

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEALS FROM JASPER COUNTY
From the Superior Court of
Jasper County, South Carolina

Referee Judge Benjamin CP Sapp
2015-CP-27-00524

Appellant Case No. 2017-002286

RECEIVED
MAR 20 2018
SC Court of Appeals

Deutsche Bank National Trust Company, as Trustee for GSAA Home Equity Trust 2006-17, Asset-Backed Certificates, Series 2006-17, Respondent,

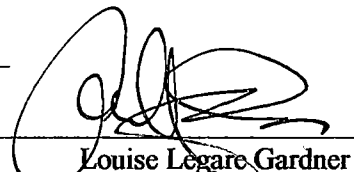
vs.

Louise Legare Gardner; One West Bank, National Association s/b/m to IndyMac Bank F.S. B., Defendants,

Of which Louise Legare Gardner is the Appellant.

APPELLANT'S REPLY BRIEF

Respectfully submitted,
This 10th day of March, 2018


Louise Legare Gardner
Appellant in Propria Persona
c/o Post Office Box 3443
Bluffton, SC 29910

Attorney for Respondent
Genevieve S Johnson, Esquire et al;
c/o BROCK & SCOTT PLLC
3800 Fernandina Road Suite #110
Columbia, SC 29210

CC: Michael C Griffin and Jonathan Schulz
214 North Tryon Street, Suite 3700,
Charlotte, North Carolina 28102

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REPLY BRIEF

The appellee's jurisdictional argument is factually incorrect. This is an appeal from the trial court's summary judgment against the appellant and in favor of the appellee dated October 3rd 2017 and received by the appellant October 7th 2017, and the notice of appeal was timely filed, as indicated by the court's docketing statement.

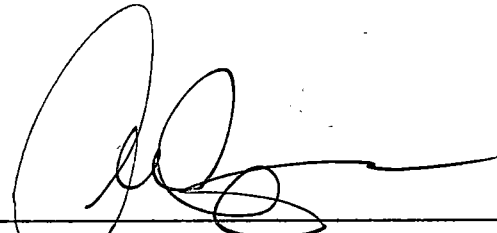
Once again, this case involves a contested foreclosure in which the appellee obtained judgment without a trial and appellant's request for trial was unfairly denied. Refusing to hold a trial was not proper as there were genuine issues of material fact in dispute and the appellee was not entitled to judgment as a matter of law.

The allegations in the pleadings conflicted with the exhibits for the reason that the exhibits demonstrated a completely different set of facts than those alleged in the complaint. The exhibits demonstrated that the appellee was not the lender and had no interest in the claims alleged, or in the title to the appellant's property, for which the foreclosure was sought to obtain.

The appellee never produced one word of evidence and no witness to authenticate any documentary evidence or make any statements that would be considered evidentiary. The appellee failed to meet its burden of proof and the pleadings failed to invoke the jurisdiction of the court.

Appellee's statement of the case includes solely commentary that was never proven and in fact, where the same allegations in the pleading had conflicted with the exhibits. This precluded the trial court from taking jurisdiction, but it proceeded anyway to summary judgment. It is the trial court's order granting summary judgment that is being appealed. The statements made by the appellee have never been proven because, while this was a contested foreclosure, the court refused to set the matter for trial and the appellee was never required to satisfy its burden of proof. Likewise, the pleadings never gave the court jurisdiction and this argument has been ignored by the trial court.

DATED this 10th, day of March 2018.

A handwritten signature in black ink, appearing to read 'Louise Legare Gardner', written over a horizontal line.

Louise Legare Gardner, Appellant

Appellant's Reply Brief Proof of Service

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Of which Louise Legare Gardner is the Appellant.

PROOF OF SERVICE

I, Louise Legare Gardner hereby certify that a copy of the foregoing APPELLANT'S REPLY BRIEF was sent via first - class U.S Mail, postage prepaid and addressed as follows:

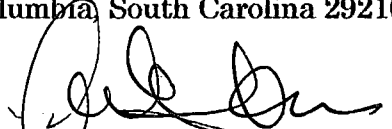
Party(ies) Served Plaintiff's Attorney;

Jonathan Schulz
Michael C Griffin
214 North Tryon Street Suite 3700
Charlotte, North Carolina 28202

Cc/ Genevieve S Johnson et al;
C/O BROCK & SCOTT, PLLC
3800 Fernandina Road Suite 110,
Columbia, South Carolina 29210

This 20th day of March, 2018

By:


Louise Legare Gardner
C/O Post Office Box 3443
Bluffton, South Carolina 29910