

THE STATE OF SOUTH CAROLINA
In the Court of Appeals
APPEAL FROM Horry County
Court of Master-In-Equity
Judge Cynthia Howe, Master-In-Equity
Ralph P Stroman, Special Referee for Horry County
Case No. 2011-CP-26-01809

RECEIVED
OCT 08 2019
SC Court of Appeals

Leticia, LLC, Movant.

In Re: M&T Bank, Plaintiff

v.

Tyrone Davis; Bobby J. Bellamy; BC Fund and Management LLC
d/b/a BC Fund, LLC, Defendant's

And

M&T Bank, Respondent,

v.

Tyrone Davis; Bobby J. Bellamy; BC Fund and Management,
LLC d/b/a BC Fund, LLC, 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,

NOTICE OF APPEAL IN MASTER-IN-EQUITY CASE

October 4, 2019

Pursuant to Rule 56, the above-entitled matter, Bobby J. Bellamy Appeals the Orders and Judgement of the Honorable Judge Cynthia Howe, Master-In-Equity and Special Referee Ralph P. Stroman. The Master-In-Equity's Report on Sale and Disbursements was signed on September 4, 2018 and Writ of Assistance was signed on September 9, 2019 by Ralph P. Stroman Referee for Horry County, and the Master's Order and Judgement of Foreclosure and Sale. The

FILED
HORRY COUNTY
2019 OCT -7 A 10:28
RENEE M. ELLIS
CLERK OF COURT
HORRY COUNTY, SC

Appellant Bobby Bellamy, pro se, requests an order from the South Carolina Court of Appeals to review each point contained in the orders and Judgement made by the Master-In-Equity and Special Referee, on the ruling to the order, based on facts of S.C.LLC law. On appeal, the S.C. Appellate Court shall apply the same Rule 56 standard that applies in the trial court. Woodson, citing Quail Hill, LLC v. Cnty. Of Richmond, 387 S.C. 223, 224, 692 S.E. 2d 499, 505 (2010). A one sentenced order forces the appellant court to decide for itself whether there are genuine issues of material fact and whether the Plaintiff, M&T Bank is entitled to Judgement as a matter of law. When reviewing the grant of a summary judgement, the South Carolina Appellant Court applies the same standard that governed the trial court; summary judgement is proper when there is no genuine issue as to any material fact and the moving party is entitled to judgement as a matter of law. Fleming v. Rose, 350 S.C. 488, 493, 567 S.E. 2d 857, 860 (2002) see also Rule 56©, SCRPC. "On appeal from an order granting summary judgement, the appellate court will review all ambiguities, conclusions, and inferences arising in and from the evidence in a light most favorable to the Appellant, the non-moving party below." Willis v. Wu, 362 S.C. 146, 151, 607 S.E. 2d 63, 65 (2004).

Bobby J. Bellamy
Bobby J. Bellamy, prose

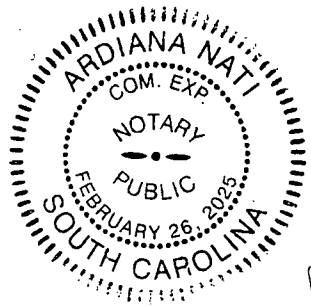
Counsel of Record

Cliff Moore, III Adam and Reese LLP
1501 Main Street 5th Floor Columbia S.C, 29201
803 254-4190

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

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

Daniel J Orvin,
Womble Bond LLP
5 exchange Street
Charleston, South Carolina 29401 843 722-3400



10/4/2019
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HORRY COUNTY

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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,

October 4, 2019

NOTICE OF LIS PENDENS AND NOTICE OF ACTION PENDING

To the Clerk of Court of Horry County:

PLEASE TAKE NOTICE THAT Defendant Bobby J. Bellamy has filed an appeal with the South Carolina Court of Appeals in action to appeal the Master-In-Equity's Order and Judgement of Foreclose and Sale.

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CLERK OF COURT
HORRY COUNTY, SC

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1. You are hereby notified on this 4th day of October, suit was instituted by the undersigned in the above captioned and styled caused in South Carolina Court of Appeals Pursuant to Code of Civil Procedure Section 405.20 provides that a party to an "action" who asserts a real property claim may record a Notice of Lis Pendens.
2. The following described real estate situated in Horry County, South Carolina is involved in said suit to wit: The Defendant brings this action to confirm title, remove clouds from title and to compel M&T Bank to convey legal title to the above described mineral interest based on the fact that M&T Bank has unlawfully taken title by reformation of mortgage on defendant's property. The defendant seek to protest his property as owner of property known as 3664 Sea Mountain Highway, Little River, South Carolina and legal described as:

Legal description and property address:

ALL THAT certain piece, parcel or tract of land situate, lying and being in Little River Township, County of Horry, State of South Carolina, being more particularly shown and designated on the west side of Sea Mountain Highway near Nixon's Crossroads, containing 3.39 acres more or less. Starting at a stake on the corner of Sea Mountain Highway and bounded on the South by tract B, owned by Tommy J. Bellamy, on the west by North Pointe Development, on the North by Tract D owned by Linda B. Nichols, on the East by Sea Mountain Highway.

October 4, 2019

Respectfully Submitted,

Bobby J. Bellamy
 Bobby J. Bellamy, Attorney pro se

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 HORRY COUNTY

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Court of Master-In-Equity

Judge Cynthia Howe, Master-In-Equity
Ralph P Stroman, Special Referee for Horry County

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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 Notice of Appeal on M&T bank and Leticia LLC by depositing a copy of it in the United States Mail, postage prepaid on October 4, 2019 addressed to their attorney on record, Cliff Moore, III Adams and Reese LLP, 1501 Main Street 5th Floor, Columbia S.C. 29201.

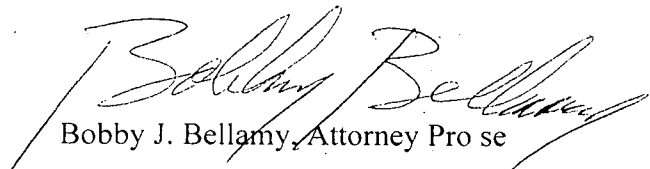
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I certify that I have served the Notice on Appeal on Tyrone Davis by depositing a copy of it in the United States Mail, postage prepaid on October 4, 2019 addressed to their attorney on record, Daniel J. Orvin, Womble Dickenson LLP 5 exchange St. Charleston S.C. 29401.

I certify that I have served the Notice on Appeal on Scott Umstead, William O Smith, BC Fund and Management LLC d/b/a BC Fund LLC by depositing a copy of it in the United States Mail, postage prepaid on October 4, 2019 addressed to their attorney on record, Scott Umstead 4226 Mayfair St, #100 Myrtle Beach, S.C. 29577

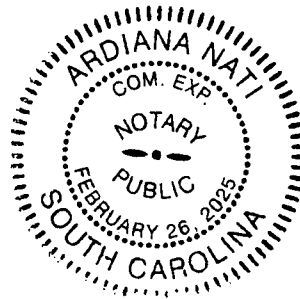

Bobby J. Bellamy, Attorney Pro se
3664 Sea Mountain Highway, Little
River, S.C. 29566

10/4/2019

SOUTH CAROLINA
HORRY COUNTY

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A SC NOTARY PUBLIC
My Commission Exp 02/26/2025



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

RE: REMITTITUR: M&T Bank v Tyrone Davis
Lower Court Case No. 2011CP2601809
Appellate Case No. 2018-001523

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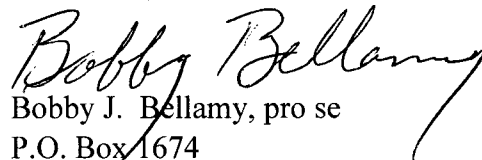
OCT 08 2019

SC Court of Appeals

Dear Ms. Kitchings:

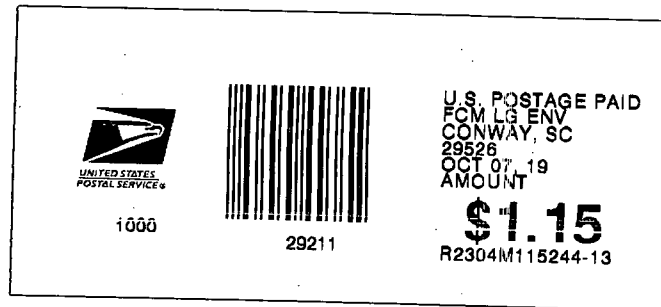
Enclosed is a check for \$250.00, Notice of Appeal in Master-In-Equity Case, and Proof of Service. On May 30, 2019, The SC Appeals Court ordered Appellant to provide proof within ten days that all transcripts were ordered. The Appellant failed to receive the order and failed to provide proof of ordering all transcripts causing Remittitur to the Lower Court. According to Renee Ellis, Horry County Clerk of Court, the case can now be re-appealed by the SC Appeals Court. I would like to know if I can amend the documents already mailed and received by S.C. Appeals Court or must I send in new documents. If I must send in new documents, I request to have the old documents returned, I will have them picked up by FEDX. The Letter to Order transcripts will be mailed within 10 days. Please request to send all new correspondence for Bobby J. Bellamy to P.O. Box 1674, Little River, S.C. 29566.

Thank You,


Bobby J. Bellamy, pro se
P.O. Box 1674
Little River, S.C. 29566

Bobby J Bellamy
3664 Sea Mt Highway
Little River, SC
29566

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S.C. Court of Appeals
The honorable Jenny Abbott Kitchings, Clerk
P. O. Box 11629
Columbia, S.C. 29211