

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

SEP 09 2020

SC Court of Appeals

APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

The Honorable William P. Keesley  
Appellate Case Number 2019-001516

Trial Court Case No.: 2009-CP-18-2200

Rene McMasters, now known as Rene McMasters Ronaghan,.....Respondent,

V.

H. Wayne Charpia a/k/a Howard W. Charpia and Jody E. Charpia, .....Appellants.

MEMORANDUM IN SUPPORT OF RESPONDENT'S MOTION TO DISMISS

Appellant, H. Wayne Charpia, filed two notices of appeal. He first appealed Judge William Keesley's Administrative Order Of Dismissal Re: Motion to Vacate Sale. (Notice of Appeal p.7 )The basis for Judge Keesley's Order of Dismissal was that " the issues contained in the motion have been litigated and re-litigated to final judgment." The order also states that " Mr. Charpia has a pattern of continuing to file seeking the same relief that was previously denied." (Administrative Order of Dismissal, p. 8)

Mr. Charpia's Motion To Vacate Sale filed on June 10, 2019 was the same motion that

was previously denied by Judge Keesley. (Motion To Vacate Sale, p. 9 )

Mr. Charpia had previously filed a Motion To Vacate Sale on November 16, 2017. (Motion To Vacate Sale, p. 12 ) By Order filed on June 22, 2018 Judge Keesley dismissed Mr. Charpia's Motion To Vacate Sale filed November 16, 2017. ( Amended Order On Motions To Vacate Sale And To Disburse Homestead Exemption Funds, p. 15) In the Order filed June 22, 2018 Judge Keesley stated “ Based on the previous ruling from the appellate court that the order granting the foreclosure and directing the sale is valid, and based on a ruling by a circuit judge, which constitutes a final order due to abandonment of the appeal, this court is bound by the determination that both the order authorizing the sale and the sale itself are lawful.” The June 22, 2018 order was not appealed and is the law of the case.

Mr. Charpia's second appeal challenges Judge Keesley's Administrative Order Dismissing Motion For Rule To Show Cause. ( Notice of Appeal, p. 26) The basis of Judge Keesley's Order of Dismissal was again that “ the issues have been litigated and re-litigated to final judgment.” (Administrative Order of Dismissal, p. 29).

Mr Charpia's Motion for Rule to Show Cause filed on July 25, 2019 was the same motion that was previously denied by Judge Keesley. ( Motion For Rule to Show Cause As To Petition The Court To Release Homestead Exemption, p. 27)

Mr. Charpia had previously filed a Petition To Disburse Homestead Exemption Funds on August 3, 2017. ( Petition To Disburse Homestead Exemption Funds, p. 31) By Order filed on June 22, 2018 Judge Keesley dismissed Mr. Charpia's Motion to Disburse Funds dated August 3, 2017. ( Amended Order On Motions To Vacate Sale And To Disburse Homestead Exemption Funds, p. 15) In the Order filed June 22, 2018 Judge Keesley stated “ so, when the parties

appeared before the undersigned judge on April 27, 2018, another circuit court judge had already ordered the money to be paid to FAR and the Clerk had complied with the order. The appeal which had been filed to challenge that decision had been withdrawn and the remittitur had been received and filed in Dorchester County ( on March 19, 2018). Based on the current posture of the case, the court is bound by the order of Judge Early and the funds are no longer under the control of the Clerk of Court. The relief sought in the pending motion cannot be granted.”

Appellant, Jody E. Charpia, filed one notice of appeal. ( Notice of Appeal, p. 32) The appeal challenges Judge Keesley’s Form 4 Order and an Amended Form 4 order which denied her Motion To Disburse Homestead Exemption filed January 21, 2020. ( Motion To Disburse Homestead Exemption, p. 33) The Form 4 Order filed January 23, 2020 and Amended Form 4 Order filed January 27, 2020 Judge Kessley dismissed her motion. ( Form 4 filed January 23, 2020, p. 36 and Form 4 filed January 27, 2020, p. 39) Judge Keesley stated in the order that “ The motion is another in a series of repetitive efforts by the Charpias to file claims on the same issue: a homestead exemption from the judicially ordered sale of their home.... An order was filled on May 15, 2018 dismissing her prior motion for homestead exemption, with prejudice, based on her withdrawal of that claim.” The Form 4 Order filed May,15, 2018 stated “ Defendant Jody E. Charpia withdrew on the record, her Motion to Assert Homestead Exemption. The withdrawal is with prejudice.” ( Form 4 filed May 15, 2018,p. 42). The Form 4 Order dismissed her Motion to Assert Homestead exemption filed July 3, 2017. ( Motion To Assert Homestead Exemption filed July 3, 2017, p. )There was no appeal from the May 15, 2018 Order and is the law of the case.

In Judy v. Martin 381 S.C.455, 458. 674 S.E.2d 151,153 (2009)the South Carolina

Supreme Court sated “ Appellant may not seek relief from the prior unappealed order of the circuit court because the order has become the law of the case. Hudson v. Lancaster Convalescent Ctr., 393 S. C. 1,7, 799 S.E.2d 65, 68 ( Ct. App. 2011) states that a circuit court ruling that is appealed, but subsequently withdrawn is the law of the case.

Buckner v. Preferred Mut. Ins. Co., 255 S.C. 159, 160-161, 177 S.E.2d 544,544 holds that an unappealed ruling, right or wrong, is the law of the case.

Based on the foregoing the Respondent respectfully requests that the consolidated appeals be dismissed.

Cisa & Dodds, LLP



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Frank M. Cisa

Mt. Pleasant, SC 29464

September 4, 2020

(843) 881-6530

fax:(843) 881-5433

E-mail: [frank@cisadodds.com](mailto:frank@cisadodds.com)

Attorney for Respondent

Appellants of Record:

H. Wayne Charpia

Jody E. Charpia

106 Axtell Drive

Summerville , SC, 29485

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

RECEIVED

AUG 08 2019

APPEAL FROM DORCHESTER COUNTY SC Court of Appeals  
COURT OF COMMON PLEAS  
Judge William Keesley

Case # 2009-CP-18-2200

RENE McMASTERS.....Respondent

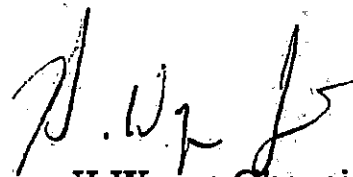
VS.

H. WAYNE CHARPIA & JODY E. CHARPIA.....Defendants

NOTICE OF APPEAL

I, H. Wayne Charpia , et al ; hereby appeal the Order of Judge William Keesley , "Motion to Vacate Sale" filed June 13, 2019 by Judge Keesley in Dorchester County. Motion to Vacate Sale was filed on June 10, 2019 by H. Wayne Charpia .

cc: Attorney Frank Cisa



H. Wayne Charpia  
106 Axtell Drive  
Summerville, SC 29485

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF DORCHESTER )  
 )  
Rene McMasters, now )  
Rene McMasters Ronaghan, )  
 )  
Plaintiff, )  
 )  
-vs- )  
 )  
H. Wayne Charpia, et al., )  
 )  
Defendants. )

IN THE COURT OF COMMON PLEAS

Case Number 2009-CP-18-02200

ADMINISTRATIVE ORDER OF  
DISMISSAL OF MOTION Re:  
Motion to Vacate Sale

**RECEIVED**

AUG 08 2019

**SC Court of Appeals**

On June 10, 2019, Mr. H. Wayne Charpia submitted to the Clerk of Court a motion for a "Motion to Vacate Sale." On its face, the issues contained in the motion have been litigated and re-litigated to final judgment. The cases involving these matters were assigned to the undersigned judge by the Chief Justice of the Supreme Court of South Carolina, and the court has held extensive hearings and status conferences related to them. Mr. Charpia has a pattern of continuing to file seeking the same relief that was previously denied.

THEREFORE, IT IS ORDERED that the motion referenced above is administratively dismissed and the Clerk of Court is directed not to schedule a hearing on this motion.

AND IT IS SO ORDERED.

[Electronic signature follows on separate page.]

*C. J. [Signature]*  
2019 JUN 19 PM 2:11  
CERTIFIED COPY

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF DORCHESTER )

RENE McMASTERS )  
Plaintiff, )  
vs. )  
HOWARD W. CHARPIA and )  
JODY E. CHARPIA )  
Defendants, )

COURT OF COMMON PLEAS )  
FIRST JUDICIAL CIRCUIT )  
CASE # 2009-CP-18-2200 )

MOTION TO VACATE SALE )

2019 JUN 10 AM 8:49  
CLERK OF COURT  
DORCHESTER COUNTY

FILED-RECORDED

**TO THE ABOVE -NAMED PLAINTIFF AND THE COURT:**

**PLEASE take notice that the Defendants will , not sooner than 10 days from service hereof, or as soon thereafter move before this Court and Judge William Keesley for the purpose of conducting a hearing , making findings of fact and conclusions of law for an Order to Vacate the Sale of August 1, 2017 on said property at 1450 Jahnz Ave. Summerville , SC 29485.**

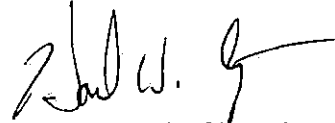
**This Motion is made pursuant to the SCRPC and the following :**

- 1. There was no new "Notice of Sale" issued for the sale of August 1, 2017. ( Westbury v. Dorchester County opinion # 2004-UP-100 )**
- 2. The selling price from the sale of August 1, 2017 "shocks the conscience of the Court." ( Bonney v. Granger , 300 S.C. 362 S.E. 2d Court of Appeals 1990)**
- 3. A fraudulent Affidavit was submitted to the Court and Dorchester County by the Plaintiff stating the "fair market value" is \$ 59,100.00 ( A person who willfully furnishes a false Affidavit is guilty of a misdemeanor . SC Code 12-24-70 (c) )**

4. The Defendants "due process" was violated by the Court and Judge Early by not allowing them to bid at the sale of August 1, 2017.  
( Louie Moore v. Fairfield Real Estate Co. SC opinion 3352 )
5. The Defendants "due process" was violated pursuant to Rule 71 (b), SCRPC. There was no "upset bid" held after the August 1, 2017 sale.  
( Rule 71(b) SCRPC and SC Code 15-39-720 )
6. The Plaintiff and Dorchester County violated the Defendants "due process" by cancelling a judicial sale in August 2009. Whether a judicial sale be set aside is a matter of the Court.  
( Bonney v. Granger 300 S.C. Court of Appeals 1990 )
7. There is no statutory rule or regulation to "foreclose on a judgment lien" in the State of South Carolina .
8. The Defendants "due process" was violated pursuant to Rule 59 (f), SCRPC.  
( The trial judge "shall" retain jurisdiction . )
9. The Court violated Administrative Judge Diane Goodstein's Order of April 9, 2008 .
10. The Defendants "due process" was violated pursuant to SC Code 33-44-303 .  
( A member or manager of an LLC is not personally liable for a debt. )
11. The Defendants "due process" was violated as the selling officer modified the terms of the Court's Order for the sale on 8-1-2017 .
12. The Defendants "due process" was violated pursuant to SC Code 15-39-30 , et al .
13. The Defendants "due process" was violated as the Plaintiff had " no standing " to bring an action in the above-named case. Judgment was entered in case # 2002-CP-18-932.

**14. The Defendants "due process" was violated pursuant to SC Code 15-35-810 .**

**WHEREFORE , the Defendants pray that this Court give the Defendants notice of the requested Motion , an opportunity to be heard and rule on the above pursuant to the SCRCP and the laws of South Carolina .**



**Howard W. Charpia  
106 Axtell Drive  
Summerville, SC 29485**

**quarterback@att.net**

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF DORCHESTER )  
 )  
 RENE McMASTERS )  
 Plaintiff, )  
 vs. )  
 HOWARD W. CHARPIA , ET AL )  
 Defendants, )

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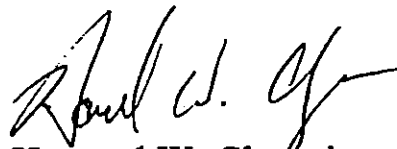
COMMON PLEAS  
 FIRST JUDICIAL CIRCUIT  
 CASE # 2009-CP-1000

FILED-RECORDED  
 2017 NOV 16 PM 12:36  
 CHERYL GRAHAM  
 CLERK OF COURT  
 DORCHESTER COUNTY

MOTION TO VACATE SALE

I, Howard W. Charpia, will move before this Court 10 days or sooner for an Order to Vacate the Foreclosure Sale of August 1, 2017. Sale was held in St. George, SC and the sale was conducted by Clerk of Court Cheryl Graham.

This Motion to Vacate is made pursuant to numerous statutory rule (s) violations for South Carolina and violations of the SCRPC.



Howard W. Charpia, et al  
 717 Old Trolley Road Suite 6  
 # 360  
 Summerville, SC 29485

cc: Attorney Frank M. Cisa  
 Judge William P. Keesley

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF DORCHESTER )  
 )  
 RENE McMASTERS )  
 Plaintiff, )  
 vs. )  
 HOWARD W. CHARPIA, ET AL )  
 Defendants, )

COMMON PLEAS  
 FIRST JUDICIAL CIRCUIT  
 CASE # 2009-CP-18-2200

AFFIDAVIT

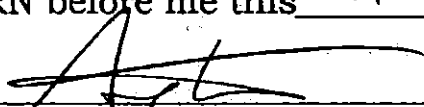
2017 NOV 16 PM 12:36  
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 CHERYL GRANTING  
 CLERK OF COURTY  
 DORCHESTER COUNTY

I, Howard W. Charpia, hereby certify and state the following:

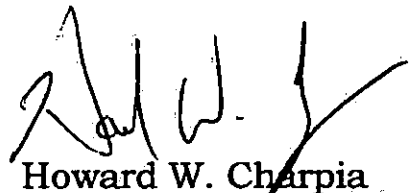
1. I'm a resident of Dorchester County.
2. I am 21 years of age and older.
3. I attended a "foreclosure of a judgment lien" sale on July 5, 2017.
4. There are no "statutory" provisions to "foreclose on a judgment lien" in the state of South Carolina.
5. At the above-named sale, there were only two (2) bidders at this sale; Howard W. Charpia and Attorney Frank M. Cisa
6. At the above-named sale, Attorney Frank M. Cisa did stifle the competition by continuously raising his bid to \$ 374,000 .00 .
7. Howard W. Charpia was the high bidder at \$ 375,000 .00 , Attorney Cisa's volition is that the property is valued at \$ 374,000.00 .
8. Attorney Cisa's was the high bidder at a "foreclosure of a judgment lien" sale on August 1, 2017 ; his bid was for \$ 59,100 .00 .
9. That " execution" is the only process to enforce a judgment in the State of South Carolina , i.e. S.C. Code 15-39-20 , et al .
10. A deficiency judgment was never waived in the Lis Pendens nor the Summons and Complaint, pursuant to 15-39-760, SC Code of Laws .
11. Pursuant to Rule 71 , SCRCP ; "unless the pleadings state that no personal or deficiency judgment is demanded or any right to such judgment is expressly waived in writing , the bidding shall not be closed upon the day of the sale but shall remain open until the 30<sup>th</sup> day after such sale exclusive of the day of the sale .
12. No "upset bid" sale was held pursuant to SC Code 15-39-720 , et al .

13. The sales officer , Cheryl Graham , did not advertise the sale , i.e. advertisement was submitted and paid for by Attorney Cisa , pursuant to SC Code 15-39-650 .
14. Said judgment was never entered , indexed nor recorded in the "book of abstracts" pursuant to Rule 78 (b) SCRPC , SC Code 15-35-510 , 15-35-520, 15-35-810 , et al .

SWORN before me this 14 day of November , 2017

  
\_\_\_\_\_  
Notary Public For South Carolina

9/20/21  
\_\_\_\_\_  
My Commission Expires

  
Howard W. Charpia  
717 Old Trolley Road Suite 6 # 360  
Summerville, SC 29485

STATE OF SOUTH CAROLINA	)	
	)	IN THE COURT OF COMMON PLEAS
COUNTY OF DORCHESTER	)	
Rene McMasters, now Rene	)	
McMasters Ronaghan,	)	
	)	<b>AMENDED</b>
Plaintiff,	)	
	)	ORDER ON MOTIONS TO VACATE
-vs-	)	SALE AND TO DISBURSE
	)	HOMESTEAD EXEMPTION FUNDS
H. Wayne Charpia, et al.,	)	Case Number 2009-CP-18-02200
	)	
Defendants.	)	(#3 and #4 on April 27, 2018 docket)

Date Heard: April 27, 2017  
 Plaintiff's Attorney: Frank M. Cisa, Esquire  
 Defendants: Mr. Howard Wayne Charpia, pro se  
 Jody E. Charpia, pro se (not participating)  
 Finance of America Reverse, LLC: Demetri K. Koutrakos, Esquire  
 Court Reporter: Brenda W. Sigwald

Amended sua sponte to correct typographical errors, erroneous dates in the footnote, to restructure the order, and to mention more specifically issues raised.

This order addresses two motions filed by Mr. Howard Wayne Charpia (Mr. Charpia) in a self-represented capacity. The first was filed on August 3, 2017, seeking an order directing the Clerk of Court to disburse funds related to a homestead exemption. The second was filed on November 16, 2017, requesting that the court vacate the foreclosure sale. Both motions are denied.

The court is aware that Mr. Charpia is convinced that the original judgment was unjustified and cost him his business, placed undue strain on his family relationships, and resulted in the loss of his material possessions. He and the other parties feel that there has been an exploitation of the legal process to frustrate and defeat legitimate interests.

While the positions are understood, the principle of finality applicable to legal proceedings requires the court to deny these two motions.

Mr. Charpia had a construction business. The plaintiff sued claiming defective construction of a residence. On August 5, 2004, a jury awarded the plaintiff judgment in the amount of \$191,600. Interest has run on the judgment, which substantially increased the amount. The file in that case (2002CP1800932) reflects that Mr. Charpia attacked the judgment through various means, including motions for a new trial and to set aside the verdict. When those efforts failed, he appealed the judgment. The underlying judgment was affirmed on appeal.

The plaintiff filed two motions in the underlying case seeking a writ of execution. In that action and this one, courts have repeatedly ruled against Mr. Charpia on his attempts to maintain that the plaintiff was not permitted to pursue relief by foreclosing on a judgment lien against real estate.<sup>1</sup> This foreclosure action was filed on August 10, 2009.

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<sup>1</sup> As an example of the repetitive nature of the filings on the same subject, Mr. Charpia has sought virtually the same relief by at least the following means.

On August 20, 2014, in the 2002 case, he filed a claim that the judgment had lost its active energy.

On August 27, 2014, he filed a motion to set aside the order of foreclosure and sale under Rule 60(b)(3) and (4) asserting lack of notice and fraud. Judge Mullen denied the motion by order filed March 24, 2017. Mr. Charpia appealed that order, then abandoned the appeal.

On September 23, 2015, he filed a motion to set aside the order of foreclosure and sale, and sought to vacate the judgment in the 2002 case. It asserted a lack of jurisdiction in the hearing held by Judge Dickson; violation of Rule 7(b), SCRCP, on grounds of notice and the requirement of written motions; and fraud upon the court under Rule 60, SCRCP.

On October 9, 2015, he sought a declaratory judgment or to vacate, again asserting a lack of active energy of the judgment. Judge Hughston issued an order filed December 16, 2015, stating that he could not hear the motion while the case was on appeal. Mr. Charpia appealed. The South Carolina Court of Appeals found that the appeal was interlocutory.

On January 8, 2016, he filed a motion seeking to declare any orders entered after June 2008 to be void based on an administrative order allegedly assigning the case to Judge Buckner.

On September 13, 2016, he moved to vacate the order of foreclosure and sale. Before that motion was heard, the Court of Appeals issued a decision on October 5, 2016, affirming the order of reference, but also ruling that the judgment was active because collection efforts were pursued within the 10-year period of being actionable. The Court of Appeals dealt with the notice issue that Mr. Charpia has repeatedly

Mr. Charpia has attempted on numerous occasions to have decisions reconsidered under Rule 59, SCRCP, and has attempted to have orders vacated on grounds applicable to Rule 60, SCRCP. He has asserted fraud upon the court and has not prevailed. There is no indication of newly-discovered evidence. He has asserted fraud, misrepresentation, and other misconduct of an adverse party. He has maintained that the judgment is void. He has argued over and over again that the judgment is no longer enforceable. He has raised questions about the impartiality of the judges.

MOTION TO DISBURSE FUNDS FILED AUGUST 3, 2017

Mr. Charpia wants the court to order the Clerk of Court of Dorchester County to disburse to him funds related to a homestead exemption. Mr. Charpia's residence was sold because of a judgment lien. He attempted to make two transfers of the property or interests therein after the filing of the lis pendens, one to his wife and another to his brother, Roger. The transfer to his wife was set aside, and that decision was affirmed on appeal. On February 2, 2017, Mr. Charpia filed a motion seeking a declaratory judgment establishing that his brother, Roger D. Charpia, is entitled to a homestead exemption in

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raised. Judge Mullen heard the motion to vacate on March 21, 2017, and issued an order that was filed on March 21, 2017. The appeal from that aspect of Judge Mullen's order has been withdrawn.

On February 16, 2017, he filed a motion for new trial, presumably the 2012 foreclosure hearing, raising his repeated assertion that he was entitled to a jury trial, though the courts already ruled on that issue. Judge Mullen dismissed this motion by order filed March 24, 2017. The appeal has been withdrawn.

On February 17, 2017, he filed a motion entitled Motion for Declaratory Judgment/Clarification. Despite the 10-day limitation under the SCRCP, the motion was filed under Rule 59, seeking to amend Judge Dickson's 2012 order that directed foreclosure and sale. Judge Mullen denied this motion by order filed March 24, 2017. Mr. Charpia appealed, but withdrew his appeal.

On April 3, 2017, he filed a motion for new trial demanding a jury trial from the 2012 foreclosure hearing. He claimed that courts have conspired with the opposing counsel for fourteen and one-half years.

On May 2, 2017, Mr. Charpia filed a motion to vacate the sale.

On June 16, 2017, he filed a Notice of Appeal from a Form 4 order then withdrew that appeal.

This pending motion was filed November 16, 2017, again seeking to vacate the judgment and the attacking the third sale.

Then, on December 14, 2017, Mr. Charpia filed a motion to vacate the order of Judge Mullen based on the fact that Judge Mullen heard motions on this case after Judge Early had been assigned to act as Chief Judge for Administrative Purposes in March 2017. That order did not provide exclusive jurisdiction to Judge Early.

the subject property. Mr. Charpia asserts that Roger has intellectual disabilities and is a dependent within the meaning of the homestead exemption statute. The motion was heard by the Honorable Carmen Mullen on March 21, 2017. She issued an order filed April 10, 2017, in which she found that Mr. Charpia was entitled to a homestead exemption of \$59,100 (which the plaintiff conceded), but she found that Roger is not entitled to a homestead exemption. She found that the deed that transferred an interest to Roger was filed after the lis pendens, barring a homestead exemption claim based on ownership. She also found that Roger does not get a homestead exemption as a dependent of Mr. Charpia. That order is on appeal. In oral arguments, Mr. Charpia stated that he is only appealing the ruling that Roger is not entitled to a homestead exemption.

While this action was pending, Mr. Charpia executed a reverse mortgage on the property. For whatever reason, the company holding the reverse mortgage, Finance of America Reverse, LLC (FAR), did not discover the title issues caused by the lis pendens and foreclosure action. FAR advanced more than \$59,100 to Mr. Charpia before discovering the foreclosure of the judgment lien.

On August 16, 2017, FAR filed a motion seeking to intervene in this case and to have the court direct that the Clerk pay to FAR the \$59,100 being held on the homestead exemption claim. On September 26, 2017, Judge Early filed an order granting FAR's motion and directing the Clerk to pay the money to FAR. The Clerk disbursed the funds to FAR the next day.

On November 1, 2017, Mr. Charpia filed a Notice of Appeal from Judge Early's order. He withdrew that appeal, and the remittitur was filed in Dorchester County on March 19, 2018.

So, when the parties appeared before the undersigned judge on April 27, 2018, another circuit judge had already ordered the money to be paid to FAR and the Clerk had complied with the order. The appeal which had been filed to challenge that decision had been withdrawn and the remittitur had been received and filed in Dorchester County (on March 19, 2018). Based on the current posture of the case, this court is bound by the order of Judge Early and the funds are no longer under the control of the Clerk of Court. The relief sought in the pending motion cannot be granted. Mr. Charpia's motion filed August 2, 2017 must be denied.

MOTION TO VACATE THE FORECLOSURE SALE FILED NOVEMBER 16, 2017

Mr. Charpia seeks an order vacating the foreclosure sale. The motion reads, as follows:

I, Howard W. Chapia, will move before this Court 10 days or sooner for an Order to Vacate the Foreclosure Sale of August 1, 2017. Sale was held in St. George, SC and the sale was conducted by Clerk of Court Cheryl Graham.

This Motion to Vacate is made pursuant to numerous statutory rule(s) violations for South Carolina and violations of the SCRCF.

Issues related to this motion have been decided by previous rulings. First, as to the order of foreclosure and sale, the Honorable Edgar W. Dickson issued an order dated October 29, 2012, filed on November 27, 2012. It was affirmed on appeal by the South Carolina Court of Appeals in an unpublished opinion (2016-UP-423) which was filed on October 5, 2016. Mr. Charpia asked the Supreme Court of South Carolina to grant

certiorari, which was denied on February 8, 2017. This court is bound by the ruling that the order of foreclosure and sale is valid.

Second, as to the validity of the sale itself (which was the third sale conducted), Mr. Charpia filed a Notice of Appeal with the South Carolina Court of Appeals on September 1, 2017, following the sale. He challenged the foreclosure of a judgment lien sale held on August 1, 2017. He then withdrew his appeal. His current motion seeks to vacate the same sale.

Based on the previous ruling from the appellate court that the order granting the foreclosure and directing the sale is valid, and based on a ruling by a circuit judge, which constitutes a final order due to the abandonment of the appeal, this court is bound by the determination that both the order authorizing the sale and the sale itself are lawful. In addition, to the extent that any motion challenging the sale would be permitted under Rule 60(b), SCRCP, no indication has been provided to this court that Mr. Charpia received permission to file such a motion during the pendency of the appeal, as required by Rule 60.

While the court is satisfied that the motion to vacate the sale must be denied because of the withdrawal of the appeal, the court has considered the 14 grounds set out in an affidavit attached to the current motion and the arguments made at the hearing held April 27, 2018. None of his grounds are based on newly-discovered evidence, though he is attacking a different sale (the third sale). The difficulty is that he continues to raise issues that have already been decided against him or those as to which he has waived his objection by abandonment. The court has attempted to differentiate between rulings that

would not apply to the third sale (which is being contested here) and those that would, but they all have a common thread.

In an attempt to address what was presented at the April 27, 2018 motions hearing, the court determines the following:

- 1) Mr. Charpia's argument on lack of notice was abandoned when he failed to pursue his appeal.
- 2) His argument about the lack of active energy has been determined repeatedly against him, and most significantly in the 2016 unpublished decision by the South Carolina Court of Appeals. The reasoning of the Court of Appeals at that time extends to the situation now. The plaintiff has made diligent efforts to collect on her judgment beginning well before the expiration of the 10-year period of actionability.
- 3) His argument about the two prior sales being withdrawn for no reason is not supported by the record. Valid reasons were put forth. The court does not really understand why Mr. Charpia effectively defeated receiving the benefit of the highest bid by another party by bidding over it, then failing to comply with his bid. The plaintiff asserts that it was part of a continuing effort to prevent the plaintiff from recovering her judgment, and it is the basis upon which Judge Early subsequently barred Mr. Charpia from bidding.
- 4) The issue about claims of legal title by other family members has been determined by different orders which were based on the conveyances being

made after the filing of a lis pendens.<sup>2</sup> Therefore, and based on other rulings upholding the foreclosure and sale, the validity of the two lis pendens cannot be attacked at this point, absent a showing of some fraud on the court.

- 5) There has been no showing that alleged alterations to any documents are material in any way to the validity of the sale.
- 6) The absence of the LLC is not a basis to set aside the judgment or the foreclosure and sale. This is a foreclosure action.
- 7) Mr. Charpia questions why the foreclosure action was instituted, as opposed to staying within the underlying case that resulted in the judgment and executing on it. He believes the executions under the original lawsuit to be the required procedure. Two applications for writs of execution are in the judgment file. The determination to enforce the lien against real estate is why a foreclosure action would be filed, and the judgment of foreclosure has been upheld on appeal.
- 8) The argument about an ex parte communication occurring when a proposed order was sent to a judge without providing a copy to Mr. Charpia does not invalidate the order or give rise to setting aside the foreclosure. In addition, the order has been upheld.
- 9) The argument about not having any personal jurisdiction over Mrs. Charpia because she was not a party to the judgment is misplaced. The proper procedure in foreclosing on property is to name those who may have some

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<sup>2</sup> There is an appeal pending that attempts to challenge Judge Mullen's determination that Roger is not entitled to a homestead exemption. To the extent that the issue is being raised by a proper party and is preserved, any claim of an ownership interest in legal title by Roger is on appeal.

claim of a legal or equitable ownership interest in the real estate being foreclosed upon.

- 10) The arguments about the requirement that bidding be left open for 30 days is an issue that Mr. Charpia abandoned when he dismissed his appeal, as are any assertions of impropriety in the sale conducted by the Clerk of Court.
- 11) Any contest to the order by Judge Early that forbade the defendants from bidding on the property in the third sale should have been addressed by appeal, and the appeal concerning the sale was withdrawn.
- 12) The arguments about failing to properly index the judgment in the book of abstracts is not something that would allow the defendants to set aside the sale.

In the hearing on these two motions, Mr. Charpia recited objections about the process and alleged violations of procedural and statutory requirements, as well as abuses of constitutional protections. His assertions of impropriety include attacks on the validity of the underlying judgment in the original civil lawsuit involving an LLC that he had incorporated for his construction business, the active energy of that judgment, the filing of a foreclosure action as opposed to what he perceives to be the required procedure of executing on the judgment, the filing of multiple *lis pendens*, a perceived lack of jurisdiction and failure to name necessary parties, alleged alteration of documents, alleged *ex parte* communications with the court, failure to comply with requirements related to the sales (such as not leaving the bidding open for 30 days), the fact that there were multiple sales, the legality of an order that precluded him from bidding, and a variety of attacks on the actions of the Clerk of Court and her staff, judges, and the

plaintiff's attorney. The file in this case and others, including the file in the 2002 lawsuit wherein judgment was rendered, reflect that these same issues have been raised and ruled upon numerous times. It has taken the undersigned judge many hours to go through files to try to dissect the precise issues that have been decided, which ones might still be active, and which have been abandoned. As best the court can determine, the issues that Mr. Charpia is attempting to raise in these two motions were previously resolved in rulings against Mr. Charpia's position or are precluded by procedural bars, including abandonment. There is no enforceable challenge to the third sale.

THEREFORE, IT IS ORDERED that the following motions are denied: (1) the motion filed on August 3, 2017 seeking an order directing the Clerk of Court to disburse funds related to a homestead exemption; and, (2) the motion filed on November 16, 2017 requesting that the court vacate the foreclosure sale.

AND IT IS SO ORDERED.

[Electronic signature follows on separate page.]



Dorchester Common Pleas

**Case Caption:** Rene McMasters VS H Wayne Charpia , defendant, et al  
**Case Number:** 2009CP1802200  
**Type:** Order/Amend

Circuit Judge (Code #2050)

s/ William P. Keesley

Electronically signed on 2018-06-21 16:46:54 page 11 of 11

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

---

APPEAL FROM DORCHESTER COUNTY  
COURT OF COMMON PLEAS  
Judge William Keesley

---

RECEIVED  
SEP 18 2019  
SC Court of Appeals

Case # 2009-CP-18-2200

---

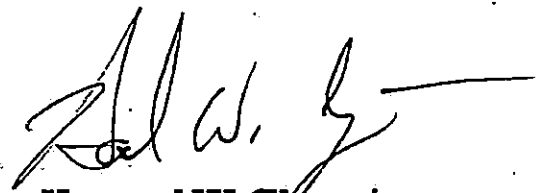
RENE McMASTERS.....APPELLANT  
VS.  
HOWARD W. CHARPIA & JODY E. CHARPIA.....DEFENDANTS

---

NOTICE OF APPEAL

---

I, Howard W. Charpia, hereby appeal the Order of Judge William Keesley filed July 25, 2019; Rule to Show Cause. Motion was filed on July 25, 2019.



Howard W. Charpia  
106 Axtell Drive  
Summerville, SC 29485

STATE OF SOUTH CAROLINA )

COUNTY OF DORCHESTER )

RENE McMASTERS )  
Plaintiff, )

vs. )

HOWARD W. CHARPIA and )

JODY E. CHARPIA )  
Defendants, )

COURT OF COMMON PLEAS  
FIRST JUDICIAL CIRCUIT  
CASE # 2009-CP-18-2200

MOTION FOR A RULE TO SHOW CAUSE  
AS TO PETITION THE COURT TO  
RELEASE HOMESTEAD EXEMPTION

TO: FIRST JUDICIAL CIRCUIT / DORCHESTER COUNTY and TO WHOM IT  
MAY CONCERN:

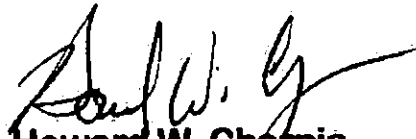
Defendants alleges as follows:

1. Howard W. Charpia is entitled to a "Homestead Exemption" pursuant to SC Code 15-41-30 , et al . (\$59,100.00)
2. Jody E. Charpia is entitled to a "Homestead Exemption" pursuant to SC Code 15-41-30 (1) (a) , i.e. being a "multiple owner". (\$59,100.00)
3. Jody E. Charpia was conveyed a ½ interest in said property before any Lis Pendens was filed with Court.
4. Howard W. Charpia is entitled to a "Homestead Exemption" pursuant to Judge Carmen Mullen's Order signed on March 30, 2017.
5. Howard W. Charpia is entitled to a "Homestead Exemption" pursuant to SC Code 15-41-20.

FILED  
MAY 25 PM 2:19  
DORCHESTER COUNTY

**WHEREFORE , the Defendants pray as follows :**

- 1. For an Order from Judge William Keesley for the Defendants to be given notice and opportunity to be heard on the above issues and any issues that pertain to this motion.**



**Howard W. Charpia  
106 Axtell Drive  
Summerville, SC 29485**

**cc: Attorney Frank M. Cisa  
Attorney Demetri K. Koutrakos**

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF DORCHESTER )  
  
Rene McMasters, now )  
Rene McMasters Ronaghan, )  
 )  
Plaintiff, )  
 )  
-vs- )  
 )  
H. Wayne Charpia, et al., )  
 )  
Defendants. )

IN THE COURT OF COMMON PLEAS

Case Number 2009-CP-18-02200.

ADMINISTRATIVE ORDER  
DISMISSING MOTION FOR  
RULE TO SHOW CAUSE

**RECEIVED**  
SEP 18 2019  
SC Court of Appeals

The motion filed July 25, 2019 seeking a Rule to Show Cause is administratively dismissed. The court declines to issue a Rule to Show Cause.

By order of June 13, 2019, this court administratively dismissed a motion for a Rule to Show Cause submitted on June 10, 2019 by Mr. H. Wayne Charpia because he did not pay the filing fee. In addition, the order included language stating that, if the court were to consider the motion, the issues "have been litigated and re-litigated to final judgment." The prior order noted, that "[t]here is a pending appeal filed by the plaintiff. There is no basis for the court to issue a Rule to Show Cause." Today, the court was notified that Mr. Charpia paid the filing fee and resubmitted the motion. For the reasons stated above; the court declines to issue a Rule to Show Cause and dismisses this motion administratively, without a hearing.

AND IT IS SO ORDERED.

[Electronic signature follows on separate page.]

*Home load  
of motion*

**CERTIFIED COPY**

7-25-2019  
*Christina*  
Clerk of Court  
Dorchester County



Dorchester Common Pleas

**Case Caption:** René Mcmasters VS H Wayne Charpia , defendant, et al  
**Case Number:** 2009CP1802200  
**Type:** Order/Dismissal

Circuit Judge (Code #2050)

s/ William P. Keesley

Electronically signed on 2019-07-25 15:13:41 page 2 of 2

STATE OF SOUTH CAROLINA )

COMMON PLEAS

COUNTY OF DORCHESTER )

2017 AUG -3) AM 8: 58

FIRST JUDICIAL CIRCUIT  
CASE # 2009-CP-18-2200

RENE McMASTERS

Plaintiff,

vs.

CLERK OF COURT  
DORCHESTER COUNTY

HOWARD W. CHARPIA and )

JODY E. CHARPIA )

Defendants, )

PETITION TO DISBURSE  
HOMESTEAD EXEMPTION  
FUNDS , 15-41-20

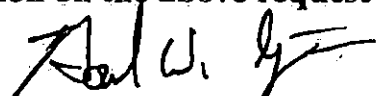
I, Howard W. Charpia , hereby Petition the Court and Judge Doyet Early to disburse said Homestead Exemption funds of \$ 59,100 .00 to Howard W. Charpia pursuant to S.C. Code 14-41-20 , et al and Judge Carmen Mullen's Order of March 30 , 2017 .

I, ~~Howard W. Charpia~~ certify that I do not need a personal hearing with the Court nor Judge Early for this disbursement.

S.C. Code 15-41-20 .

Any exempted amounts collected by the Sheriff or other officer pursuant to Section 15-41-30 must be deposited with the Clerk of court in the county where the amounts are collected . Any person requesting disbursement of these funds shall petition the Court of Common Pleas .

Howard W. Charpia prays that Judge Doyet Early grant his request for said Disbursement of \$ 59,100.00 without a personal or Court hearing . Clerk of Court Cheryl Graham has all the pertinent information on the above request .

  
Howard W. Charpia

8-3-17  
HWC

92373

THE STATE OF SOUTH CAROLINA  
IN THE COURT OF APPEALS

APPEAL FROM DORCHESTER COUNTY  
COURT OF COMMON PLEAS  
Judge William Keesley

Case # 2009-CP-18-2200

Jody E. Charpia.....Appellant

vs.

Rene McMasters.....Respondent

NOTICE OF APPEAL

I, Jody E. Charpia , et al ; hereby appeal the decision by Judge William Keesley filed on January 23, 2020 . This "Motion to Disburse Homestead Exemption" was filed with the Clerk of Court on January 21, 2020 .

I received said "decision" on January 27, 2020 .

*Jody E. Charpia*  
Jody E. Charpia

RECEIVED  
MAR 09 2020  
SC Court of Appeals

STATE OF SOUTH CAROLINA ) COURT OF COMMON PLEAS  
COUNTY OF DORCHESTER ) FIRST JUDICIAL CIRCUIT

FILED-RECORDED

CASE # 2009-CP-18-2200

2020 JAN 21 PM 2:49

RENE McMASTERS  
Plaintiff,

vs.

HOWARD W. CHARPIA and )  
JODY E. CHARPIA )  
Defendants, )

CHERYL GRAHAM  
CLERK OF COURT  
DORCHESTER COUNTY

MOTION TO DISBURSE  
HOMESTEAD EXEMPTION

The Defendant , Jody E. Charpia , will move before this Court  
for a hearing on an Order to Disburse the Homestead Exemption pursuant  
to SC Code 15-41-30 (1)(a) , et al ; being a "multiple owner.

Jody E. Charpia prays for the opportunity to be heard .

The Defendant has attached an exhibit.

Jody E. Charpia  
106 Axtell Drive  
Summerville, SC 29485

cc: Attorney Frank M. Cisa  
Howard W. Charpia

**FILED RECORDED**  
1-17-20

**To: Judge Keesley**  
**From: Jody E. Charpia**  
**Re: Case # 2009-CP-18-2200**  
**McMasters v. Charpia**

2020 JAN 21 PH 2: 50

CHERYL GRAHAM  
CLERK OF COURT  
DORCHESTER COUNTY

**Judge Keesley,**

**The judgment that is in question in this case comes from a case back in 2002 , case # 2002-CP-18-932 . # 932 was a case against Howard W. Charpia and Charpia Residentials LLC . I was not a party to this case.**

**There were two sales in May 2009 and June 2009 of this property. After the 2<sup>nd</sup> sale in June 2009 , Attorney Cisa cancelled the sale because he said that I owned interest in this property and filed another action , case # 2009-CP-18-2200 against Howard W. Charpia and Jody E. Charpia .**

**Attorney Cisa and the Sheriff's office cancelled the 2009 sales without a Court order and no hearing. And without a revelant reason.**

**The home was sold on August 1 , 2017 by the Clerk of Court ; not the Master or Sheriff.**

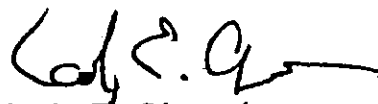
**As in your denial of Buzzy's (Howard Charpia) motions that this has been litigated to "final judgment".**

**Yet , you allowed Attorney Cisa to file a RTSC motion and held a hearing after this final judgment of August 1 , 2017.**

**Buzzy has spoken for me on many motions and hearings . The Court has allowed his arguments dating back to 2005 when Judge Williams set precedence by allowing him to speak on my behalf.**

**I only want a fair shake on this matter. I believe that if you allow Cisa to have his day in Court after your ruling on "final judgment" , that we (I) am afforded mine. I pray that I may be heard on this or you allow Buzzy to speak for me. There has never been a judgment rendered against me in these matters. Please see attached exhibits.**

**Thank you,**

A handwritten signature in black ink, appearing to read "Jody E. Charpia", with a long horizontal flourish extending to the right.

**Jody E. Charpia**

**cc: Attorney Cisa  
Rene McMasters  
Howard W. Charpia**

FORM 4

STATE OF SOUTH CAROLINA  
COUNTY OF Dorchester  
IN THE COURT OF COMMON PLEAS

JUDGMENT IN A CIVIL CASE

CASE NO. 2009CP1802200

Rene McMasters  
PLAINTIFF(S)

H Wayne Charpia et al  
DEFENDANT(S)

DISPOSITION TYPE (CHECK ONE)

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  
 Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED:  See attached order (formal order to follow)  Statement of Judgment by the Court:

On January 21, 2020, Mrs. Jody E. Charpia filed a motion seeking issuance of a Rule to Show Cause. The court declines to issue a Rule to Show Cause. The motion is dismissed, administratively, without a hearing for the reasons set forth below.

ORDER INFORMATION

This order  ends  does not end the case.

See Page 2 for additional information.

For Clerk of Court Office Use Only

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 01/23/2020 .

Finance of America Reverse LLC  
H Wayne Charpia for H Wayne Charpia  
Case Party Info Protected  
Jody E (indexed 8-20-09) Charpia for Jody E Charpia  
Jody E Charpia for Jody E (indexed 8-20-09) Charpia  
Howard W Charpia  
H Wayne Charpia for H Wayne Charpia

**NAMES OF TRADITIONAL FILERS SERVED BY MAIL**

**Court Reporter:**

**E-Filing Note:** The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCF.

---

The motion is another in a series of repetitive efforts by the Charpias to file claims on the same issue: a homestead exemption from the judicially ordered sale of their home. A hearing was held in May 2018 wherein Mrs. Charpia withdrew her motion to assert entitlement to homestead exemption funds. An order was filed on May 15, 2018, dismissing her prior motion for homestead exemption, with prejudice, based on her withdrawal of that claim. Orders entered in this case have decided the homestead exemption issues at the circuit court level. All funds held by the Clerk of Court have been distributed. This case is on appeal. The pending motion and accompanying letters assert that the court should issue a Rule to Show Cause, in part, because a Rule to Show Cause had previously been issued at the request of opposing counsel. The situation here is not the same as the one that prompted the issuance of those Rules to Show Cause. There being a final order whereby Mrs. Charpia withdrew her claim for homestead exemption, she can no longer assert it. There is no basis for the court to issue a Rule to Show Cause.



Dorchester Common Pleas

**Case Caption:** Rene Mcmasters VS H Wayne Charpia , defendant, et al  
**Case Number:** 2009CP1802200  
**Type:** Order/Electronic Form 4

Circuit Judge (Code #2050)

s/ William P. Keesley

Electronically signed on 2020-01-23 15:36:08 page 3 of 3

ELECTRONICALLY FILED - 2020 Jan 23 3:41 PM - DORCHESTER - COMMON PLEAS - CASE#2009CP1802200

Rene Mcmasters  
PLAINTIFF(S)

H Wayne Charpia et al  
DEFENDANT(S)

**DISPOSITION TYPE (CHECK ONE)**

- JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.
- ACTION DISMISSED (CHECK REASON):**  Rule 12(b), SCRPC;  Rule 41(a), SCRPC (Vol. Nonsuit);  Rule 43(k), SCRPC (Settled);  
 Other
- ACTION STRICKEN (CHECK REASON):**  Rule 40(j), SCRPC;  Bankruptcy;  
 Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award;  
 Other
- STAYED DUE TO BANKRUPTCY**
- DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**  
 Affirmed;  Reversed;  Remanded;  
 Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

**IT IS ORDERED AND ADJUDGED:**  See attached order (formal order to follow)  Statement of Judgment by the Court:

The order filed January 23, 2020, dismissing the motion of Mrs. Jody E. Charpia for a Rule to Show Cause, is amended because an incorrect date of a prior hearing was listed. The specifics of the amendment are set forth below. In all other respects, the order remains as written. The motion for a Rule to Show Cause is administratively dismissed.

**ORDER INFORMATION**

This order  ends  does not end the case.

See Page 2 for additional information.

**For Clerk of Court Office Use Only**

This judgment was electronically entered by the Clerk of Court as reflected on the Electronic Time Stamp, and a copy mailed first class to any party not proceeding in the Electronic Filing System on 01/27/2020 .

Finance of America Reverse LLC  
H Wayne Charpia for H Wayne Charpia  
Case Party Info Protected  
Jody E (indexed 8-20-09) Charpia for Jody E Charpia  
Jody E Charpia for Jody E (indexed 8-20-09) Charpia  
Howard W Charpia  
H Wayne Charpia for H Wayne Charpia

**NAMES OF TRADITIONAL FILERS SERVED BY MAIL**

**Court Reporter:**

**E-Filing Note:** The date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgment to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCF.

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In the prior order issued last week, the court indicated that Mrs. Charpia appeared before the court in May 2018. The order wherein she withdrew her claim for homestead exemption funds was issued in May 2018, as indicated, but the hearing preceding that order was on April 27, 2018. Regardless of when she appeared, an order was entered that dismissed her relevant claim, with prejudice.



Dorchester Common Pleas

**Case Caption:** Rene McMasters VS H Wayne Charpia , defendant, et al  
**Case Number:** 2009CP1802200  
**Type:** Order/Electronic Form 4

Circuit Judge (Code #2050)

s/ William P. Keesley

Electronically signed on 2020-01-27 16:05:14 page 3 of 3



**For Clerk of Court Office Use Only**

This judgment was entered on 5/15/2018, and a copy mailed first class or placed in the appropriate attorney's box on 5/15/2018, to attorneys of record or to parties (when appearing pro se) as follows:

Frank M. Cisa 858 Lowcountry Blvd. Ste. 101 Mt. Pleasant,  
SC 29464

H Wayne Charpia 717 Old Trolley Road, Ste. 6 #360  
Summerville, SC 29485  
Jody E Charpia 717 Old Trolley Road, Ste. 6 #360  
Summerville, SC 29485  
John G. Frampton 201 Johnston Street St. George, SC 29477  
William Ernest McIntosh III PO Box 280 Summerville, SC  
29484

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ATTORNEY(S) FOR THE PLAINTIFF(S)

---

ATTORNEY(S) FOR THE DEFENDANT(S)

*Cheryl Graham*

Court Reporter

Cheryl Graham - Clerk of Court

Court Reporter; Brenda Sigwald

**E-Filing Note:** In E-Filing counties, the date of Entry of Judgment is the same date as reflected on the Electronic File Stamp and the clerk's entering of the date of judgment above is not required in those counties. The clerk will mail a copy of the judgement to parties who are not E-Filers or who are appearing pro se. See Rule 77(d), SCRCP.

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**ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.**

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

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STATE OF SOUTH CAROLINA

2017 JUL -3 AM 10:15

COUNTY OF DORCHESTER

CLERK OF COURT  
DORCHESTER COUNTY

COMMON PLEAS  
FIRST JUDICIAL CIRCUIT  
CASE # 2009-CP-18-2200

RENE McMASTERS  
Plaintiff,

Vs.

HOWARD W. CHARPIA and  
JODY E. CHARPIA  
Defendants,

MOTION TO ASSERT  
HOMESTEAD EXEMPTION  
15-41-30 (A)(1)

I, Jody E. Charpia, move before the Court and the Clerk of Court for  
Dorchester County this Motion to Assert my Homestead Exemption, 15-41-30-(a)(1).  
I am a multiple owner of said property to be sold on July 5, 2017 or at a later date.  
TMS # 145-13-02-011.

*Jody E. Charpia*  
Jody E. Charpia  
1450 Jahnz Ave.  
Summerville, SC 29485

cc: Attorney Frank M. Cisa  
Judge Doyet Early  
Cheryl Graham, Clerk of Court

STATE OF SOUTH CAROLINA  
COUNTY OF DORCHESTER

RECORDED  
2017 JUL -3 AM 10:15  
CLERK OF COURT  
DORCHESTER COUNTY

COMMON PLEAS  
FIRST JUDICIAL CIRCUIT  
CASE # 2009-CP-18-2200

RENE McMASTERS  
Plaintiff,


Vs.

HOWARD W. CHARPIA and  
JODY E. CHARPIA  
Defendants,

ASSERTION OF  
HOMESTEAD EXEMPTION  
15-41-30 (A)(1)

I, Jody E. Charpia, pursuant to S.C. Code 15-41-30 (a)(1), hereby assert my Homestead Exemption. That I own interest in the property at 1450 Jahnz Ave. Summerville, SC 29485; TMS # 145-13-02-011. Pursuant to the statutes and Laws of South Carolina, I am classified as a "multiple owner". I am entitled to a Homestead Exemption of \$ 59,100.00 for / at the sale on July 5, 2017.

*See attached exhibits.*

  
Jody E. Charpia  
1450 Jahnz Ave.  
Summerville, SC 29485

Cc: Attorney Frank M. Cisa  
Judge Doyet Early  
Cheryl Graham

THE STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**

SEP 09 2020

SC Court of Appeals

APPEAL FROM DORCHESTER COUNTY  
Court of Common Pleas

The Honorable William P. Keesley  
Appellate Case Number 2019-001516

Trial Court Case No.: 2009-CP-18-2200

Rene McMasters, now known as Rene McMasters Ronaghan,.....Respondent,

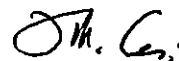
V.

H. Wayne Charpia a/k/a Howard W. Charpia and Jody E. Charpia, .....Appellants.

PROOF OF SERVICE

I certify that I have served a copy of the Respondent's Motion to Dismiss Appeal, by United States Mail, postage prepaid, on September 4, 2020, addressed to the Appellants, H. Wayne Charpia and Jody E. Charpia located at 106 Axtel Drive, Summerville, SC 29485.

Cisa & Dodds, LLP



Frank M. Cisa  
858 Lowcountry Blvd., Suite 101  
Mt. Pleasant, SC 29464  
(843) 881-6530  
fax:(843) 881-5433  
E-mail: [frank@cisadodds.com](mailto:frank@cisadodds.com)  
Attorney for Respondent

September 4, 2020

**CISA & DODDS, LLP**  
**ATTORNEYS AND COUNSELORS AT LAW**  
858 Lowcountry Boulevard, Suite 101  
Mt. Pleasant, South Carolina 29464  
Telephone (843) 881-6530 Fax (843) 881-5433

**FRANK M. CISA**  
**JOHN J. DODDS III**

frank@cisadodds.com  
john@cisadodds.com

September 4, 2020

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

**RECEIVED**

SEP 09 2020

**SC Court of Appeals**

RE: Rene McMasters Ronagham v. H. Wayne Charpia  
Case No.: 2009-CP-18-2200  
Appellant No.: 2019-001516  
Our file: 09-084

Dear Ms. Kitchings:

Enclosed is the original and six (6) copies of the Respondent's Motion To Dismiss Appeal together with my Proof of Service and my firm check payable to the Clerk's office in the amount of \$50.00. I would appreciate you filing the original and returning one (1) filed copy of the Proof of Service to me in the self addressed stamped envelope.

With kindest regards, I am

Very truly yours,



Frank M. Cisa

FMC/alp

Enclosures

cc: H. Wayne Charpia (w/enc.)  
Jody E. Charpia (w/enc.)

CISA & DODDS, LLP  
ATTORNEYS AND COUNSELORS AT LAW  
55 LOWCOUNTRY BOULEVARD, SUITE 101  
MY PLEASANT, SOUTH CAROLINA 29544

**RECEIVED**

SEP 09 2020

SC Court of Appeals

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