

THE STATE OF SOUTH CAROLINA
In the SUPREME COURT OF SOUTH CAROLINA

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
DeAndrea Benjamin, Circuit Court Judge

Opinion No. 19-UP-066
S. C. Ct. of App. Filed February 13, 2019

RECEIVED

MAY 24 2019

S.C. SUPREME COURT

U.S. Bank, National
Association, as trustee for
the Holders of the Banc of
America Funding
Corporation, 2008-FTI,

Respondent,

v.

Rhonda Lewis Meisner a/k/a
Rhonda L. Meisner, Bank of
America, N.A. and SCBT

Petitioner

MOTION FOR MISCELLANEOUS RELIEF

Rhonda Meisner-Petitioner
P.O. Box 689
Blythewood, SC 29016
Pegasus333@icloud.com
(803)206-3402

Your petitioner respectfully requests relief from this Court. The petitioners in this action have filed multiple motions and scheduled substantive hearings for June of this year, while this case is still in this Honorable Court's appellate jurisdiction, pending a writ of certiorari to review the South Carolina Court of Appeals decision.

BACKGROUND

The central question presented to this Court for review is whether a jury trial is available given the circumstances of the case.

Your petitioner timely filed a petition for certiorari to review the Court of Appeals opinion dismissing the appeal. As such, the case has never returned to the circuit court or the Master in Equity's court; however, the respondents have requested orders and relief from both courts and scheduled substantive hearings.

First, the respondents represented to the circuit court that the case was dismissed by the circuit court and requested the chief administrative judge, the Honorable Jocelyn Newman to reinstate the case. ¹The mode of trial is at the heart of the petition for a writ of certiorari and the referral order to the Master in Equity is the order that was appealed. The Master in Equity Judge Joseph Strickland is the Judge that actually signed the administrative dismissal that dismissed the case

¹ Order from Judge Strickland dismissing the case

in the lower court. As such, he is the judge that should have reinstated the case; however, the respondents requested the reinstatement from the circuit court instead without the benefit of this Court's decision regarding the writ of certiorari.

Second, the petitioners have also filed a motion for summary judgment, but this time they filed the motion in the Master in Equity's court. This hearing has been scheduled, before the Master in Equity, for a hearing on June 18, 2018.

Quite obviously the Master in Equity's order that dismissed the case would need to be vacated as it was entered inadvertently, at a time when neither the circuit court nor the Master in Equity Court had jurisdiction, over the case. The circuit court signed the order; however, it is the petitioner's understanding that the Master in Equity and not a circuit court judge that must vacate his own order because the circuit court judge is on the same level as the Master in Equity, given the referral.

Instead of waiting for this Court to determine whether it would issue a writ of certiorari, the respondents have presented both the circuit court and the Master in Equity's court with requests for hearings and requests for relief without waiting for this Court's decision.

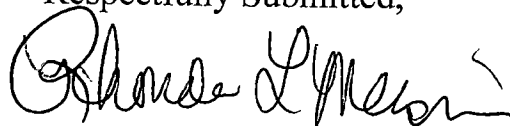
The actions of the respondents may be due to the fact the attorney representing the respondents has left the firm of McGuire Woods and new attorneys have entered appearances. Nevertheless, the petitioner is placed in the

position of having to respond to multiple motions and preparing for substantive hearings at a time when the circuit court or the Master in Equity's court does not have jurisdiction.

The petitioner respectfully requests this Court to enjoin the respondents from filing further motions or substantive hearings until this Court enters its determination.

May 24, 2019

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Rhonda L. Meisner". The signature is written in a cursive style with a large initial "R" and a long horizontal stroke at the end.

Rhonda L. Meisner
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STATE OF SOUTH CAROLINA

IN THE COURT OF COMMON PLEAS

COUNTY OF RICHLAND

2014 CP 400 2063

JEANETTE W. McBRIDE
C.C.P. & G.S.

2017 SEP 12 PM 2:57

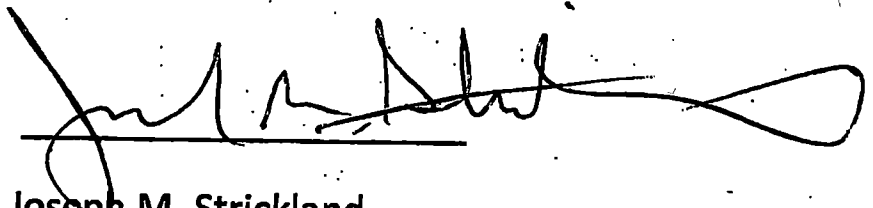
RICHLAND COUNTY
FILED

Omnibus Order of Dismissal
Without Prejudice

The court's transition to an electronic case management system inadvertently failed to provide a method of closing some cases. As a result, South Carolina Court Administration has notified this office of several thousand pending cases in Richland County. Court Administration records are not accurate, because of a computer glitch.

Thus, all cases reported as pending on the attached exhibit are hereby dismissed without prejudice.

IT IS SO ORDERED.



Joseph M. Strickland

Richland County Master-In- Equity

Date: August 15, 2017

THE STATE OF SOUTH CAROLINA
In the Court of Appeals

APPEAL FROM RICHLAND COUNTY
Court of Common Pleas
DeAndrea Benjamin, Circuit Court Judge

RECEIVED

MAY 24 2019

S.C. SUPREME COURT

Case No. 2016-001019

U.S. Bank, National
Association, as trustee for the
Holders of the Banc of
America Funding Corporation,
2008-FTI,

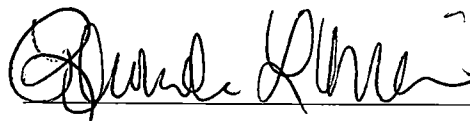
Respondent,

v.

Rhonda Lewis Meisner a/k/a
Rhonda L. Meisner, Bank of
America, N.A. and SCBT of
whom Rhonda L. Meisner is

Appellant.

PROOF OF SERVICE MOTION FOR MISCELLANEOUS RELIEF
The petitioner certifies she has served a copy of her motion for miscellaneous relief
by mailing a copy via U.S. Mail postage pre-paid to: Robert Muckenfuss and Brian
Calub McGuire Woods, LLP 201 N. Tryon Street Suite 3000 Charlotte, NC 28202



Rhonda Lewis Meisner, petitioner
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May 24, 2019