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THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEALS FROM SUMTER COUNTY
Court of Common Pleas

Richard L. Booth, Master-In-Equity

Case No. 2014-CP-43-00270

DIJ Mortgage Capital Inc. Respondent,

vs.

Ameer Akeem Amin Defendants,

Of Whom Ameer Akeem Amin is the Appellant.

WRIT OF ERROR

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s/Suzanne E Brown
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SC Court of Appeals

It comes by special appearance Amin, Ameer Akeem for the issuance of a Writ of Error on the trial court that issued the Writ of Assistance. This Writ of Error is warranted base upon an unpublished opinion issued by this court No. 2017-UP-306 submitted June 1, 2017 – Filed July 26, 2017. Based upon this opinion it clearly stated (As to weather a final judgment or decision should have been delayed because of Amin’s constitutional challenges to the proceedings: FED. R. Civ. P. Rule 5.1 (c) (“Unless the court sets a later time, the attorney general may intervene within 60 days after the notice is filed or after the court certifies the challenge, whichever is earlier. Before the time to intervene expires, the court may reject the constitutional challenge, but may not enter a final judgment holding the statue unconstitutional”)).

So as a result, the trial court error when they moved forward after the filing of the constitutional challenge, and has error again by issuing a Writ of assistance on this case after the rendering of the unpublished opinion. Therefore, the writ of error should be granted and issued for the lower court to correct their errors.

Clerk/judge

Date