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**Jun 12 2020**

**SC Court of Appeals**

STATE OF SOUTH CAROLINA  
In the Court of Appeals

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APPEAL FROM HORRY COUNTY  
Court of Common Pleas  
Ralph P. Stroman, Special Referee

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APPELLATE COURT CASE NO.: 2019-001682

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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  
..... Defendants.

AND

M&T Bank ..... Respondent,

v.

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

Of whom Bobby J. Bellamy is the ..... Appellant,

And

Tyrone Davis, Bobby J. Bellamy, and BC Fund, LLC are ..... Respondents,

And

Bobby J. Bellamy, ..... Appellant,

v.

William O. Smith, ..... Respondent.

Responding to the Appellant Bobby J. Bellamy's Amended Motion for Order for Sanctions on Indispensable Co-Respondents dated May 18, 2020, Defendant/Respondent Tyrone Davis, hereby responds as follows:

1. Respondent Tyrone Davis does not intend to file a Respondent's brief in this matter, as he is no longer the owner of the subject property and does not intend to contest that issue. That is not sanctionable conduct
2. The allegations and claims in Appellant's Motion and other filings on appeal to this Court are not clear or coherent and Defendant/Respondent Tyrone Davis is unable to determine how to respond such claims and arguments in Appellant's filings.
3. If this Court determines that Appellant's Motion and previous filings with this Court include claims upon which relief can be granted, such claims should not involve Defendant/Respondent Tyrone Davis and no relief should be granted against him.

Notwithstanding the foregoing, if this Court would like Defendant/Respondent Tyrone Davis to file an initial brief and designation of this Matter, Defendant/Respondent Tyrone Davis will attempt to do so despite the aforementioned challenges relating to the clarity and coherence of Appellant's claims and arguments.

THEREFORE, we ask the Court for guidance on how to proceed.

WOMBLE BOND DICKINSON (US) LLP

*s/Daniel Q. Orvin*

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*Attorneys for Defendant/Respondent Tyrone Davis*

Charleston, South Carolina  
June 12, 2020

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v.

William O. Smith, ..... Respondent.

PROOF OF SERVICE

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I do hereby certify that on the 12<sup>th</sup> day of June 2020, I served a copy of the foregoing ***Response to Appellant Bobby J. Bellamy's Amended Motion for Order for Sanctions on Indispensable Co-Respondents*** on all counsel of record via electronic mail and on Pro Se Appellant and Movant Leticia, LLC by U.S. Mail addressed as follows:

Bobby J. Bellamy  
PO Box 1674  
Little River, SC 29566  
*Appellant*

Leticia, LLC  
c/o Kevin Pendergrass, Registered Agent  
2943 Fred Nash Blvd.  
Myrtle Beach, SC 29577  
*Movant*

Scott B. Umstead, Esq.  
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*Counsel for Respondent BC Fund  
Management, LLC and William O. Smith*

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- and -

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*Counsel for Respondent M&T Bank*

**WOMBLE BOND DICKINSON (US) LLP**

*s/Daniel Q. Orvin*

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*Attorneys for Defendant/Respondent Tyrone Davis*

Charleston, South Carolina  
June 12, 2020

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**Bcc:** ["First American Titl 85249 0032 8 M T Bank v Tyrone Davis et al Email"](#)  
**Subject:** M&T Bank v. Tyrone Davis Appeal 2019-001682 - Davis Response to Appellant's Amended Motion for Sanctions  
**Date:** Friday, June 12, 2020 11:31:28 AM  
**Attachments:** [Davis Response to Appellant's Amended Motion for Sanctions.pdf](#)

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Dear Counsel:

Attached for service, please find Respondent Tyrone Davis' Response to Appellant's Amended Motion for Order for Sanctions on Indispensable Co-Respondents.

Sincerely,

Carol Casey  
Paralegal