

84743

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FORM CALHOUN COUNTY

Court of Common Pleas

JUDGE MARTIN R. BANKS, MASTER IN EQUITY

RECEIVED

Case No. 2015-CP-09-00126

OCT 04 2017

Appellate Case No. 2017-001493

SC Court of Appeals

FLAGSTAR BANK, FSB  
Respondent

Vs

MOTION TO STAY OF WRIT  
OF ASSISTANCE

RUBY ELAINE PINNEX  
Appellant,

I, Ruby Elaine Pinnex, am motioning this court for the Stay of the Writ of Assistance for the following reasons: I am 68 years old; I cannot find a new place to live in such a short period of time; it would be a special hardship for me to move at this time as my immediate family lives in another state and I am not physically able to complete nor supervise the removal of my belongings within the prescribed amount of time pending lock out of October 5, 2017. In addition to the above stated reasons, I have discovered a Supreme Court Decision that states that a promissory note with a maturity date greater than 9 months is a security. (July 10, 2013, Reves vs. Ernst & Young 10 S. Ct. 945 (1990)). With this discovery it reveals that the Bank has brought false claims into the court because the transaction known as the closing was really an investment and not a debt. Therefore, I pray that this court will grant a stay, which will enable me the time to litigate this issue without being evicted from my home. This issue will be forwarded to Treasury Department as financial suspicious activity using Fin Cen Form 101.

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

October 4, 2017  
Date

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

APPEAL FROM CALHOUN COUNTY  
Court of Common Pleas

RECEIVED

JUDGE MARTIN R. BANKS, MASTER IN EQUITY OCT 04 2017

Case No. 2015-CP-09-00126

SC Court of Appeals

Appellate Case No. 2017-001493

FLAGSTAR BANK, FSB  
Respondent

MOTION TO STAY OF WRIT  
OF ASSISTANCE

vs

RUBY ELAINE PINNEX  
Appellant,

PROOF OF SERVICE

I, Pinnex, Ruby E. certify that I am of such age and discretion to be competent to serve papers. That on the 4<sup>th</sup> day of October, 2017, I have served a copy of the documents listed below, by Certified Mail, sent to each of the following person at the locations stated below, which is the last known location, and by depositing said envelope and contents in the U.S. Mail.

Document: **Motion to Stay of Writ of Assistance**

Party(ies) Served

SCOTT AND CORLEY, P.A.  
REGINALD P. CORLEY, SC Bar# 69453  
ANDREW M. SULLIVAN, SC Bar #100464  
2712 Middleburg Drive, Suite 200  
PO Box 2065  
Columbia, SC 29202  
803-252-3340

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

October 4, 2017  
Date