

THE STATE OF SOUTH CAROLINA  
In The Court of Appeals

APPEAL FROM CHARLESTON COUNTY  
Court of Common Pleas

Mikell R. Scarborough, Master-in-Equity

Appellate Case No.: 2018-000260

**RECEIVED**  
MAY 16 2018  
SC Court of Appeals

Seabrook Island Property Owners Association,.....Respondent,

v.

Charles Kelley a/k/a Charles E. Kelley; Deborah Kelley  
a/k/a Deborah L. Kelley; Mortgage Electronic Registration  
Systems, Inc., its successors and assigns as nominee for  
Chase Mortgage Company, its successors and assigns, a  
Delaware Corporation; and Spinnaker Beach House Owners Association,.....Defendants,

Of whom Charles Kelley a/k/a Charles E. Kelley and  
Deborah Kelley a/k/a Deborah L. Kelley are the.....Appellants,

And of which Mortgage Electronic Registration Systems, Inc.,  
its successors and assigns as nominee for Chase Mortgage Company,  
its successors and assigns, a Delaware Corporation; and Spinnaker  
Beach House Owners Association are also.....Respondents.

**CORRECTED DESIGNATION OF MATTER  
TO BE INCLUDED IN THE RECORD ON APPEAL**

Appellants propose the following to be included in the Record on Appeal:

1. Lis Pendens dated December 19, 2016;
2. Summons dated December 19, 2016;
3. Complaint dated December 19, 2016;
4. Affidavit of Process Server for Appellant Deborah Kelley dated January 5, 2017;
5. Affidavit of Process Server for Appellant Charles Kelley dated January 5, 2017;

6. Affidavit of Default as to Appellants dated March 9, 2017;
7. Order of Reference dated March 9, 2017;
8. Judgment of Foreclosure and Sale dated May 1, 2017;
9. Appellants' Motion to Set Aside Entry of Default and Vacate Judgment of Foreclosure and Sale and Master's Deed dated September 18, 2017;
10. Respondent 749 Spinnaker, LLC's Motion to Intervene and Memorandum in Opposition to Appellants' Motion to Set Aside Entry of Default and Vacate Judgment of Foreclosure and Sale and Master's Deed dated October 13, 2017;
11. Amended Affidavit of Process Server for Appellant Deborah Kelley dated October 17, 2017;
12. Amended Affidavit of Process Server for Appellant Charles Kelley dated October 17, 2017;
13. Affidavit of Appellant Deborah Kelley dated November 21, 2017;
14. Affidavit of Appellant Charles Kelley dated November 21, 2017;
15. Respondent Seabrook Island Property Owners Association's Reply to Appellants' Motion to Set Aside Entry of Default and Vacate Judgment of Foreclosure and Sale and Master's Deed dated November 20, 2017;
16. Appellants' Memorandum in Support of Motion to Set Aside Entry of Default and Vacate Judgment of Foreclosure and Sale and Master's Deed dated November 27, 2017;
17. Consent Order dated November 29, 2017;
18. Order of the Honorable Mikell R. Scarborough, Master-in-Equity, denying Appellants' Motion to Set Aside Entry of Default and Vacate Judgment of Foreclosure and Sale and Master's Deed dated December 15, 2017;
19. Appellants' Motion for Reconsideration dated January 8, 2018;
20. Respondent Seabrook Island Property Owners Association's Reply in Opposition to Appellants' Motion for Reconsideration dated January 22, 2018;
21. Respondent 749 Spinnaker LLC's Reply in Opposition to Appellants' Motion for Reconsideration dated January 25, 2018;
22. Order of the Honorable Mikell R. Scarborough, Master-in-Equity, denying Appellants' Motion for Reconsideration dated February 12, 2018; and
23. Appellants' Notice of Appeal dated February 20, 2018.

Certificate of Counsel

I certify that this designation contains no matter which is irrelevant to this appeal.

Date: May 15, 2018



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Jonathan S. Altman, Esq.  
Derfner & Altman, LLC  
575 King Street, Suite B  
Charleston, SC 29403  
Telephone: (843) 723-9804

*Attorney for Appellants*

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Appellate Case No.: 2018-000260

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v.

Charles Kelley a/k/a Charles E. Kelley; Deborah Kelley  
a/k/a Deborah L. Kelley; Mortgage Electronic Registration  
Systems, Inc., its successors and assigns as nominee for  
Chase Mortgage Company, its successors and assigns, a  
Delaware Corporation; and Spinnaker Beach House Owners Association,.....Defendants,

Of whom Charles Kelley a/k/a Charles E. Kelley and  
Deborah Kelley a/k/a Deborah L. Kelley are the.....Appellants,

And of which Mortgage Electronic Registration Systems, Inc.,  
its successors and assigns as nominee for Chase Mortgage Company,  
its successors and assigns, a Delaware Corporation; and Spinnaker  
Beach House Owners Association are also.....Respondents.

**CORRECTED PROOF OF SERVICE**

I certify that I have served Appellants' Corrected Initial Brief and Corrected Designation of Matter on Respondents Seabrook Island Property Owners Association, Mortgage Electronic Registration Systems, Inc., its successors and assigns, as nominee for Chase Mortgage Company, its successors and assigns, a Delaware corporation, Spinnaker Beach House Owners Association, and 749 Spinnaker, LLC, by depositing a copy of it in the United States Mail, postage prepaid, on May \_\_\_\_, 2018, properly addressed to their attorney(s) of record as follows:

Kristin Nichols, Esquire  
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Mt. Pleasant, SC 29464

*Attorney for 749 Spinnaker, LLC*

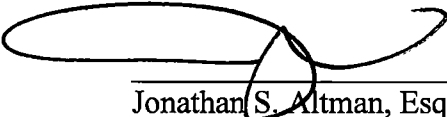
Stephanie C. Trotter, Esq.  
McCabe Trotter & Beverly, PC  
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Columbia, SC 29221

*Attorney for Spinnaker Beach House Owners Association*

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P.O. Box 2065  
Columbia, SC 29202

*Attorney for Mortgage Electronic Registration Systems, Inc., its successors and assigns, as nominee for Chase Mortgage Company, its successors and assigns, a Delaware Corporation*

May 15, 2018



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575 King Street, Suite B  
Charleston, SC 29403

*Attorney for Appellants*

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DERFNER  
& ALTMAN

May 15, 2018

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MAY 16 2018

SC Court of Appeals

The Honorable Jenny Abbott Kitchings, Clerk  
South Carolina Court of Appeals  
1220 Senate Street  
Columbia, SC 29201

RE: *Seabrook Island Property Owners Association v. Charles Kelley a/k/a Charles E. Kelley, Deborah Kelley a/k/a Deborah L. Kelley, Mortgage Electronic Registration Systems, Inc., its successors and assigns, as nominee for Chase Mortgage Company, its successors and assigns, a Delaware Corporation, Spinnaker Beach House Owners Association, and 749 Spinnaker, LLC*

Appellate Case No.: 2018-000260

Dear Ms. Kitchings:

Please find enclosed an original and one copy of the following relative to the above referenced matter:

1. Corrected Initial Brief of Appellants;
2. Corrected Designation of Matter to be Included in the Record on Appeal;
3. Corrected Proof of Service upon Respondents' counsel.

Please note, the only change in the above referenced documents is the caption which was incorrect. Please file the originals and return clocked-in copies to me in the enclosed self-addressed stamped envelope. Please contact me with any questions you may have regarding the above matter.

Yours Very Truly,

DERFNER & ALTMAN, LLC



Jonathan S. Altman

JSA/rs

ARMAND DERFNER | SAMUEL H. ALTMAN | JONATHAN S. ALTMAN

Enclosures

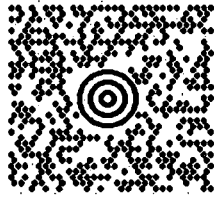
cc: Kristin Nichols, Esq.  
R. Hawthorne Barrett, Esq.  
Hal E. Cobb, Esq.  
Louis M. Johnson, Esq.  
Stephanie C. Trotter, Esq.

RACHEL SAVINI  
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575 KING STREET, SUITE B  
CHARLESTON SC 29403

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SOUTH CAROLINA COURT OF APPEALS  
1220 SENATE STREET  
COLUMBIA SC 29201



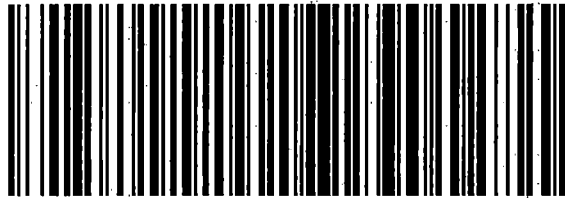
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SC Court of Appeals

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