJECTION TO ORDER
GRANTING PLAINTIFFS
SUMMARY JUDGEMENT

CERTIFICATE OF SERVICE

I, Beck, Jr., Cornelius-Johnathan certify that I am of such age and discretion to be competent to serve papers.

That on the 10 day of November, 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: OBJECTION TO ORDER GRANTING PLAINTIFFS
SUMMARY JUDGEMENT

PARTIES SERVED:

David B. Wheeler, Attorney
78 Wentworth Street
Charleston, S.C. 29401

FILED
GEORGETOWN COUNTY, S.C.
ALMA Y. WHITE
CLERK OF COURT
2016 NOV 10 PM 3:10

Beck, Jr. Cornelius Johnathan
Beck, Jr., Cornelius-Johnathan – UCC 1-308
34 Evergreen Lane
Pawley's Island, SC 29585

11/10/2016
Date

EXHIBIT "D"

STATE OF SOUTH CAROLINA IN THE COURT OF COMMON PLEAS

COUNTY OF GEORGETOWN

CASE NO.: 2014-CP-22-01109

WELLS FARGO BANK, N.A.,
WELLS FARGO EQUIPMENT
FINANCE, INC.

Plaintiff,

vs.

CORNELIUS JOHNATHAN BECK, JR., et, al

Defendant(s)

OBJECTION TO ORDER
APPROVING SALE

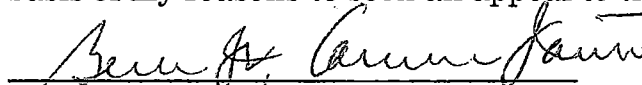
OBJECTION TO ORDER APPROVING SALE

COMES NOW, Beck, Jr., Cornelius-Johnathan in the capacity of CORNELIUS JOHNATHAN BECK JR. objecting to the order Approving Sale. My objections are as follows:

FILED
GEORGETOWN COUNTY, S.C.
2016 NOV 10 PM 3:12
ALMA Y. WHITE
CLERK OF COURT

1. I filed a motion to have the hearing that was scheduled on October 27, 2016, well in advance prior to the hearing date stating the reason why I needed the hearing to be rescheduled.
2. The court has ignored Constitutional Challenge Rule 5.1 which involves a constitutional challenge and yet all court officials took an oath to uphold the constitution.
3. Based upon the Constitutional Challenge Rule 5.1, no sale can be rendered because no final judgment can be put in place that would allow an approval of a sale.
4. I object to this approval of sale because the hearing of the proceedings are only administrative and does not operate with judicial powers or authority because this is a court that is registered with Dun and Bradstreet which means that it is a corporation doing business for profit.
5. My personal property was never included in any contract that I signed with any of the Plaintiffs.
6. The contract that the Plaintiff brought into the court was signed by someone posing to be CEO when in fact I was the CEO.

The statements that I stated above 1-6 are the main important reasons why I am objecting to the Order Approving Sale. These objections are for the record and the basis of my reasons to seek an appeal to this order.



Beck, Jr., Cornelius-Johnathan – UCC 1-308
34 Evergreen Lane
Pawley's Island, SC 29585

11/10/2016

Date

STATE OF SOUTH CAROLINA IN THE COURT OF COMMON PLEAS

COUNTY OF GEORGETOWN

CASE NO.: 2014-CP-22-01109

WELLS FARGO BANK, N.A.,
WELLS FARGO EQUIPMENT
FINANCE, INC.

Plaintiff,

vs.

CORNELIUS JOHNATHAN BECK, JR., et,al

Defendant(s)

OBJECTION TO ORDER
APPROVING SALE

CERTIFICATE OF SERVICE

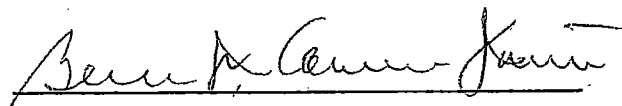
I, Beck, Jr., Cornelius-Johnathan certify that I am of such age and discretion to be competent to serve papers.

That on the 10 day of November, 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: OBJECTION TO ORDER APPROVING SALE

PARTIES SERVED:

David B. Wheeler, Attorney
78 Wentworth Street
Charleston, S.C. 29401



Beck, Jr., Cornelius-Johnathan – UCC 1-308
34 Evergreen Lane
Pawley's Island, SC 29585

11/10/2016

Date

FILED
GEORGETOWN COUNTY, S.C.
2016 NOV 10 PM 3:12
ALMA Y. WHITE
CLERK OF COURT

RECEIVED

DEC 20 2016

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM GEORGETOWN COUNTY
Court of Common Pleas

Ralph P. Stroman, Special Referee

Appellate Case No. 2016-002311

Wells Fargo Bank, N.A. and Wells Fargo Equipment Finance, Inc.,.....Plaintiff,
Of whom Wells Fargo Bank, N.A. and Wells Fargo Equipment Finance, Inc. are
the Respondents.

v.

C.J.B. Holding & Trust Company, LLC, Cornelius J. Beck, Jr.; Inlet Dental Center,
Inc., N/K/A Cameron Banks, LLC, Seaside Surgical, Inc., Andrews Dental Center
Inc., Georgetown Dental Center of South Carolina, Inc., South Beach Dental Center,
Inc., Southpark Centre Property Owners Association, Inc., Myrtle Beach Farms
Company, Inc., Wachesaw Warehouses Property Owners Association, Inc. and
Patterson Dental Supply, Inc.,Defendants.

Of whom Cornelius J. Beck is the Appellant

PROOF OF SERVICE

This is to certify that I have this day served the Appellant in the foregoing matter
with a copy of the foregoing **MOTION TO DISMISS APPEAL** by depositing same in
the United States Mail with adequate postage affixed thereon to ensure delivery,
addressed as follows:

Cornelius J. Beck, Jr.
34 Old Evergreen Lane
Pawley's Island, SC 29585

12/19, 2016



David B. Wheeler (SC Bar No. 6055)
Trudy H. Robertson (SC Bar No. 64856)
MOORE & VAN ALLEN, PLLC
78 Wentworth Street
Post Office Box 22828
Charleston, SC 29413-2828
Telephone: (843) 579-7000
Email: davidwheeler@mvalaw.com
trudyrobertson@mvalaw.com

Attorneys for Respondents,
Wells Fargo Bank, N.A. and Wells Fargo
Equipment Financing, Inc.

Moore & Van Allen

December 19, 2016

David B. Wheeler
Certified Bankruptcy Specialist
South Carolina Supreme Court
T 843 579 7015
F 843 579 8727
davidwheeler@mvalaw.com

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Moore & Van Allen PLLC

78 Wentworth St.
Charleston, SC 29401-1428

Mailing Address:
Post Office Box 22828
Charleston, SC 29413-2828

**RE: Wells Fargo Bank, N.A. and Wells Fargo Equipment Finance,
Inc., Respondents
Cornelius J. Beck, Jr. Appellant
Appellate Case No. 2016-002311**

Dear Ms. Kitchings:

Enclosed for filing, please find an original and seven (7) copies of the following:

- (1) Respondents' Motion to Dismiss Appeal;
- (2) \$25.00 fee; and
- (3) Proof of Service.

RECEIVED

DEC 20 2016

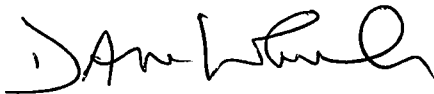
SC Court of Appeals

Please return a filed copy to this office in the enclosed envelope.

Thank you for your assistance in this matter and please call me with any questions.

Yours very truly,

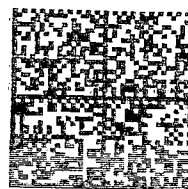
MOORE & VAN ALLEN, PLLC



David B. Wheeler

DBW/jmc
Enclosures

cc: Cornelius J. Beck, Jr.



Hester

016H26512680

\$07.350

12/19/2016

Mailed From 29401

US POSTAGE

Moore & Van Allen

Moore & Van Allen PLLC

78 Wentworth Street
Post Office Box 22828
Charleston, SC 29413-2828

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED

DEC 20 2016

SC Court of Appeals