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May 7, 2019

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

RECEIVED
MAY 09 2019
SC Court of Appeals

Re: Nationstar Mortgage, LLC v. Barbara A. Gibbs, et al
Appellate Case No. 2019-000486
File No. 151070.00306

Dear Sir or Madam:

This letter is regarding the undated Appellants' Opposition to Respondent's Stay received on May 6, 2019. The above-referenced case is a foreclosure action currently before the Court on an appeal. The Appellant, Barbara Gibbs, filed a Chapter 13 Bankruptcy in the United States Bankruptcy Court for the Northern District of Georgia on March 27, 2019. After the Appellant failed to notify the Court of the pending Bankruptcy Court case, a copy of the bankruptcy notification was previously provided by Respondent on April 18, 2019 and again on April 30, 2019. Pursuant to the automatic stay imposed under the United States Bankruptcy Code, the appeal is stayed during the pendency of the bankruptcy case.

I reviewed the Appellant's bankruptcy filing and confirmed that her Chapter 13 Bankruptcy Plan does include the subject real property as an asset and the automatic stay imposed by the bankruptcy filing remains in effect. Unless there is an Order from the United States Bankruptcy Court for the Northern District of Georgia confirming that the automatic stay is no longer in effect, the appeal is stayed by federal law due to the active bankruptcy case.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

SCOTT AND CORLEY, P.A.

H. Guyton Murrell

cc: Melvin Gibbs
Barbara Gibbs

Enclosures: As stated

THIS IS A COMMUNICATION FROM A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE, EXCEPT AS STATED BELOW IN THE INSTANCE OF BANKRUPTCY PROTECTION.

IF YOU ARE UNDER THE PROTECTION OF THE BANKRUPTCY COURT OR HAVE BEEN DISCHARGED AS A RESULT OF A BANKRUPTCY PROCEEDING, THIS NOTICE IS GIVEN TO YOU PURSUANT TO STATUTORY REQUIREMENT AND FOR INFORMATIONAL PURPOSES AND IS NOT INTENDED AS AN ATTEMPT TO COLLECT A DEBT OR AS AN ACT TO COLLECT, ASSESS, OR RECOVER ALL OR ANY PORTION OF THE DEBT FROM YOU PERSONALLY.

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April 26, 2019

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Nationstar Mortgage, LLC v. Barbara A. Gibbs, et al
Appellate Case No. 2019-000486
File No. 151070.00306

Dear Sir or Madam:

By way of response to Appellants' undated document received this morning (enclosed herewith as Item #1), Respondent is not *requesting* a stay from the South Carolina Court of Appeals in this matter. Moreover and most importantly, pursuant to Title 11 of the United States Code § 362 (enclosed herewith as Item #2), the filing of a bankruptcy petition acts as an *automatic stay* on all pending civil actions. Unless and until there is an Order of the United States Bankruptcy Court for the Northern District of Georgia lifting the automatic stay or confirming that no stay is in effect, Respondent believes it cannot proceed with filing its Initial Brief and Designation of Matter as doing so would constitute a violation of the automatic stay imposed by the United States Bankruptcy Code. Enclosed herewith as Item #3, is a copy of the Notice of Bankruptcy Case Filing for Appellant Barbara Albyline Gibbs, filed in the United States Bankruptcy Court, Northern District of Georgia, on March 27, 2019.

Should you have any questions or believe the above is inconsistent with Court of Appeals' interpretation of the United States Bankruptcy Code, please do not hesitate to contact me.

Very truly yours,

SCOTT AND CORLEY, P.A.


H. Guyton Murrell

cc: Melvin Gibbs
Barbara Gibbs
Enclosures: As stated

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April 18, 2019

South Carolina Court of Appeals
P.O. Box 11629
Columbia, SC 29211

Re: Nationstar Mortgage, LLC v. Barbara A. Gibbs, et al
Appellate Case No. 2019-000486
File No. 151070.00306

Dear Sir or Madam:

The above referenced case is a foreclosure action currently before the Court on an appeal. The appellant Barbara Gibbs filing a Chapter 13 Bankruptcy in the United States Bankruptcy Court for the Northern District of Georgia on March 27, 2019. A copy of the notification is enclosed. Pursuant to the automatic stay imposed under the United States Bankruptcy Code, the appeal should be stayed during the pendency of the bankruptcy case.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

SCOTT AND CORLEY, P.A.


H. Guyton Murrell

cc: Melvin Gibbs
Barbara Gibbs

Enclosures: As stated

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SCOTT & CORLEY, P.A.
P.O. Box 2065
Columbia, South Carolina 29202

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MAY 09 2019

SC Court of Appeals

South Carolina Court of Appeals
Jenny Abbott Kitchings
P.O. Box 11629
Columbia, SC 29211

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