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SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY
COURT OF COMMON PLEAS

J. C. Nicholson, Jr., Ninth Judicial Circuit

Case No. 2012-CP-10-7008

The Bank of New York Mellon f/k/a The Bank of New Your, as successor
in interest to JP Morgan Chase Bank, N.A. as Trustee for Bear Stearns,
Asset Backed Securities Trust 2006-SD3, Asset Backed Certificates
Series 2006-SD3 Respondent

v.

Carl D. Hamm, Jan H. Jernigan n/k/a Jan Hamm, Mortgage Electronic
Registration Systems, Inc., as nominee for Countrywide Home Loans Inc.;
United States of America, acting by and through its agency the Internal Revenue
Service; and Midland Funding, LLC ,

of whom Carl D. Hamm and Jan Hamm are the Appellants.

NOTICE OF APPEAL

Carl D. Hamm and Jan Hamm, individually, appeal the Orders of the Honorable J. C.
Nicholson, Jr. dated October 9, 2017 (Exhibit A) and December 6, 2017 (Exhibit B) respectively.
The Order denying Appellants' Motion for Reconsideration dated December 6, 2017 was
electronically received on December 7, 2017.

MARY LEIGH ARNOLD, P.A.



Mary Leigh Arnold
749 Johnnie Dodds Blvd., Suite B
Post Office Box 265
Mt. Pleasant, South Carolina 29465
(843) 971-6053 (phone)
Sammie@maryarnoldlaw.com
ATTORNEY FOR APPELLANTS

Dated: December 28, 2017
Mt. Pleasant, South Carolina

Other Counsel of Record:

Brian Montgomery Barnwell, Esquire
NELSON MULLINS RILEY & SCARBOROUGH LLP
Meridian/17th Floor
1320 Main Street
Columbia, S.C. 29211(p) 803-255-9233
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Asset Backed Securities Trust 2006-SD3, Asset Backed Certificates
Series 2006-SD3Respondent

v.

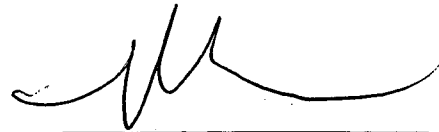
Carl D. Hamm, Jan H. Jernigan n/k/a Jan Hamm, Mortgage Electronic
Registration Systems, Inc., as nominee for Countrywide Home Loans Inc.;
United States of America, acting by and through its agency the Internal Revenue
Service; and Midland Funding, LLC ,

of whom Carl D. Hamm and Jan Hamm are the Appellants.

PROOF OF SERVICE

I hereby certify that I have served the Notice of Appeal on Respondent by
depositing copies of the same in the United States Mail, postage pre-paid, addressed to
the below Counsel of Record:

Brian Montgomery Barnwell, Esquire
NELSON MULLINS RILEY & SCARBOROUGH LLP
Meridian/17th Floor
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MARY LEIGH ARNOLD P.A.
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December 28, 2017

The Honorable Jennifer Abbot Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, SC 29211

RE.: The Bank of New York Mellon, f/k/a The Bank of New York, as
successor-in-interest to JP Morgan Chase Bank, N.A. as Trustee for Bear
Stearns Asset Backed Securities Trust 2006-SD3, Asset-Backed
Certificates Series 2006-SD3 v. Carl D. Hamm, et al.
CASE NO.: 2012-CP-10-7008

Dear Ms. Kitchings:

Enclosed for filing is an original and one copy of a Notice of Appeal in the above-referenced matter. Also enclosed are the following:

- (1) Proof of Service of the Notice of Appeal on the Respondent;
- (2) A copy of the Orders which are to be challenged on appeal attached to the Notice as Exhibits A and B;
- (3) A filing fee of \$100;
- (4) A copy of the letter to the Charleston Clerk of Court notifying her of the appeal;
and
- (5) A copy of the letter to the Court Reporter requesting a copy of the hearing transcript.

Should you have any questions or concerns please do not hesitate to contact me.

MARY LEIGH ARNOLD P.A.

A handwritten signature in black ink, appearing to read 'Mary Leigh Arnold', written over the typed name.

Mary Leigh Arnold

Enclosures/(as stated)
Cc: Brian Barnwell, Esq.

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SC Court of Appeals

A MARY LEIGH ARNOLD P.A.

Attorney and Counselor at Law

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December 28, 2017

The Honorable Julie J. Armstrong
100 Broad Street, Suite 106
Charleston, SC 29401

**RE.: The Bank of New York Mellon, f/k/a The Bank of New York, as
successor-in-interest to JP Morgan Chase Bank, N.A. as Trustee for
Bear Stearns Asset Backed Securities Trust 2006-SD3, Asset-Backed
Certificates Series 2006-SD3 v. Carl D. Hamm, et al.
CASE NO.: 2012-CP-10-7008**

Dear Mrs. Armstrong:

Please find enclosed a copy of the Notice of Appeal that has been sent to the South Carolina Court of Appeals for filing with regard to the above referenced matter.

Please feel free to contact me with any questions or concerns.

Best regards,

MARYLEIGH ARNOLD, PA

Enclosure
Cc: Brian Barnwell, Esquire
South Carolina Court of Appeals

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JAN 02 2018

A MARY LEIGH ARNOLD, PA **SC Court of Appeals**

Attorney and Counselor at Law

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December 28, 2017

Joyce C. Rueger
P.O. Box 1472
Johns Island, SC 29457

**RE.: The Bank of New York Mellon, f/k/a The Bank of New York, as
successor-in-interest to JP Morgan Chase Bank, N.A. as Trustee for
Bear Stearns Asset Backed Securities Trust 2006-SD3, Asset-Backed
Certificates Series 2006-SD3 v. Carl D. Hamm, et al.
CASE NO.: 2012-CP-10-7008**

Dear Ms. Rueger:

I am writing to request a copy of the transcript of a hearing held in the above reference matter on August 28, 2017, Charleston County Court house, before The Honorable J.C. Nicholson, Jr. From a review the court calendar it appears you were the court reporter on that date for Judge Nicholson. If by chance I am mistaken and you were not the court reporter please let me know.

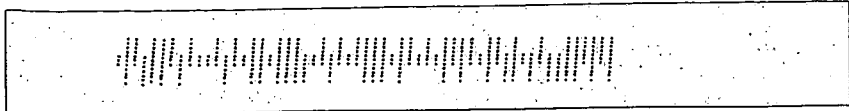
Please feel free to contact me with any questions or concerns about my request for a transcript.

Best regards,

MARY LEIGH ARNOLD, PA



Cc: Brian Barnwell, Esquire
South Carolina Court of Appeals



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