

**State of South Carolina
In the Court of Appeals**

Appeal from Spartanburg County

Court of Common Pleas

Gordon G. Cooper, Master in Equity

Case No. 2012-CP-42-3027

Appellate Case No. 001238

Deutsche Bank National Trust Company, as Trustee for Argent Securities, Inc.

Asset-Backed Pass-Through Certificates, Series 2004-W11

Respondent

v.

Geary Thomas Dooly, Eleanor S. Dooly and United States of America,

Appellant

Of whom, Geary Thomas Dooly is the Appellant

**APPELLANT'S REPLY TO RESPONDENTS RETURN RE:
MOTION FOR LEAVE OF APPEAL PENDING A VOID
JUDGMENT OF ORDER OF THE LOWER COURT'S ORDER**

COMES NOW, geary-thomas of the family Dooly on behalf of himself and as guardian ad litem for eleanor-sanders of the family Dooly, one of the people of South Carolina State, in a special limited appearance, without granting jurisdiction. geary-thomas submits this reply to respondent's return per above caption. This "Reply" is intended to comply and fulfill all South Carolina Rules of Civil Procedure, and the Court is further noticed, that geary-thomas, Pro Se Vivus/Triformis, not being educated in the law, the court must read

RECEIVED
MAY 03 2018
SC Court of Appeals

and construe liberally, all pleadings by geary-thomas. *Hanes v. Kerner* 404 US 520, *Birl v Estelle* 660 F.2d 592.

COUNTER ARGUMENTS TO RESPONDENT'S RETURN

Since the number one definition of "dilatory" says "inclined to be tardy; not prompt", respondent committed a "dilatory" act by making a Motion for leave to make subject return to Appellant's Motion. Having done this, Respondent proceeds to Judge that Appellant has "been engaging in dilatory tactics". Nothing could be further from the truth. To the contrary, Appellant only seeks justice, and freedom from this attempt to foreclose on a Mortgage that now has been identified as an attempt to commit fraud, and one that is laced with fraudulent type activity by the originators', and acts of bad faith on the part of those claiming to be under Contract with the bank(s) to bring such action.

As to "raised previously", the newly discovered facts and evidence presented in a 38 page document by a Private Investigator's CHAIN OF TITLE ANALYSIS & MORTGAGE FRAUD INVESTIGATION has never been raised, and is very solid grounds to address the lower court's Judgment as void. Note: There are no time limitations on fraudulent activity, or actions that make a Judgment void.

Respondent's apparently hurried Motion, mentioned herein, and apparent hurried writing of the Return being addressed herein, resulted in some simple and not really meaningful errors, namely:

1. On page 2, respondent spelled Appellant's name as Gary rather than Geary.
2. On page 3, respondent states, "...it is an attempt to assert news claims,..", which is obviously intended to be "new claims".
3. On page 3, respondent states, "Appellants is barred from....". It is unknown if addressing Appellant, or Appellants. If singular, "is" would be correct. If plural, as written, the word "are" should have been used.

Again, such errors are not really meaningful but indicate a hurried Return to Appellant's Motion.

The final paragraph Respondent's ARGUMENT, is nothing more than a hurried mixture of legal jargon and case history about comments totally unrelated to Appellant's Motion for Leave, since the primary reason for requesting a leave from the Appeal Case was NOT to present previous claims or evidence. To the contrary, Appellant has new, documented evidence discovered by a Private Investigator under oath. It is not known why a trained attorney would make such

PAGE 2 OF 4

unfounded claims in an attempt to defeat Appellant's Motion for Leave, unless it is known or realized that such evidence exist and will defeat this case permanently.

CONCLUSION

For the foregoing reasons, Appellant Geary-Thomas Dooly, respectfully request that the Court grant APPELLANT'S MOTION FOR LEAVE OF APPEAL PENDING A VOID JUDGMENT OF ORDER OF THE LOWER COURT'S ORDER, in accord with South Carolina Rules of Civil Procedure relative to LEAVE OF APPEAL, namely: Rule 60(b)(2, 3, and 4).

Respectfully submitted,
April 30, 2018

geary-thomas: Dooly the living man, appellant, sui juris
c/o Post Office Box 3326 Spartanburg, South Carolina [29304]

geary-thomas-dooly

RECEIVED
MAY 03 2018
SC Court of Appeals

**THE STATE OF SOUTH CAROLINA
In The Court of Appeals**

**APPEAL FROM SPARTNBURG COUNTY
Court of Common Pleas**

Gordon G. Cooper, Master In Equity

Appellate Case No. 2017-001238

Deutsche Bank National Trust Company, as Trustee for Argent Securities Inc.,
Asset-Backed Pass-Through Certificates, Series 2004-W-11..... Respondent
v.

Geary Thomas Dooly, Eleanor S. Dooly, & united States of America, Defendants,
Of Whom Geary Thomas Dooly is theAppellant

CERTIFICATE OF SERVICE

7015 0640 0005 7010 6112

I hereby certify that I have served a true and correct copy of, **APPELLANT'S
REPLY TO RESPONDENTS RETURN RE: MOTION FOR LEAVE OF
APPEAL PENDING A VOID JUDGMENT OF ORDER OF THE LOWER
COURT'S ORDER** via first class, U.S. Mail with postage prepaid upon the
following:

1. Genevieve S. Johnson of Brock and Scott, PLLC, Attorneys for Respondent,
3800 Fernandina Road, Suite 110, Columbia, SC 29210, and
2. William P Stork 2712 Middleburg Drive Suite 200 Columbia, S.C. 29204

Geary-Thomas: Dooly the living man

% Post Office Box 3326 Spartanburg, South Carolina [29304]

April 30, 2018 Phone: 864-978-3426

Geary Thomas: Dooly

RECEIVED
MAY 03 2018
SC Court of Appeals

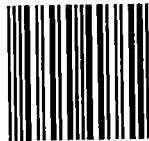
CERTIFIED MAIL®



7015 0640 0005 7010 6112



1000



29211

U.S. POSTAGE
PAID
SPARTANBURG, SC
29306
APR 30, 18
AMOUNT

\$3.95

R2303S100397-26

SOUTH CAROLINA COURT OF APPEALS
P.O. Box 11629
COLUMBIA, S.C. 29211

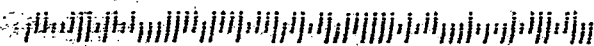
RECEIVED

MAY 08 2018

SC Court of Appeals

572

220151629 6012



Henry - Thomas: dooly
c/o P.O. Box 3326
Spartanburg, South Carolina
29304