

STATE OF SOUTH CAROLINA)
)
 COUNTY OF RICHLAND)
)
 NATIONSTAR MORTGAGE, LLC)
 d/b/a MR. COOPER,)
)
 RESPONDENT,)
)
 vs.)
)
 BARBARA A. GIBBS, MELVIN E.)
 GIBBS, and WESTBROOK PHASE IV)
 HOMEOWNERS' ASSOCIATION,)
)
 APPELLANTS.)

IN THE COURT OF APPEALS
 OF SOUTH CAROLINA

RECEIVED
 FEB 20 2020
 SC Court of Appeals

CASE No: 2019-000486

**APPELLANTS' REPLY TO RESPONDENT'S
 OPPOSITION TO APPELLANTS' MOTION
 FOR SUMMARY REVERSAL and
 SANCTIONS**

COMES NOW, the above named Appellants and move this Honorable Court deny Respondent's Opposition and GRANT Appellants' Motion for Summary Reversal and Sanctions. The reasons are more fully set forth below:

I. PRELIMINARY STATEMENT

1. FIRST: H. Guyton Murrell, Esq. (Scott and Corley, PA) is the ATTORNEY OF RECORD! Attorney Murrell on behalf of Respondent committed Subornation of Perjury in the lower court and this Court. Therefore, this Court must hold Attorney Murrell to account for his criminal conduct. AND, Brian A. Calub, Esq.' continuation of Respondent's Subornation of Perjury must likewise be addressed.

II. STATEMENT

2. Chief Judge Wendy L. Hagenau, US Bankruptcy Court, Northern District of Georgia (Atlanta Division) granted this Court limited jurisdiction to hear this Appeal. This Court does not have jurisdiction to overturn orders by Judge Hagenau.

III. STATEMENT OF FACTS

3. On October 16, 2019, Judge Hagenau ORDERED Respondent to provide proof of ownership of the mortgage note Barbara Gibbs signed with Bank of America. Respondent has refused to provide ANY PROOF!

4. Judge Hagenau ORDERED no moneys were to be given to Respondent, unless or until she so ORDERED. AND, the moneys Judge Hagenau ORDERED Barbara Gibbs to pay, has been paid each and every month, *See, pp. 4-5.*

IV. STATEMENT OF THE CASE

5. Nationstar is using this Court and the lower court to punish Appellants for discovering Bank of America and Nationstar are engaged in a continuing criminal enterprise to defraud the Treasury Department of \$45 billion granted to stem-the-tide of foreclosures. AND, defraud 2 million mortgagors (including Appellants) of \$250 billion, *See pp. 5-6.*

V. ARGUMENT

6. Given the limited lifting of the STAY issues by Judge Hagenau, this Court doesn't have jurisdiction to vacate and set aside an ORDER issued by Judge Hagenau. AND, even if by some "legal miracle" this Court had such jurisdiction, the ROOKER-FELDMAN DOCTRINE – would prevent such review. Rooker v. Fidelity Trust Co., 263 U.S. 413 (1923), and District of Columbia Court of Appeals v. Feldman, 460 U.S. 462 (1983).

7. Respondent has waited four (4) months to respond to Judge Hagenau's Order. However, rather than appearing before Judge Hagenau, Respondent asks this Court to rule Judge Hagenau was wrong in determining Respondent is required to provide proof – Respondent is the true

party-in-interest. AND, rather than Judge Hagenau determining Appellants aren't required to pay Respondent's continuing criminal enterprise, this Court must overrule Judge Hagenau....

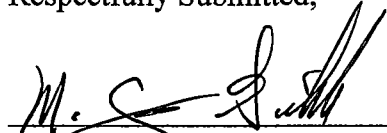
8. The proper forum, if Respondent believes Judge Hagenau's Order was improper or incorrect, is an APPEAL in federal court NOT this Court. But, Respondent knows their appeal date expired on October 26, 2019. Therefore, they now appeal to this Court: **SUMMARY REVERSAL AND SANCTIONS HAVE NEVER BEEN MORE WARRANTED IN THE HISTORY OF LITIGATION!!!**

9. At no time did Respondent request an extension to file motions and/or briefs from Appellants and/or this Court. Appellants also suffered a grievous loss on January 23, 2020: Barbara's sister was 78 yrs. and Barbara is 77 yrs. and rather than dealing with their loss, Appellants had to leave Florence on February 3 and return to their home in Georgia, to deal with Respondent's Subornation of Perjury and return to Florence on February 4, 2020...*See, pp. 6-7.*


VI. CONCLUSION

This Court must grant the relief Prayed for.

Respectfully Submitted,



M. Eugene Gibbs, Esq.
3108 Hidden Falls Drive
Buford, Georgia 30519
(843) 610 0674
mgibbs70@aol.com



Barbara A. Gibbs, Pro-se



NANCY J. WHALEY
 STANDING CHAPTER 13 TRUSTEE
 Northern District of Georgia

[Home \(/main/home.asp\)](/main/home.asp)

[Settings \(https://stionlineepaymanager.suntrust.com/Settings/settings.asp\)](https://stionlineepaymanager.suntrust.com/Settings/settings.asp)

[Logoff \(l\)](#)

Main Menu

- Payments
- Settings

Welcome Barbara Gibbs

You last visited us on 24 Jan 2020 at 1:52 PM

[Make A Payment](#)

[Scheduled Payments](#)

[Payment History](#)

Online Payment ID

[REDACTED]



Chapter 13 Trustee Nancy J. Whaley

ID	Date Created	Status	Type	Method	Payment Date
[REDACTED]	24 Jan 2020 1:53 PM	Completed	Single	ACH	Fri 24 Jan 2020
[REDACTED]	24 Dec 2019 4:14 PM	Completed	Single	ACH	Tue 24 Dec 2019
[REDACTED]	22 Nov 2019 7:57 PM	Completed	Single	ACH	Sat 23 Nov 2019
[REDACTED]	27 Oct 2019 11:54 AM	Completed	Single	ACH	Sun 27 Oct 2019
[REDACTED]	26 Sep 2019 4:44 AM	Completed	Single	ACH	Thu 26 Sep 2019
[REDACTED]	24 Aug 2019 4:56 PM	Completed	Single	ACH	Sat 24 Aug 2019
[REDACTED]	29 Jul 2019 10:02 AM	Completed	Single	ACH	Mon 29 Jul 2019
[REDACTED]	22 Jun 2019 11:34 AM	Completed	Single	ACH	Sat 22 Jun 2019

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)
)
NATIONSTAR MORTGAGE, LLC)
d/b/a MR. COOPER,)
)
Respondent,)
)
vs.)
)
BARBARA A. GIBBS, MELVIN E.)
GIBBS,)
Appellants.)
_____)

IN THE COURT OF APPEALS
OF SOUTH CAROLINA

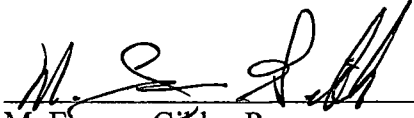
CASE No: 2019-000486

CERTIFICATE OF SERVICE

I, Melvin E. Gibbs, hereby certify that a copy of Appellants' Reply to Respondent's Opposition to Appellants' Motion for Summary Reversal and Sanctions was placed with USPS, postage prepaid, the 17th day of February 2020, addressed to:

Brian A. Calub, Esq.
McGuire Woods LLP
201 North Tryon Street, Suite 3000
Charlotte, NC 28202

H. Guyton Murrell, Esq.
SCOTT AND CORLEY, P.A.
2712 Middleburg Drive, Suite 200
Columbia, SC 29204, and



M. Eugene Gibbs, Pro-se
3108 Hidden Falls Drive
Buford, Georgia 30519
mgibbs70@aol.com
(843) 610-0674

RECEIVED
FEB 20 2020
SC Court of Appeals

PRESS FIRMLY TO SEAL.

PRESS FIRMLY TO SEAL.

PRIORITY MAIL EXPRESS
POSTAGE REQUIRED

PRIORITY MAIL EXPRESS

OUR FASTEST SERVICE IN THE U.S.

WHEN USED INTERNATIONALLY,
POSTAGE AND ADDITIONAL
LABEL MAY BE REQUIRED.



EP13F July 2013 09.125 x 9.5
PS 10001000006

E	\$22.75 US POSTAGE PRIORITY MAIL EXPRESS FLAT-RATE ENVELOPE CONFIDENTIAL	06750069230971 FRM# 30519
		STAMPS ENCLOS 02/16/2020
PRIORITY MAIL EXPRESS 1-DAY™ TM		
	MELVIN E. GIBBS-SQUIRES, Esq. 3108 Hidden Falls Drive Buford GA 30519	(678) 889-2309
WAVE OF SIGNATURE		C076
SHIP TO:	CLERK Clerk's Office South Carolina Court of Appeals 1220 Senate St Columbia SC 29201-3769	
USPS TRACKING #		
9470 1118 9956 1244 0486 18		

RECEIVED
FEB 20 2020
SC Court of Appeals

* MONEY BACK GUARANTEE: If you are not satisfied with your purchase, we will refund your money. See DMS and Item # on usps.com for complete details.
* Money Back Guarantee for U.S. destinations only.

VISIT US AT **USPS.COM**
ORDER FREE SUPPLIES ONLINE



UNITED STATES
POSTAL SERVICE