

April 16, 2012

Attn: Clerk
South Carolina Supreme Court
1231 Gervais Street
Columbia, SC 29201

Re: Natasha L. Green and Shilon Green v. Walter Mortgage Company
Case Number 2008-CP-13-000-25
Brief of Petitioners'

RECEIVED

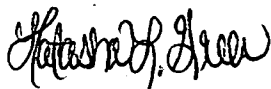
APR 19 2012

S.C. SUPREME COURT
pm 4-18-12

To Whom It May Concern:

We recently submitted our Brief to this court. However, we would like to add additional statements and case laws that were presented to the lower court by J. Kershaw Spong, Attorney for Respondents' to our ARGUMENT section of the Brief. We would also like to point out that J. Kershaw Spong, Attorney for Respondent has failed to respond to the questions that we presented in our Writ of Certiorari on April 12, 2011.

Sincerely,



Natasha L. Green and Shilon Green

Money Order # 50695957800
\$2500

J. Kershaw Spong, Attorney for Respondent says, "Though the issues were not ruled upon in state court, the questions of whether an attorney was present at the loan closing and whether there was unauthorized practice of law are questions that could have been raised in the previous litigation. In the Record on Appeal page 2, item numbers 9-14 and page 5, item numbers 26-36 provides evidence that the issue was raised the lower courts.

J. Kershaw Spong also states, "The claims Plaintiffs Green raise concerning the unauthorized practice of law are without merit. However, even if there were some truth to the claims, they are not properly before this court because the Supreme Court of South Carolina has sole jurisdiction over such claims. S.C. Const. Art V4; S.C. Code Ann. 40-5-10; Wachovia v. Coffey, 389 S.C. 68, fn2 698 S.E.2d 244, fn2 (Ct. App. 2010) ("The regulation of the practice of law is within the exclusive province of our supreme court").

J. Kershaw Spong, Attorney for Respondent, does not want to allow the Attorney Preference form to be permitted as evidence, even though this document was signed the same day the other loan documents were signed. We were advised by James Hoffman to initial on the No Attorney line because "they do things differently and an attorney was not needed for loans closed with Walter Mortgage and Jim Walter Homes." This issued was also raised in arbitration with Mr. James Bruner and before William Spencer, Special Referee.

Sincerely,



Natasha L. Green

Natasha L. Green and Shilon L. Green

RECEIVED

APR 19 2012

S.C. SUPREME COURT

Proof of Service by Mail

We, Natasha L. Green and Shilon L. Green, Petitioners, do hereby certify that we have on April 16, 2012 served a copy of our **LETTER** on J. Kershaw Spong Attorney for RESPONDENTS and Tanya A. Gee, clerk for SC Court of Appeals by mailing a certified copy thereof to the addresses indicated below.

J. Kershaw Spong
Robinson, McFadden & Moore, P.C.
1901 Main Street, Ste 1200
Columbia, SC 29202

Tanya A. Gee
SC Court of Appeal
1015 Sumter Street
Columbia, SC 29201

A handwritten signature in cursive script, appearing to read "Natasha L. Green" followed by a flourish and a long horizontal line extending to the right.

Natasha L. Green and Shilon L. Green
PO Box 334
McBee, SC 29101

THE STATE OF SOUTH CAROLINA
Supreme Court

APPEAL FROM CHESTERFIELD COUNTY
Court of Common Pleas

William O. Spencer, Jr., as Special Referee

Case Number 2008-CP-13-000-25

Walter Mortgage Company Respondents

v

Natasha L. Green and Shilon L. Green Petitioners'

Motion to Supplement Appendix


Natasha L. Green and Shilon L. Green
Post Box 334
McBee, SC 29101
Petitioners'
(843)307-4635

J. Kershaw Spong
Robinson, McFadden & Moore, P.C.
Post Office Box 944
Columbia, SC 29202
Attorney for Respondent
(803)779-8900

RECEIVED
APR 19 2012
S.C. Supreme Court

We, the Petitioners, are filing a Motion to Supplement the Appendix to add the following documents into evidence that we submitted to the Court of Appeals. We wanted to include these documents in the Record on Appeal, but were denied due to Mr. Spong's response to why the court should not allow these documents to be included. One of the documents that Mr. Spong opposed was the Attorney Preference form. The Attorney Preference was one the forms that we signed on the day of closing. There are a few emails that were included in the Record on Appeal, but there are emails that Mr. Spong was opposed to so these documents were omitted. We would like to add these documents as evidence.

April 17, 2012

Handwritten signatures of Natasha L. Green and Shilon L. Green. The signature for Natasha L. Green is on the left, and the signature for Shilon L. Green is on the right, extending further to the right with a long horizontal stroke.

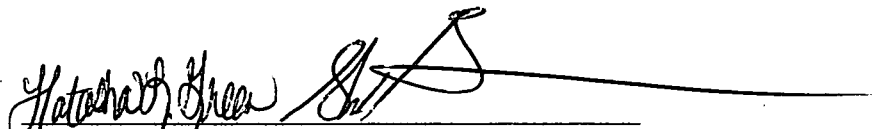
Natasha L. Green and Shilon L. Green

Proof of Service by Mail

We, Natasha L. Green and Shilon L. Green, Petitioners, do hereby certify that we have on April 17, 2012 served a copy of **Motion to Supplement Appendix** on J. Kershaw Spong Attorney for RESPONDENTS and Tanya A. Gee, clerk for SC Court of Appeals by mailing a certified copy thereof to the addresses indicated below.

J. Kershaw Spong
Robinson, McFadden & Moore, P.C.
1901 Main Street, Ste 1200
Columbia, SC 29202

Tanya A. Gee
SC Court of Appeal
1015 Sumter Street
Columbia, SC 29201



Natasha L. Green and Shilon L. Green
PO Box 334
McBee, SC 29101

RECEIVED
503065451
DEC 07 2009
\$250
SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHESTERFIELD COUNTY
Court of Common Pleas

William O. Spencer, Jr., as Special Referee

Case No. 2008-CP-13-0025

Walter Mortgage Company Respondents

v

Natasha L. Green and Shilon L. Green Appellants

**MOTION TO ADD ADDITIONAL DOCUMENTS TO
BE INCLUDED IN THE RECORD OF APPEAL**

Jim Walter Homes Information Manual for New Homeowner

ROA
12/48

Email dated October 24, 2007 sent from Shilon Green to Ronnie Ham, Tom Emerson, and Chuck Knorp, all Representatives with Walter Mortgage Company and Steven Campbell with Jim Walter Homes

Email dated October 30, 2007 from Shilon Green to Ronnie Ham, a Walter Mortgage Representative, Steven Campbell, Divisional Manager and Ray Hardwick, Construction Manager

Email dated October 31, 2007 from Shilon Green to Micheal Lee, Chuck Knorp, Steven Campbell and Ray Hardwick

ROA
12/49

Email dated November 3, 2007 from Steven Campbell to Chuck Knorp, Jeff Thofner, Tom Emerson, Representative of Walter Mortgage Company, Ray Hardwick, Construction Manager, and Kay Peebles, Sales Manager

Letter from Chesterfield County Code Enforcement Office dated November 6, 2007

Letter from Steven Campbell dated November 6, 2007

Letter from Chesterfield County Code Enforcement dated November 6, 2007

Letter from Chesterfield County Code Enforcement dated November 6, 2007

Email dated December 11, 2007 from Shilon Green to John Trombetta, a Representative with Walter Mortgage Company

Email dated December 26, 2007 from Shilon Green to Steven Campbell

Email dated January 2, 2008 from Shilon Green to Steven Campbell

Email dated January 7, 2008 from Shilon Green to Steven Campbell

Letter from Chesterfield County Code Enforcement Office dated January 29, 2008

Letter from Chesterfield County Code Enforcement Office dated August 17, 2009

We are asking that the Court of Appeal grant our motion to add additional documents to be included on the Record of Appeals, because these documents would show that the Representatives with Walter Mortgage Company were aware that our home did not pass code, because it didn't not pass code, a CO could not be issued. In one of the emails you will find that the payment was to begin on October 5, 2007 instead of September 5, 2007 and that change was made from Walter Mortgage Company because of the other issues had not been resolved. Ronnie Ham, who is a Representative for Walter Mortgage Company was made aware that we couldn't move into the home and he notified the other Representatives about the house failing code. We called the Inspector out in October to inspect the home so that we could obtain a CO to move into the home, but a red tag was issued and a CO could not be issued. We signed a Tender Agreement on June 29, 2007 trusting that Jim Walter Homes had followed the right procedure in order for us to obtain the CO needed for us to move into the home, but we found out on October 30, 2007 that the home failed inspection and it should not have been released until the Code Inspector inspected all the work that had been done by Jim Walter Homes before the home was released to us on June 29, 2007.



Natasha L. Green and Shilon L. Green

PO Box 334

McBee, SC 29101

(843) 335-5794

Appellants

December 3, 2009

OTHER COUNSEL OF RECORD:

J. Kershaw Spong

Robinson, McFadden & Moore, P.C.

Post Office Box 944

Columbia, SC 29202

We, the Appellants, also pray that the court will grant our Motion to add these additional documents.

Handwritten signatures of Natasha L. Green and Shilon L. Green. The signature on the left is for Natasha L. Green and the signature on the right is for Shilon L. Green. Both signatures are in cursive and are written over a horizontal line.

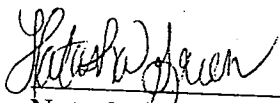
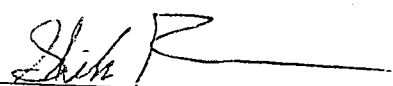
Natasha L. Green and Shilon L. Green
PO Box 334
McBee, SC 29101
Appellants
(843) 335-5794

December 9, 2009

CERTIFICATE OF SERVICE BY MAIL
2008-CP-13-0025

We, Natasha L. Green and Shilon L. Green, Appellants, do hereby certify that we have on December 3, 2009 served MOTION TO ADD ADDITIONAL DOCUMENTS TO BE INCLUDED IN THE RECORD ON APPEAL on attorney for REpondents by mailing a copy thereof of him at the address indicated below.

J. Kershaw Spong
Robin, McFadden & Moore, P.C.
PO Box 944
Columbia, SC 29202

Natasha L. Green and Shilon L. Green
PO Box 334
McBee, SC 29101

RECEIVED
DEC 11 2009
SC Court of Appeals

ATTORNEY PREFERENCE STATEMENT

March 7, 2007

I (we) have been informed by Jim Walter Homes, Inc. (Homes) that: (1) I (we) have a legal right to select legal counsel at my (our) own expense to represent me (us) in all matters relating to the closing of this transaction, including examining title to the real property ("Property") on which I (we) will grant a mortgage lien to Homes as security for the transaction; (2) Homes is not retaining a lawyer in connection with the transaction nor is Homes requiring me (us) to retain a lawyer in connection with the transaction, but Homes will at its own expense and for its own benefit have title to the Property examined unless performed by a lawyer selected by me (us); (3) I (we) must own record title to the Property prior to closing the transaction, and if I (we) do not own title, I (we) should retain an attorney for acquiring title to the Property; and (4) I (we) will not be required by Homes to pay any attorney's fees in connection with the transaction unless I (we) choose to be represented by an attorney, in which case I (we) will be responsible for payment of all legal fees and expenses of the attorney. Having been informed of the foregoing, I (we) make the following election from either A or B.

- A. (1) [Initial] ALL MATTERS. I (we) select the attorney known by me (us) or referred by Homes and designated below to represent me (us) in all matters related to this transaction.
- (2) [Initial] TRANSFER OF TITLE ONLY. I (we) select the attorney known by me (us) or referred by Homes and designated below solely for the purpose of preparing and recording a deed and other instruments necessary to convey to me (us) title to the property.

(Attorney's Name)

- B. NA [Initial] NO ATTORNEY. Having been informed of our right to select an attorney to represent me (us) in all matters related to this transaction or solely in connection with any necessary transfer of title to the Property to me (us), I (we) choose not to be represented by an attorney.

IF I (WE) SELECT TO BE REPRESENTED BY A LAWYER IN ALL MATTERS RELATED TO THIS TRANSACTION, I (WE) UNDERSTAND THAT SUCH AN ATTORNEY MUST PROVIDE TO HOMES A CERTIFICATE OR OPINION OF TITLE TO THE PROPERTY. IF I (WE) SELECT EITHER NOT TO BE REPRESENTED BY A LAWYER OR TO BE REPRESENTED BY A LAWYER SOLELY FOR THE PURPOSE OF ACQUIRING TITLE TO THE PROPERTY, I (WE) UNDERSTAND THAT TITLE TO THE PROPERTY WILL BE EXAMINED BY NON-LAWYERS ON BEHALF OF HOMES AT ITS SOLE EXPENSE AND FOR ITS BENEFIT.

Katrina A. Brown
Customer's Signature

[Signature]
Customer's Signature

HAZARD INSURANCE:

I (we) have been informed by Homes that I (we) have a right to select an insurance agent to furnish required hazard insurance in connection with this mortgage transaction.

I (we) select
Agent's Name

Katrina A. Brown
Customer's Signature

[Signature]
Customer's Signature

From: Ronnie Ham
Sent: Tuesday, October 30, 2007 7:37 PM
To: Steven Campbell
Cc: Ray Hardwick
Subject: FW: Important Information from County Inspector

-----Original Message-----

From: Shilon Green [mailto:shilongreen@yahoo.com]
Sent: Monday, October 29, 2007 9:03 PM
To: Ronnie Ham
Subject: Important Information from County Inspector

The county inspector (David Wilbs) came by house today (10-29-2007)
He found so far 2 problems that he wants corrected.

- Need graspable handrails going down steps
- All steps must be even (top step is to large, and to high).

He was unable to inspect the inside, because I wasn't home, but I'm going to be around tomorrow, so hopefully myself and Mr. David can get together.

Please be sure to forward this message to Steve Campbell. The problems just keep adding up, right? Like I stated earlier, Ray signed off stating that he inspected this home, but I guess he just forget about this part.

Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

From: Michael Lee
Sent: Wednesday, October 31, 2007 11:40 AM
To: Chuck Knorp
Cc: James Owens; Steven Campbell; Ray Hardwick
Subject: FW: Important Information from County Inspector

Attachments: Important Information from County Inspector
FYI

-----Original Message-----

From: Shilon Green [mailto:shilongreen@yahoo.com]
Sent: Wednesday, October 31, 2007 6:02 AM
To: Michael Lee
Subject: Fwd: Important Information from County Inspector

Mike

I sent this to Ronnie on Monday, but I never heard anything from anyone. I don't know whether or not to get in touch with Ray, but I don't think that will do any good. So I'm just forwarding this email to you! Hopefully I can get the Code Inspector back out to look at the inside of the home. I will not be in until 12:10 pm today, so you can call me then or just send me an mail.

Do You Yahoo!?
Tired of spam? Yahoo! Mail has the best spam protection around
<http://mail.yahoo.com>

Chesterfield County Codes Enforcement Office

County Annex Building
101 West Main Street #B
Chesterfield, SC 29709

Phone: (843) 623-9615
Fax: (843) 623-9637

Director
Keith Benton

Officers
David Wilks

November 06, 2007

Shilon Green
927 South Eleventh Street
McBee, SC 29101

Ref: Permit # 70251
401 Union Church Road
McBee, SC 29101

Greetings:

This letter is to state that as of October 30, 2007, the above referenced property has not come into compliance with the 2003 International Residential Code. Section R110.1 states that a Certificate of Occupancy must be obtained before the structure may be occupied. As of October 30, 2007, no final inspection request had been made.

Sincerely,


David Wilks
Inspector

Jim  alter Homes, Inc.

~~Post Office Box 31601 Tampa Florida 33631-3601~~
~~4211 W. Boy Scout Blvd Tampa, Florida 33607~~

VIA CERTIFIED MAIL/RRR

Date 11/6/07

Shilon Green
927 South 11th St
McBee SC 29101

Dear Mr. Green:

I am writing to ask that you contact us when you are ready for your final inspection to obtain the certificate of occupancy for your house. We have attempted to schedule an inspection on three separate occasions, however due to your schedule we have been unsuccessful. Please understand that in accordance with the contract you signed with Jim Walter Homes, Inc., it is your responsibility to obtain the certification of occupancy, however we will be please to assist if you need assistance.

I also wanted to let you know that we have processed a change in your first payment due date from September 5, 2007 to October 5, 2007. This should be reflected on your monthly account statement from Walter Mortgage Company. If not, please let me know. I trust that you are currently making your payments in a timely manner.

I would like to thank you for choosing Jim Walter Homes, Inc. as your builder. Please let me know if you have any questions.

Sincerely,

Steve Campbell
Divisional Construction Manager

Cc: Customer Service

db

Stcampbell@jimwalterhomes.com

RE Natasha and Shilon Green.txt

John

From: Shilon Green [mailto:shilongreen@yahoo.com]
Sent: Tuesday, December 11, 2007 10:16 PM
To: John Trombetta
Subject: Disapproved-Code Inspector

The Code Inspector came out on December 11, 2007 to inspect my home and there are 5 items that he disapproved. Here again, if the construction manager had called him before the home was released we wouldn't be dealing with issues on Jim Walter Homes side. He also stated that he could not inspect the cosmetics, but he understand why I'm upset about this home. I would like for a higher representative to come out and look at my walls. Feel free to contact me because the Code Inspector gave another read tag. This is the second red tag the has been issued on behalf of the work done by Jim Walter Homes after being released to us. we really need to come to some type of agreement first and if we can't then it will be released to the magistrate office. The book stated that we had to try to solve the problems first. My number is 843-335-5794. I can be reached at this number up until 9:00 am. I have a 10:30 am meeting. The cell number is 843-307-9705.

Never miss a thing. Make Yahoo
<http://us.rd.yahoo.com/evt=51438/*http://www.yahoo.com/r/hs> your homepage.

MAIL

Date: Wed, 26 Dec 2007 14:32:09 -0800 (PST)
From: "Shilon Green" <shilongreen@yahoo.com>
Subject: Items that needed to be correct/fix
To: stcampbell@jimwalterhomes.com

Steve

Per our phone conversation, I'm sending you a copy of the items that failed code inspections and again the issue with my walls. First item is the wall. I know that you sent a gentleman out to fix/correct my walls and I signed off on it, but I can see the prints in the walls where he tried to fix the problems. I also have little holes, I guess where again the wall wasn't sand completely. The code inspector also seen those issues, but he doesn't inspect that side of things. I have someone who could fix my walls in all the rooms, but your company would have to pay him. I don't need any paint, because I have enough paint, but I want my walls done.

Code Items

- *top steps on Front and back are to low (same as last time)
- *Back handrail is loose
- *Need receptacle inside of sink cabinet
- *need to cover box at smoke detector in hall (I told Ray about this doing Tender Meeting)
- *insolate stair case

Ray has it schedule for Friday at 2:30 pm. Also let me know on the issue with my walls. I can have someone fix them and your company pays him or you can send someone back out. All items need to be completed within 15 working days (Sunday is not included).

Be a better friend, newshound, and know-it-all with Yahoo! Mobile.

Date: Wed, 2 Jan 2008 14:15:18 -0800 (PST)
From: "Shilon Green" <shilongreen@yahoo.com>
Subject: Update
To: stcampbell@jimwalterhomes.com

Per our phone conversation around 12:30 pm today, I'm sending this email to inform you that Ray Hendrick sent someone out to fix/correct all the items that the Code Inspector failed. He stated that he could not do the work because a licensed electrician was needed, the person that built the steps would have to tear it completely down and he could not put the insulation in. I did not hear anything from Ray today.

Be a better friend, newshound, and know-it-all with Yahoo! Mobile.

From: Shilon Green [shilongreen@yahoo.com]

Sent: Monday, January 07, 2008 11:34 AM

To: Steven Campbell

Subject: No contact

Steve

I'm sending this email to inform you that since our last talk over the phone a week ago when I informed you that the guy Ray sent out could not doing anything to house to bring it up to code, I have not heard from Ray. My neighbor called me Saturday morning and saying that a white van was in my yard with a generator. Until this day, Ray never called me. I would appreciate someone giving me a call when someone is going to go on property. Looks as if they only fixed the steps, but nothing inside.

Never miss a thing. [Make Yahoo your homepage.](#)

From: Ray Hardwick

Sent: Monday, January 07, 2008 12:50 PM

To: Steven Campbell

Subject: GREEN

TALKED TO MR GREEN REMINDED HIM OF OUR PHONE CALL AND SCHEDULED CO INSPECTION FOR 2:00PM ON 1/8/08 WITH DAVID

they presented this

Chesterfield County Codes Enforcement Office

County Annex Building
101 West Main Street #B
Chesterfield, SC 29709

Phone: (843) 623-9615
Fax: (843) 623-9637

Director
Keith Benton

Officers
David Wilks
Marion Crenshaw

January 29, 2008

Shalon Green
927 South Eleventh Street
McBee, SC 29101

Ref: Permit #70251
401 Union Church Road
McBee, SC 29101

Mr. Green:

We are writing you this letter in regards to the above referenced permit per your request. On January 14, 2008, at your request, an inspection was conducted on the above listed property. The list below will reflect the code violations noted in reference to the 2003 International Residential Code:

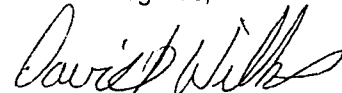
<u>Section</u>	<u>Violation</u>
R311	Back handrail is loose
E3801.4.3	Need receptacle in peninsular
E3806	Smoke detector in hall needs to be mounted directly over box
N1102.1.2	Attic Door needs to insulated

This inspection was not a Final Inspection. This list does not ensure total code compliance at Final Inspection.

Please note Sections 40-59-810 & 40-59-850 of the South Carolina Code of Law concerning "South Carolina Notice and Opportunity to Cure Construction Dwelling Defects Act".

If you have any questions concerning the above referenced code violations, please feel free to contact me at the number above.

Kindest Regards,



David Wilks
Building Inspector

Chesterfield County Codes Enforcement Office



County Annex Building
101 West Main Street #B
Chesterfield, SC 29709

Phone: (843) 623-9615
Fax: (843) 623-9637

Building Official
Keith Benton

Inspectors
David Wilks
Marion Crenshaw

August 17, 2009

Re: Permit # 70251

Contractor
Jim Walter Homes

Property Owner
Shilon and Natasha Green
401 Union Church Rd, McBee, SC 29101

On August 17, 2009 an inspection was conducted at 401 Union Church Road, McBee at the request of Mr. Shilon Green. Below is a list of the code violations that were noted upon that inspection:

- There are (6) receptacles not working
- Of the (6) non-working receptacles, all are wired with 12-3 wire
- Non-working light switch in bedroom
- GFCI receptacle needed beside sink in kitchen
- Junction box for hallway smoke detector is improperly installed
- Attic access has no insulation
- Water utilities have not been connected
- Outside handrails down steps do not meet code
- Smoke detectors are controlled by a light switch
- Thermostat not working properly

The above are the noted violations at that time. This list by no means assures that any further code violations will not be found at next inspection.

Any and all code violations must be corrected prior to the issuance of a new permit to complete the remaining work.

Kindest regards,

A handwritten signature in cursive script that reads "David Wilks".

David Wilks,
Code Enforcement Officer

NOTES FOR PERMIT #: 070251

Job Location:

Date	Violation or Note	By
6202007	Rough in inspection app. DW temp. power app.	PAM DAVI
9052007		

INSPECTION HISTORY

PAGE # 1

Permit	Type	Inspection	Inspect Date	Inspector	Pass/Fail	Remarks
070251	B2	FOOTING	04242007	DW	P	
070251	B5	FOUNDATION WALL	05142007	DW	P	
070251	B6	FINAL	10302007	DW	F	
070251	B8	FLOOR FRAMING	06202007	DW	P	
070251	B9	FRAMING	06202007	DW	P	

Note: This List Does not reflect inspection attempts or reinspections.

RECEIVED

DEC 08 2009

SC Court of Appeals

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHESTERFIELD COUNTY
Court of Common Pleas

William O. Spencer, Jr., as Special Referee

Case No. 2008-CP-13-0025

Walter Mortgage Company..... Respondents,

v.

Natasha L. Green and Shilon L. GreenAppellants.

**RETURN IN OPPOSITION TO MOTION TO
ADD ADDITIONAL DOCUMENTS TO RECORD ON APPEAL**

Respondent Walter Mortgage Company hereby files this Return to Appellant's Motion, and requests the Motion be denied on the following grounds:

1. The documents identified in Appellant's Motion were not made a part of the record or presented to the lower court at the hearing on Respondent's Motion for Summary Judgment, and therefore violates Rule 210(c) of the Appellate Court Rules.
2. Appellant's Motion attempts to designate matter not relevant on appeal since the designation concerns matters ruled on in the arbitration award which is not under appeal; and therefore violates Rule 209(b) of the Appellate Court Rules.
3. On information and belief, Appellants failed to tender the filing fee required by Rule 224(d) of the Appellate Court Rules.

Wherefore, having filed this Return, the Respondent prays the Motion be denied.



J. Kershaw Spong
Robinson, McFadden & Moore, P.C.
Post Office Box 944
Columbia, SC 29202
(803) 779-8900
Attorney for Respondents

Decker 8^x, 2009

THE STATE OF SOUTH CAROLINA
In The Court of Appeals

APPEAL FROM CHESTERFIELD COUNTY
Court of Common Pleas

William O. Spencer, Jr., as Special Referee

Case No. 2008-CP-13-0025

RECEIVED

DEC 11 2009

SC Court of Appeals

Walter Mortgage Company Respondents

V.

Natasha L. Green and Shilon L. Green Appellants

**REPLY TO RESPONDENTS RETURN IN OPPOSITION
TO APPELLANTS MOTION TO ADD ADDITIONAL
DOCUMENTS TO RECORD ON APPEAL**

We, Natasha and Shilon Green, Appellants, file this Reply to Respondents Return in Opposition Motion

1. We have no way of knowing what documents were truly made part of the recorded or what was presented to the lower court at the hearing on Respondent's Motion for Summary Judgment for the following reasons: 1) We were not notified of the hearings nor present. 2) We contacted the office of William O. Spencer, Jr. Special Referee to ask for all documents or evidence presented that helped him to come to the conclusion to award Walter Mortgage Company Summary Judgment, along with Foreclosure. We never received any documents or evidence. Our phone call was never returned from William O. Spencer, Jr., Special Referee.
2. The request for this Motion is relevant on appeal because it shows that Jim Walter

Homes and Jim Walter Mortgage are very much connected. Jim Walter Mortgage Company was made aware by several of Jim Walter Homes Representatives, along with my wife and me that our home had problems and never passed code, as a result a Certificate of Occupancy was not issued from Chesterfield County Code Office.

3. We, the Appellants have paid the required fee when the motion was filed on December 3, 2009.

CERTIFICATE OF SERVICE BY MAIL

2008-CP-13-0025

We, Natasha L. Green and Shilon L. Green, Appellants, do hereby certify that we have on December 10, 2009 served REPLY TO RESPONDENTS RETURN IN OPPOSITION TO APPELLANTS MOTION TO ADD ADDITIONAL DOCUMENTS TO RECORD ON APPEAL on attorney for Respondents by mailing a copy thereof of him at the address indicated below.

J. Kershaw Spong
Robin, McFadden & Moore, P.C.
PO Box 944
Columbia, SC 29202



Natasha L. Green and Shilon L. Green
PO Box 334
McBee, SC 29101

RECEIVED

DEC 11 2009

SC Court of Appeals

The South Carolina Court of Appeals

Walter Mortgage Company, Respondent,
Natasha I. Geen and Shilon L. Green, Defendants and Third Party Plaintiff,

v.

Jim Walter Homes, Inc. Third Party Defendant
of whom Natasha L. Green and Shilon
L. Green are Appellants.

Special Referee William O. Spencer, Jr.
Chester County
Trial Court Case No. 2008-CP-13-00025

ORDER

Appellants filed a motion to add additional documents to be included in the record on appeal. Respondents filed a motion to dismiss Appellant's motion. Respondents maintain the documents Appellants seek to be included in the record on appeal were not presented to the special referee and, therefore, not properly included in the record on appeal. See Rule 210, SCACR ("The Record shall not, however, include matter which was not presented to the lower court or tribunal."). After careful consideration of both motions, Respondents' return and Appellants' reply, we deny Appellant's motion to add additional documents and, therefore, grant Respondents' motion to dismiss.

AND IT IS SO ORDERED.

Reginald A. S.

Columbia, South Carolina

12/31, 2009

cc: Natasha & Shilon Green
J. Kershaw Spong, Esquire

FILED
12/21/09 ~~MM~~