

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

CASE No: 2019-000486

APPELLANTS' REPLY TO
 RESPONDENT'S OPPOSITION
 TO TAKE NOTICE

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NOW COMES, the above named Appellants and move this Honorable Court to DENY Respondent's Opposition and SANCTION RESPONDENT AND THEIR ATTORNEYS. The reasons for this motion are set forth below:

Part and partial to Respondent's criminal enterprise: Respondent's attorney, Brian A. Calub, Esq., with leave of this Court: substituted their representation for that of H. Guyton Murrell, Esq. Therefore, any and every document submitted to this Court by Brian A. Calub, Esq. is done so *illegally*.

If this was a CIVIL case Appellants would not have advanced the issues as framed. However, because Respondent is engaged in a criminal enterprise is violation of the Racketeering Influence Corrupt Organization Act (RICO): this is a CRIMINAL case.

When an attorney has information their client has committed a crime, s/he do not have a legal obligation to report or provide any information adverse to their client. Where, as here, Respondent's criminal conduct is continuing and involves SUBORNATION OF PERJURY, fraud on the court and requires participation by their attorneys – *their attorneys have a legal obligation to report the crimes.*

Respondent has paid \$800 million in bribes and seeks to make it appear as if this Court is a participant in their criminal enterprise. Respondent's attorney are fully and completely aware Nationstar and Bank of America do not own the mortgage note that is the subject of this litigation – the mortgage note is owned by Freddie Mac. Nationstar has certified (*Appendix*) to this Court their right to sue is based solely on an ASSIGNMENT from Bank of America.

Even at this late date – Nationstar has not informed this Court [t]hey do not own the mortgage note; and [t]hey do not have authority granted by Freddie Mac to sue.

Respondent by and through their attorneys seek to involve this Court in their Criminal Enterprise in violation of 18 USC § 1961 et seq., by causing this Court to violate 42 USC §§ 1983, 1985 and 1986.

SUBSTITUTION OF COUNSEL WITHOUT LEAVE OF COURT

Never in the history of litigation has Gibbs gone to bed “one” day with an attorney of record:

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

and awaken the next day with a different attorney of record:

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

with no NOTICE to the Court and Gibbs! Nationstar made the lower court a party to their criminal enterprise. NOW, Nationstar attempts to make this Court a party as well!

CONCLUSION

Appellants filed this NOTICE for the primary reason of not allowing Respondent to demean the integrity of this Court while creating the environment in which this Court is party to [t]heir criminal enterprise.

WHEREFORE, Appellants pray this Court REVERSE the lower court and dismiss Respondent's case WITH PREJUDICE, sanction Respondent and their attorneys, and grant such other and further relief, at law and equity, general or special, to which Appellants have shown themselves justly entitled.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'M. Eugene Gibbs', is written over a horizontal line.

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

November 9, 2020
Buford, GA

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

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CERTIFICATE OF SERVICE

I, Melvin E. Gibbs, hereby certify that a copy of Appellants' Reply to Respondent's Opposition was placed with USPS, postage prepaid, the 9th day of November 2020, addressed to:

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

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



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