

UNITED STATES DISTRICT COURT

GREENVILLE District of SOUTH CAROLINA

2020 NOV 25 10:30 AM
CLERK OF COURT

U.S. Bank National Association.)
As Indentured Trustee for Angel)
Oak Mortgage Trust I, LLC 2018-PB1)
Plaintiffs)

NOTICE OF REMOVAL

v.)

Greenville County Case No. 2020-CP-23-03410

International Palm Oil & Biodiesel, LLC)
Mark Day, et al)
Defendants)

RECEIVED
NOV 25 2020
SC Court of Appeals

**NOTICE OF REMOVAL
TO THE UNITED STATES DISTRICT COURT**

TO: The Honorable Judges of the United States District Court for the District of South Carolina

**TO: The Honorable Judge Charles Simmons, Masters-In-Equity
Greenville County Circuit Court**

GROUNDS FOR REMOVAL

This Court has original jurisdiction of this action under Federal Question jurisdiction pursuant to 28 U.S.C. 1441(a), 1441(b), 1446, CARES ACT, 2020 and HEROES ACT, 2020 for the foregoing reasons;

Federal Question Jurisdiction

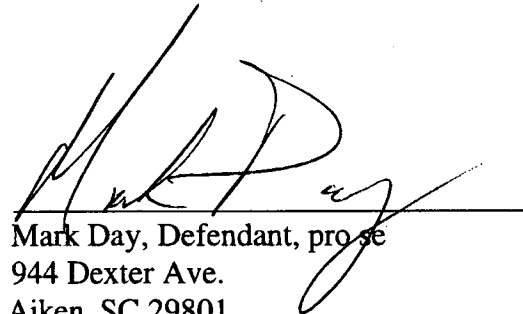
1. On or about July 24, 2020, the Defendant Mark Day, individually was served with a Summon & Complaint for Foreclosure of the subject property.

ENTERED COMPUTER

2. No other Defendant party has been served pursuant to Rule 4 Service of Process
3. There was no other notice attached. The matter of the Foreclosure Action is subject to the provisions of the Federal Cares Act 2020, as well as the provisions of the HEROES Act 2020, which involves protections from foreclosure actions during the pandemic.
4. The Notice of Removal is filed within the time allowed under 28 U.S.C. 1446(b), as thirty days have not yet expired since the above-referenced Defendants were served with a copy of the Summons & Complaint.

In accordance with 28 U.S.C. 1446(b) all relevant documents will be provided to the United States District Court and is attached hereto as Exhibit A. Pursuant to 28 U.S.C. 1441(b), "Any civil action of which the District Court have original jurisdiction, founded on a claim arising under the Constitution, treaties, or law of the United States shall be removable without regard to the citizenship or residence of the parties".

August 24, 2020



Mark Day, Defendant, pro se
944 Dexter Ave.
Aiken, SC 29801
803-226-3400

STATE OF SOUTH CAROLINA)
COUNTY OF GREENVILLE)

IN THE COURT OF COMMON PLEAS
13TH JUDICIAL CIRCUIT

U.S. Bank National
Association, et al

Civil Action No: 2020-CP-23-3410

Plaintiff

Vs

CERTIFICATE OF SERVICE

Mark Day, et al

Defendant

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SC Court of Appeals

CERTIFICATE OF SERVICE

Each statement here bis made under the penalties of perjury, that I hereby certify that on November 23, 2020, I physically filed the foregoing Notice of Appeal with the South Carolina Court of Appeals Clerk and the Greenville Clerk of the Court. I also certify under the penalties of perjury that the foregoing being the same Notice of Appeal and Statement of Issues are being served this day on the Plaintiff/Respondents U.S. Bank National Association Counsel of Record at 3550 Engineering Drive Peachtree Corners GA 30092 Registered Mail and on all counsel of record identified on the Service List in the manner specified, via U.S. Mail:

s/



Mark Day, Appellant/Defendant
944 Dexter Ave NE
Aiken, S.C 29801
803-226-3400

Cc:

Plaintiffs/Respondents
U,S, Bank National Association
January Taylor, Attorney
3550 Engineering Drive Ste 260
Peachtree Corners GA 30092

Greenville County Clerk of Court
305 E. North St
Greenville, South Carolina 29601

U.S. District Court
Greenville Division
300 Washington Street
Greenville, South Carolina 29601

**LETTER TO CLERK OF LOWER COURT
FILING NOTICE OF APPEAL**

November 22, 2020

The Honorable Paul B. Wickensimer
Clerk of Court for Greenville County
Greenville County Courthouse
305 E. North Street
Greenville, South Carolina 29601

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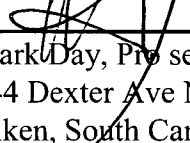
SC Court of Appeals

RE: U.S. Bank National Association, Respondent, v. Mark Day, Appellant,
Case No. 2020-CP-23-3410

Dear Mr. Wickensimer:

Enclosed for filing is a notice of appeal in the above case.

Sincerely,

s/ 

Mark Day, Pro se
944 Dexter Ave NE
Aiken, South Carolina 29801
(803) 226-3400
Attorney for Appellant

cc: January Taylor
McMichael Taylor Gray
J. Pamela Price
3550 Engineering Drive Ste 260
Peachtree Corners, GA 30092
(864) 000-000-0000
Attorney for Respondent

93578

**LETTER TO THE APPELLATE COURT CLERK
FILING THE NOTICE OF APPEAL**

November 22, 2020

The Honorable Jenny Abbott Kitchings
Clerk, South Carolina Court of Appeals
Post Office Box 11629
Columbia, South Carolina 29211

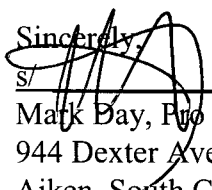
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NOV 25 2020
SC Court of Appeals

RE: U.S. Bank National Association, Respondent, v. Mark Day, Appellant,
Greenville County Case No. 2020-CP-23-3410

Dear Ms. Kitchings:

Enclosed for filing is a notice of appeal in the above case. Also enclosed are the following:

- (1) Proof of service of the notice of appeal on the respondent[s].
- (2) A copy of the order[s] which is [are] to be challenged on appeal.
- (3) A filing fee of \$250

Sincerely,


Mark Day, Pro se
944 Dexter Ave. NE
Aiken, South Carolina 29801
(803) 226-3400
Attorney for Appellant

cc: January Taylor
McMichael Taylor Gray
3550 Engineering Drive Ste 260
Peachtree Corners, GA 30092
(404) 474-7149
Attorneys for Respondent

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Mark Day
944 Oakhe Ave NE
Aiken SC 29801

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TO: (PLEASE PRINT) PHONE: ()

S.C. Court of Appeals
Clerk of Court
1226 Senate St.
Columbia SC 29201

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