

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM CALHOUN COUNTY
Court of Common Pleas

JUDGE MARTIN R. BANKS, MASTER IN EQUITY

Case No. 2015-CP-09-00126

Appellate Case No.

FLAGSTAR BANK, FSB
Respondent

vs

RUBY ELAINE PINNEX
Defendants,

Of whom Ruby Elaine Pinnex is the Appellant

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SC Court of Appeals

INITIAL BRIEF

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TABLE OF AUTHORITIES

STATEMENT OF ISSUES ON APPEAL

The respondent obtained a Writ of Assistance from the Master in Equity at the time when the case was already moved to the Federal Court.

QUESTIONS ON APPEAL

1. Did the Master in Equity error when he signed the order granting the respondent's Writ of Assistance while the case was in the Federal Court because the case was already moved to the Federal Court prior to him receiving the order?
2. Because of the error of the Master in Equity does this make the Order void?

STATEMENT OF THE CASE

1. On May 31, 2017, I moved my foreclosure case to the Federal Court for a Right to Review pursuant to Title 5 USC 702.
2. On or around about June 22, 2017, the Master in Equity signed an Order granting the respondent the Writ of Assistance.

ARGUMENT

COMES NOW by Special Appearance, Pinnex, Ruby Elaine in this Initial Brief to argue the issue on appeal in order to resolve the issues between me and the Plaintiff.

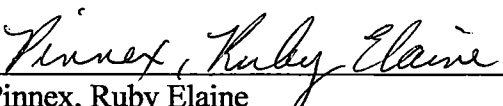
I believe that the signing of the Order for the Writ of Assistance was improper because the jurisdiction of the case was under the Federal Court jurisdiction.

Based upon the principal court proceedings the Master in Equity did not have the authority to entertain the motion of the respondent for a Writ of Assistance.


IN CONCLUSION, the Master in Equity erred by signing the Order granting the respondent the Writ of Assistance, therefore, the Order for the Writ of Assistance is voided and has no effect. I am asking this court to overturn the Order for Writ of Assistance.

SIGNATURE PAGE

Respectfully submitted,



Pinnex, Ruby Elaine
204 Baronet Lane
Elloree, South Carolina Republic [29047]



Date

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In the Court of Appeals

APPEAL FORM CALHOUN COUNTY
Court of Common Pleas

JUDGE MARTIN R. BANKS, MASTER IN EQUITY

Case No. 2015-CP-09-00126

Appellate Case No. 2017-001493

FLAGSTAR BANK, FSB
Respondent

vs

RUBY ELAINE PINNEX
Defendant,

Of whom Ruby Elaine Pinnex is the Appellant

CERTIFICATE OF COUNSEL

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I, Ruby Elaine Pinnex certify that the Initial Brief on Appeal contains all material proposed to be included by any of the parties and not any other material.

Ruby Elaine Pinnex
Pinnex, Ruby Elaine
204 Baronet Lane
Elloree, South Carolina Republic [29047]

August 28, 2017
Date

STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FORM CALHOUN COUNTY
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JUDGE MARTIN R. BANKS, MASTER IN EQUITY

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CERTIFICATE OF SERVICE

I, Pinnex, Ruby Elaine, certify that I am of such age and discretion to be competent to serve papers. That on the 28th day of August, 2017, 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.

Documents: - INITIAL BRIEF

Party(ies) Served:
SCOTT AND CORLEY, P.A.
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Andrew Michael Wilson, Esquire
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August 28, 2017
Date