

# The South Carolina Court of Appeals

Nationstar Mortgage LLC. Respondent,

v.

Robert Butler, Appellant.

Appellate Case No. 2017-001435

**RECEIVED**

AUG 04 2017

SC Court of Appeals

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ORDER

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Appellant's motion to proceed *in forma pauperis* is denied. Appellant must submit the notice of appeal filing fee within ten days of this order.

  
FOR THE COURT

Columbia, South Carolina

cc:

- Robert Butler
- Jessica S. Corley, Esquire
- Louise Myers Johnson, Esquire
- William Price Stork, Esquire
- Tasha B. Thompson, Esquire

**FILED**

August 1, 2017

August 3, 2017

Re: Appellate Case No. 2017-001435

RECEIVED

Nationstar Mortgage LLC, Respondent,

AUG 04 2017

v.

Robert Butler, Appellant

SC Court of Appeals

Appellate Case No. 2017-001435

To Whom It May Concern:

I am writing to the South Carolina Court of Appeals asking that they reevaluate my eligibility to continue this case in *forma pauperis*, I was not contacted at any time and ask why I choose to file the proceedings in this way and at no time after the case was filed initially with your office at the beginning of July was I ever asked to prove that I could not afford to pay the filing fee for the case. And by denying the ability to prove to the court and the decision being made without the petitioner being asked to provide documentation for the cause to file in *forma pauperis*, I feel the decision was made post haste and should be reevaluated since this is a case that could decide whether or not I keep my residence or it gets taken by the mortgage company and me railroaded like I have been since they took the mortgage over from the previous mortgage servicer. I hereby request that the decision to allow this case to proceed in *forma pauperis* be reevaluated by another party of the court and in so doing so they look over all supporting documentation and statements outlined below to help them see a just and fair decision to let this case continue on without the filing fee that is demanded within 10 days of the date of the letter received on 08/04/2017 and sent an agent of the South Carolina Court Of Appeals.

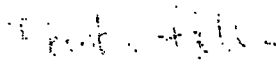
Reasoning for requesting to proceed in *forma pauperis*:

- For starters two weeks ago I was terminated from my employer of three years because of a "conflict of interest" according to them because I was working in the same field as their company. This has caused a drastic change to my income even since before when Nationstar was claiming I was denied a modification.
- The residence has had a water leak for going on a little over two months which has caused the utility bills for the residence (Duke Energy and Greenville Water) to grow exponentially larger than my average bills were running. And I cannot even afford to have that fixed with the economic factors I am facing now since losing my job of three years.
- All of my disposable income which has not been consistent as of the date of this letter fluctuates and at most I bring home \$340-\$360 a week which averages out to be (\$1496 or \$1584). So when you figure my living expenses and these are all necessities and not unnecessary items this is a breakdown of where my income goes each month and I may have enough to barely get by on the skin of my teeth and I feel the court should consider this when denying an Appellants request to proceed without paying the filing fee.
- **Breakdown of Monthly Bills**
  - Utilities (Water and Power) - \$600.00(Energy) -\$200(Current water bill) \$800.00 total
  - Car Payment (Mode of transportation to job) \$232.00 a month
  - Car Insurance (Same reason as above) \$109.00 a month
  - Gas For Vehicle (estimated) \$120.00 a month (varies because of job)
  - Cell Phone (Non employer paid, but required) \$140.00 a month
  - Groceries \$200.00 a month
  - Various (other debts; personal loans) \$110.00 a month

So in closing you see why I am asking that the order to deny the decision to proceed in forma pauperis to be reconsidered. Just the information I provided above that was never ask of me before a decision

was made to deny the order should substantiate and warrant the case to proceed to continue in forma pauperis. As per your staff's advice I am sending this to you letter stating why it is pertinent that this case be allowed to be in forma pauperis.

Sincerely

  
Robert C Butler  
Appellant

CC:

Jessica S. Corley, Esquire  
Louise Myers Johnson, Esquire  
William Price Stork, Esquire  
Tasha B. Thomson, Esquire

ROBERT C BUTLER  
18 MELVIN DR

Account Number 1398501307  
Verification Code 5  
Bill Date 06/28/2017  
Current Charges Past Due After 07/24/2017

Service From: MAY 25 to JUN 27 ( 33 Days)

Your next scheduled meter reading will occur between JUL 26 and JUL 31

PREVIOUS BIL AMOUNT	PAYMENTS	NEW CHARGES	ADJUSTMENTS	AMOUNT DUE
\$860.61	\$290.51	\$589.01	\$0.00	\$1,159.11

METER NUMBER	METER READINGS: PREVIOUS	METER READINGS: PRESENT	MULTI-PLIER	TOTAL USAGE	RATE SCHEDULE DESCRIPTION	AMOUNT
798706	25930.043	31237.132	1	5,307 KWH	RS - Residential Service	579.79
					Fixed Monthly Leat 50C Charge	.67
					Prior Balance Due	570.10
					Late Payment Charge	8.55
					Please Pay According to Your Deferred Payment Agreement	

Amount Due 1,159.11

Electricity Usage	This Month	Last Year
Total KWH	5,307	1,690
Days	33	33
AVG KWH per Day	161	51
AVG Cost per Day	\$17.57	\$5.91

Our records indicate your telephone number is 564-277-8761 . If this is incorrect, please follow the instructions on the back of the bill.  
A late payment charge of 1.5 % will be added to any past due utility balance not paid within 25 days of the bill date.

Printed on recyclable paper.

For Correspondence: PO BOX 1090 CHARLOTTE NC 28201-1090  
DUKE PHONE: 800-777-9899 www.duke-energy.com

RETURN THIS PORTION WITH YOUR PAYMENT TO THE ADDRESS BELOW. THANK YOU FOR YOUR BUSINESS.

044949  
492

99139850130705000000115911000000057010 88 0 88 0 &

014066 000011287  
ROBERT C BUTLER  
18 MELVIN DR  
GREENVILLE SC 29605-1464

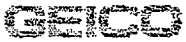
Account Number 1398501307  
Verification Code 5  
Amount Due \$1,159.11  
Current Charges Past Due After 07/24/2017

REMINDER  
Your Duke Energy account has a past due balance. Failure to pay the past due amount could result in disconnection of service. If your payment has been made, please accept our thanks. If you have any questions about your account, please contact Duke Energy.

Total Amount Enclosed \$



PO BOX 70515  
CHARLOTTE NC 28272-0515



Confirmation

From

Policy Number: 4306946833  
Policy Period: 05/04/2017 to 11/04/2017

**We've processed your payment successfully!**

Processed on: 08/03/2017  
Confirmation Number: 280F-1070C048-23831F  
View this and any scheduled payments at [Payment History](#) page.

**Details**

**Payment Information:**

Amount of Payment: \$108.09

Date of Payment: 08-03-2017

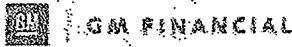
Name of Account: ROBERT C BUTLER

Account number: \*\*\*\*\*9517

**Please Note:**

Payment is subject to approval by your financial institution

Thanks for using [geico.com](#)!



GM FINANCIAL ACCOUNT STATEMENT  
July 5, 2017

2006 CHEVROLET

Total Amount Due

\$495.89

Payment Due Date

July 25, 2017

ACCOUNT NUMBER  
450567664  
CREDIT BALANCE\*  
\$4,233.10\*  
PAYMENT FREQUENCY  
19 payments to go  
00000000000000000000

Go Paperless  
Log in or Register at  
gmfinancial.com/myaccount

\*CURRENT BALANCE ABOVE DOES NOT REFLECT THE  
PAYMENT AMOUNT FOR YOUR CURRENT PLEDGE. SEE  
REVERSE SIDE FOR DETAILS

Transaction Summary

DATE	ACTIVITY	AMOUNT
06/10/2017	Payment received. Thank you! (\$165.67 principal + \$66.33 interest)	\$232.00
07/03/2017	Payment received. Thank you! (\$185.53 principal + \$44.47 interest)	\$232.00
	Past due amount Includes any late fees and past due amounts, if applicable.	\$264.50
	Current payment due Includes any late fees and past due amounts, if applicable.	\$231.39

Important Notice About Your Insurance

Thank you for maintaining proper insurance coverage as required by your Motor Vehicle  
Contract. If you have any questions regarding your insurance coverage, please contact the  
Nearest Service Center at (800)787-2188 and follow the prompts.

Your safety is very important to us.

To determine whether or not there is a recall on your  
current vehicle or on a vehicle you are considering, visit

<https://vinrl.safercar.gov/vin>

Payment Methods



Automatic Payments  
Set up automatic withdrawals  
from your bank account at  
gmfinancial.com/myaccount



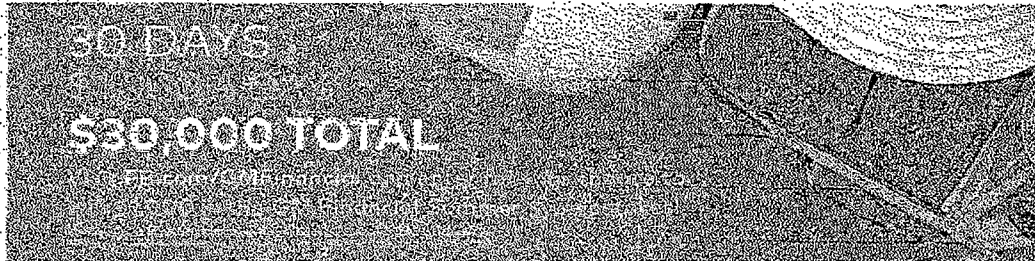
Online Bill Payment\*  
Pay your bill online now at  
gmfinancial.com/myaccount  
\*A Minimum Limit for pay to enroll



Pay By Phone\*  
Pay securely by phone. See reverse  
side for complete details.  
\*A Minimum Limit for pay to enroll

For complete payment options, see reverse side.

Contact Customer Service at (800) 325-5930  
or TTY Access (888) 998-0253 (requires TTY capable device)



PAYMENT COUPON - PLEASE INCLUDE WITH PAYMENT

STMT US

GM FINANCIAL  
P.O. Box 78163 Phoenix, AZ 85062-8163

Payment Summary  
Total Amount Due: \$495.89  
Payment Due Date: July 25, 2017  
Amount Enclosed: \$

Account Number: 450567664  
Check Information  
✔ Fill out your check with your  
Account Number  
✔ Make it payable to GM Financial

ROBERT C BUTLER  
16 MELVIN DR  
GREENVILLE, SC 29605

GM Financial  
P.O. BOX 78163  
PHOENIX, AZ 85062-8163

File Edit View History Bookmarks Home

SCD Cost of Appeals Greenville Water Greenville Water Home

https://payments.greenvillewater.com/Home.aspx

Search

Greenville Water

Customer Account # 01145249 - 000064400  
 18 BEECHWICK Logon / Logout  
 GREENVILLE SC 29615-4454  
 Balance: \$206.73  
 Due Date: 07/20/17  
 Account Status: Active - ROBERT BRITLER (First August 04, 2017)

ACCOUNT CONTACT

Make a Payment

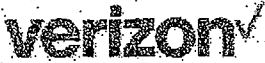
Water Detail

Category	Amount Billed
Refr Charge	\$0.00
Water Charge	\$206.73

Service Breakdown  
 Bill Date: 7/13/2017

Category	Amount
Water Charge	\$199.04
Refr Charge	\$44.59

1 2 3 4 5 6 7 8 9 0



Billing period Jun 5, 2017 to Jul 5, 2017 | Account # 388885333-00001 | Invoice # 3592672088

# You've got options.

We have all sorts of ways to pay so that you can pick the one that's right for you.



### Pay with the My Verizon app

You can download the My Verizon app in both the App Store and Google Play.



### Pay online at vzw.com

Go to vzw.com and sign in to My Verizon to pay your bill online.



### Pay by phone: #PMT (#768)

Simply dial #PMT on your phone and follow the instructions to pay.



ROBERT BUTLER  
18 MELVIN DR  
GREENVILLE, SC 29605-1454

Bill date July 05, 2017  
Account number 388885333-00001  
Invoice number 3592672088

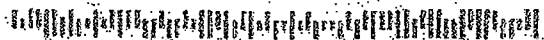
### Total Amount Due

Make check payable to Verizon Wireless.  
Please return this remit slip with payment.

**\$288.45**

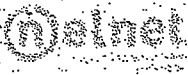
\$    .

P.O. BOX 15062  
ALBANY, NY 12212-5062



35926720880103888853330000100000014434000000288458

NOTICE: Bank account and routing numbers will be retained to enable future payments by phone or online. To opt out, call 1.866.544.0401.



SEND PAYMENTS TO  
Nelnet  
P.O. Box 2970, Omaha, NE 68103-2970

ROBERT C BUTLER  
18 MELVIN DR  
GREENVILLE, SC 29609-1454

Questions About Your Statement?

Phone: 888.486.4722  
Email: [Help@Nelnet.net](mailto:Help@Nelnet.net)  
Online: [nelnet.com](http://nelnet.com)

Log In to Your Nelnet.com Account

With your online account you have 24/7 access to:  
• View your account summary  
• Make a payment  
• Sign up for auto debit payments  
• Explore options to lower or postpone your payments

Your Student Loan Account Details  
For This Month's Billing Cycle

Account	D039197859
Statement Date	7/20/2017
Current Balance	\$34,019.90
Regular Monthly Payment Amount	\$32.16
Amount Already Paid for This Month	-\$0.00
Past Due Amount (if applicable)	+\$225.12
Current Amount Due	\$257.28

We encourage you to continue to make timely payments even if your account due is 90 because interest may continue to accrue. Otherwise, your next payment is due on 8/10/2017. You can also avoid extra costs by paying extra when your current amount due to cover the amount of any outstanding fees (if applicable). For more information, see the Will Be Charged Fees section on the last page of this statement.

Current Statement Due Date: 8/10/2017

If payment is not received by 8/22/2017, late fees may begin to be assessed. Returned payments may be assessed a \$5 fee.

Important Message

This statement informs you of the variable interest rate change effective July 2017-June 2018. Most customers will not experience a payment amount change; however, any necessary payment changes will be reflected on your future monthly statements.

Your Account Is Past Due

Immediate payment is required. If action is not taken now, we will report the delinquency to all national credit bureaus. If this is not resolved, we will file a default claim with the guarantor of the loan(s) and report it as defaulted to the credit bureaus. The guarantor may begin proceedings to seize your state and federal income tax refunds and other payments made to you by the federal government, garnish your wages, and assign the loan(s) to the federal government for litigation against you. Please call 1.888.486.4722.

Special Payment Instructions

You have the option to direct your payments (including partial payments) to individual loans or loan groups, as a one-time or recurring special payment instruction. Please refer to the Special Payment Instructions section on the back side of this statement for more details.

MAKE CHECKS PAYABLE (IN U.S. DOLLARS) TO: NELNET

If a check is returned unpaid for non-negotiable funds, it may be re-empted electronically.

Amount Enclosed \$ \_\_\_\_\_

Account D039197859

Current Statement Due Date 8/10/2017

Current Amount Due \$257.28

Nelnet  
P.O. Box 2970  
Omaha, NE 68103-2970

40914375912575264497 3 0025728 4

Questions about your payment amount? See the Payments section on the back.

Please detach and send the bottom portion with your payment.

Please use your account number on your check or money order. DO NOT SIGN CASH.

Check this box for change of contact information or if you have special payment instructions. See reverse side.

New address or phone number? Log in to [nelnet.com](http://nelnet.com) to update your information.

**PROOF OF SERVICE**  
**Of**  
**Motion to Proceed in "Forma Pauperis"**

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

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

**Charles B Simmons Jr., Circuit Court Judge**

**Appellate Case No. 2017-001435**

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**SC Court of Appeals**

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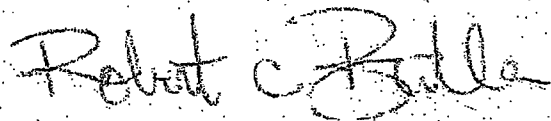
**v.**

**Robert Butler, Appellant.**

**PROOF OF SERVICE**

I certify that I have served the **PROOF OF SERVICE**, in regards to Motion to proceed in *Forma Pauperis* on Tasha B. Thompson, Esquire and agent of Scott & Corley by depositing a copy of it in the United States Mail, postage prepaid, on August 04, 2017, addressed to, 2712 Middleburg Drive Suite #200, Columbia, South Carolina 29240.

August 4, 2017



Robert Butler  
18 Melvin Drive  
Greenville, South Carolina 29605  
(864) 277-8761  
Appellant

**PROOF OF SERVICE**  
**Of**  
**Motion to Proceed in "Forma Pauperis"**

**THE STATE OF SOUTH CAROLINA**  
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Appellant

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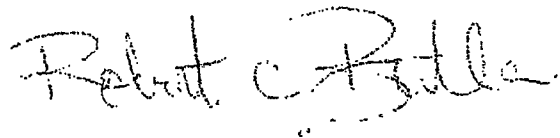
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(864) 277-8761  
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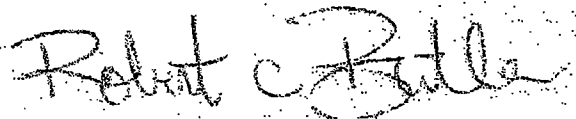
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August 4, 2017



Robert Butler  
18 Melvin Drive  
Greenville, South Carolina 29605  
(864) 277-8761  
Appellant

# FAX COVER SHEET

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TO

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COMPANY

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FAXNUMBER      18037341839

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FROM              Lee Garner

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DATE              2017-08-04 16:29:08 GMT

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RE                 Re: Appellate Case No. 2017-001435

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COVER MESSAGE

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**RECEIVED**

AUG 04 2017

SC Court of Appeals