



# The South Carolina Court of Appeals

JENNY ABBOTT KITCHINGS  
CLERK

V. CLAIRE ALLEN  
DEPUTY CLERK

POST OFFICE BOX 11629  
COLUMBIA, SOUTH CAROLINA 29211  
1220 SENATE STREET  
COLUMBIA, SOUTH CAROLINA 29201  
TELEPHONE: (803) 734-1890  
FAX: (803) 734-1839  
[www.sccourts.org](http://www.sccourts.org)

August 11, 2017

The Honorable Cheryl L. Graham  
5200 E Jim Bilton Blvd  
St George SC 29477-8020

## REMITTITUR

Re: Bank of New York Mellon Trust v. Cornell Riley  
Lower Court Case No. 2014CP1801007  
Appellate Case No. 2015-001543

Dear Clerk of Court:

The above referenced matter is hereby remitted to the lower court or tribunal. A copy of the judgment of this Court is enclosed.

Very truly yours,

*V. Claire Allen, Deputy*

CLERK

Enclosure

cc: Cornell Riley  
Magalie Arcure Creech, Esquire

**THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE  
CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING  
EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.**

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

Bank of New York Mellon Trust Co. N.A., not in its  
individual capacity but Solely as Trustee on behalf of the  
FDIC 2013-N1 Asset Trust, Respondent,

v.

Cornell Riley, Appellant.

Appellate Case No. 2015-001543

---

Appeal From Dorchester County  
Diane Schafer Goodstein, Circuit Court Judge

---

Unpublished Opinion No. 2017-UP-316  
Submitted June 1, 2017 – Filed July 26, 2017

---

**AFFIRMED**

---

Cornell Riley, of Ladson, pro se.

Magalie Arcure Creech, of Finkel Law Firm LLC, of  
Charleston, for Respondent.

---

**PER CURIAM:** Cornell Riley appeals the circuit court's order granting summary judgment, arguing the circuit court erred in granting the Bank of New York Mellon Trust's (Bank's) motion for summary judgment and in reversing its decision to grant Riley a jury trial because Bank failed to give him notice of default and