

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM HORY COUNTY

Court of Master-In-Equity

Judge Cynthia Howe, Master-In-Equity

Appellate Case No. 2018-001523

M&T Bank, Respondent,

v.

Tyrone Davis; Bobby J. Bellamy; BC  
Fund and Management, LLC d/b/a BC  
Fund, LLC and United States of America, Defendants,

Of which Bobby J. Bellamy is the Appellant,

And

Tyrone Davis; BC Fund and Management, LLC d/b/a BC  
Fund, LLC are Respondents,

**RECEIVED**

**AUG 31 2018**

**SC Court of Appeals**

---

And

Bobby J. Bellamy, Appellant

v.

William O. Smith, Respondent

DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL

**Appellant proposes the following be included in the record on appeal:**

1. **Mortgage**... *Tyrone Davis & M&T Bank dated November 16, 2007*
2. **Complaint (non-Jury Mortgage Foreclosure)** ...*dated February 25, 2011*
3. **Notice of Intent to Enforce Forfeiture Provisions of Contract for Deed**....*dated August 30, 2011.*
4. **Notice of Termination or Cancellation of a Contract for the Sale of Real Property due to Default**...*dated October 5, 2011*

5. **Affidavit of Bobby Bellamy Answer to Foreclosure requesting foreclosure intervention...** *M&T Bank Plaintiff vs Bobby Bellamy, Tyrone Davis, William O. Smith, and BC Fund LLC filed October 31, 2011.*
6. **Third Party Plaintiff Summons and Complaint on...** *Third-Party, Defendant William O. Smith dated November 2, 2011*
7. **Defendant's Amended Answer, Counterclaim and Cross-Claim.....**dated May 16, 2012
8. **Defendant's Second Amended Answer, Counterclaims, and Cross-claims.....**dated December 31, 2012
9. **Order** granting Plaintiff's Motion to Amend, adding BC Fund and Management LLC D/B/A BC Fund LLC....November 6, 2013
10. **Defendant's Notice for Motion and Motion for Summary Judgement ...***dated February 10, 2014*
11. **Order Defendants counterclaim for civil conspiracy dismissed with prejudice...**March 18, 2015
12. **Masters Order and Judgement of Foreclosure and Sale.....***dated May 4, 2018*
13. **Defendant Bobby Bellamy's Notice of Motion and Motion to Reconsider, Alter, Amend the Master's Order and Judgement of Foreclosure and Sale Pursuant to Rules 52 and 59€, SCRCP...***dated May 14, 2018*
14. **Plaintiff's Response to Defendant Bobby Bellamy's Motion to Reconsider, Alter, Amend the Master's Order and Judgement of Foreclosure and Sale Pursuant to Rule 52 and 59(e), SCRCP...**dated June 07, 2018.
15. **Exhibit A1: Bobby Bellamy to BC Fund LLC...** *Quitclaim Deed dated June 29, 2007*
16. **Exhibit A2: Tommy Bellamy to BC Fund LLC...** *Quitclaim Deed October 4, 2007*
17. **Exhibit B: BC Fund LLC to Tyrone Davis...** *Warranty Deed dated December 19, 2007(Bobby Bellamy's property only)*
18. **Exhibit C1: BC Fund LLC to Tommy Bellamy....** *Quitclaim Deed from William O Smith and Diane Smith, organizers of BC Fund & Management LLC dated February 10, 2010*
19. **Exhibit C2: In Magistrate Court Writ of Ejection from...***Tyrone Davis vs Bobby Bellamy dated July 27, 2011*
20. **Exhibit D: Bellamy & Bellamy Enterprise LLC. Development Project ...***proposed contract for project*
21. **Exhibit D1: Application of Articles of Organization for Bellamy & Bellamy Enterprise LLC...***proposed Articles of Organization and set up plan*

22. **Exhibit E1: Articles of Organization for BC Fund & Management LLC ...** *The State of South Carolina Office of Secretary of State*

23. **Exhibit E2: Certificate of No Record for BC Fund LLC** from.... *The State of South Carolina Office of Secretary of State*

24. **Exhibit E3: BC Fund and Management LLC, Order to Cease and Desist** from....*Securities Commission of South Carolina dated March 2, 2011*

25. **Exhibit F: Map: A minor Subdivision creating lots for BC Fund LLC...** *proposed map for Development*

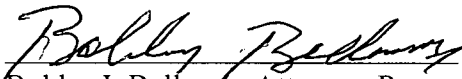
26. **Exhibit G2: Defendant's Affidavit of Non-Service ....***dated March 11, 2014*

27. **Exhibit H: copy of paid tax receipt from proceeds of the mortgage...** from Scott Umstead

28. **Exhibit I: copy of checks from Tyrone Davis....** paid to BC Fund and Management

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

August 28, 2018

  
Bobby J. Bellamy, Attorney Pro se  
3664 Sea Mountain Highway,  
Little River, S.C. 29566  
843 457-3625

THE STATE OF SOUTH CAROLINA

In the Court of Appeals

APPEAL FROM HORY COUNTY

Court of Master-In-Equity

Judge Cynthia Howe, Master-In-Equity

Appellate Case No. 2018-001523

M&T Bank, Respondent,

v.

Tyrone Davis; Bobby J. Bellamy; BC  
Fund and Management, LLC d/b/a BC  
Fund, LLC and United States of America, Defendants,

Of which Bobby J. Bellamy is the Appellant,

And

Tyrone Davis; BC Fund and Management, LLC d/b/a BC  
Fund, LLC are Respondents,

---

And

Bobby J. Bellamy, Appellant

v.

William O. Smith, Respondent

**PROOF OF SERVICE**

I certify that I have served the Brief of Appellant and Designation of Matter on M&T Bank by depositing a copy of it in the United States Mail, postage prepaid, on August 28, 2018 addresses to his attorney of record, Cliff Moore, III Adams and Reese LLP, 1501 Main Street 5<sup>th</sup> Floor, Columbia, S.C. 29201.

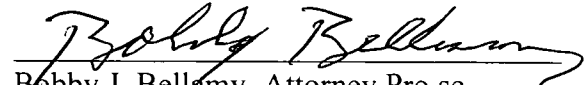
I certify that I have served the Brief of Appellant and Designation of Matter on M&T Bank by depositing a copy of it in the United States Mail, postage prepaid, on August 28, 2018 addresses to his attorney of record, John B. Kelchner, Hutchens Law Firm P.O. Box 8237, Columbia, S.C. 29202.

I certify that I have served the Brief of Appellant and Designation of Matter on Tyrone Davis by depositing a copy of it in the United States Mail, postage prepaid, on August 28, 2018 addresses to his attorney of record, Daniel J. Orvin, Womble Bond Dickson LLP, 5 Exchange St. Charleston, S.C. 29401

**RECEIVED**  
AUG 31 2018  
SC Court of Appeals

I certify that I have served the Brief of Appellant and Designation of Matter on Scott Umstead, William O. Smith, BC Fund and Management LLC DBA BC Fund LLC. by depositing a copy of it in the United States Mail, postage prepaid, on August 28, 2018 addressed to attorney Scott Umstead 4226 Mayfair St. #100 Myrtle Beach, S.C. 29577.

August 28, 2018

  
Bobby J. Bellamy, Attorney Pro se

3664 Sea Mountain Highway,  
Little River, S.C. 29566 843 457-3625

August 28, 2018

The Honorable Jenny Abbott Kitchings  
Clerk, South Carolina Court of Appeals  
Post Office Box 11629  
Columbia, South Carolina 29211

**RECEIVED**

**AUG 31 2018**

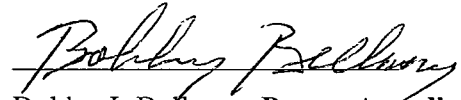
**SC Court of Appeals**

RE: M&T Bank etal, Respondent vs Bobby J. Bellamy, Appellant case no. 2018-001523.

Dear Ms. Kitchings:

Enclosed for filing is BRIEF OF APPEALANT AND DESIGNATION OF MATTER TO BE INCLUDED IN THE RECORD ON APPEAL in the above case.

Sincerely,



**Bobby J. Bellamy, Pro se Appellant**  
3664 Sea Mountain Highway,  
Little River, South Carolina 29566  
843 457- 36252

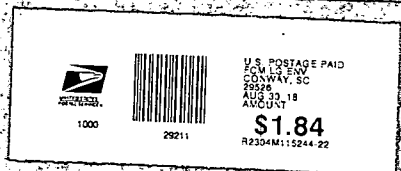
**Attorney for Respondent**

Cliff Moore, III Adams and Reese LLP  
1501 Main Street 5<sup>th</sup> Floor  
Columbia, S.C 29201 803 254-4190

John B. Kelchner  
Hutchens Law Firm  
P.O. Box 8237  
Columbia, SC 29202 803 726-2700

Daniel J Orvin  
Womble Bond Dickson LLP  
5 exchange Street  
Charleston, South Carolina 29401  
843 772-3400

Bobby Bellamy  
3664 Sea Mackerel Hwy  
Little River, SC  
29566



RECEIVED  
AUG 31 2018  
SC Court of Appeals

SC Court of Appeals  
Clerk of Court Jerry A Kitching  
P.O. Box 11629  
Columbia, SC  
29211

